

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 146/MP/2019

Subject : Petition under Section 79 of the Electricity Act, 2003 for execution of the order dated 5.2.2019 passed in Petition No. 192/MP/2018 and initiation of proceedings under Section 142 of the Electricity Act, 2003 against Solar Energy Corporation of India Limited in relation thereto.

Date of Hearing : 27.8.2020

Coram : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member

Petitioner : Phelan Energy India RJ Private Limited

Respondents : Solar Energy Corporation of India Limited (SECI) and 4 Ors..

Parties present : Shri Sujit Ghosh, Advocate, Phelan Energy
Ms. Mannat Waraich, Advocate, Phelan Energy
Shri M. G. Ramachandran, Sr. Advocate, SECI
Ms. Tanya Sareen, Advocate, SECI
Ms. Poorva Saigal, Advocate, SECI
Ms. Swapna Seshadri, Advocate, Rajasthan Discoms
Shri Anand Ganesan, Advocate, Rajasthan Discom
Shri Ashwin Ramanathan, Advocate, Rajasthan Discoms
Shri Damodar Solanki, Advocate, Rajasthan Discoms
Shri Manoj Mathur, SECI
Shri Ajay Sinha, SECI
Shri Abhinav Kumar, SECI
Shri Atulya Kumar Naik, SECI
Shri Shibasish Das, SECI

Record of Proceedings

The matter was heard through video conferencing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking direction to SECI to comply with the Commission's order dated 5.2.2019 in Petition No. 192/MP/2018 and to pay the GST compensation to the Petitioner. Learned counsel further submitted that since SECI has already started making the monthly payment towards GST compensation on annuity basis along with one lump-sum amount from the date of commercial operation of the Project, the issue raised in the Petition no longer survives.

3. Learned counsel for the Respondents, Rajasthan Discoms, submitted that since the Respondents are yet to be mapped on e-filing portal, they could not file their



response. Learned counsel sought permission to file its response indicating that the payment has been released by Rajasthan Discoms. The request was allowed by the Commission. The Commission directed the registry to map Rajasthan Discoms on e-portal who may file their response, on or before 17.2.2021 and the Petitioner may file its response thereof by 2.3.2021.

4. Subject to the above, the Commission reserved order in the Petition.

By order of the Commission

**Sd/-
(T.D. Pant)
Deputy Chief (Law)**

