

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION  
GANDHINAGAR**

**Petition No. 2334 of 2024.**

**In the Matter of:**

**Petition Seeking approval for deviation from Ministry of New and Renewable Energy Guidelines 2023 for long term procurement of electricity from Grid connected Wind-Solar project.**

Petitioner : Jubilant Infrastructures Limited

Represented By : Mr. Mahesh K. Mandwarya and Mr. Mukesh Pal

**CORAM:**

**Anil Mukim, Chairman  
Mehul M. Gandhi, Member  
S. R. Pandey, Member**

**Date: 02/07/2024.**

**ORDER**

1. The present matter was listed for hearing on 12.06.2024.
2. The present Petition has been filed by the Petitioner seeking the following prayers as under:
  - (a) *Admit the present Petition.*
  - (b) *To approve deviations from Guidelines dated 21.08.2023 including modifications as proposed by Petitioner as per details stated in the present Petition.*
  - (c) *To approve draft bidding document (RFP & PPA) annexed with the Petition.*
  - (d) *To crave relief for filing any further submissions.*

- (e) *To condone any inadvertent omissions/error/shortcomings/ and permit the Petitioner to make minor addition/change/modification/ alter this filing and make further submissions as may required at a future date.*
- (f) *To condone any shortcomings/deficiencies and allow the Petitioner, JIL to submit additional information/data at a later stage as may be required.*
3. Mr. Mahesh K. Mandwarya, appearing on behalf of the Petitioner, submitted that the Petitioner has filed the present Petition for seeking approval for deviation from the 'Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Wind Solar Hybrid Projects' dated 21.08.2023 issued by the Ministry of Power, Government of India for long term power procurement of electricity from Grid connected Wind-Solar Hybrid Project.
- 3.1. It is submitted that pursuant to hearing dated 02.03.2024 the Commission has passed the Daily Order dated 16.03.2024 in the present matter wherein the Commission while noting that the Petitioner has not approached the State Government for approval of the deviations, which is required to be approved by the State Government as per Clause 19 of the MoP's Guidelines 21.08.2023. As agreed, the Petitioner to approach the State Government to get approval of deviations in draft bidding documents (RfP and the PPA), has also directed the Petitioner to appraise the Commission about the actions from time to time initiated by the Petitioner in this regard. In compliance to the aforesaid directives, the Petitioner vide letter dated 20.03.2024 informed the Commission that the Petitioner has approached the Govt. of Gujarat seeking approval of deviation with respect to power procurement of 9.0 MW in Hybrid arrangement and Govt. of Gujarat vide letter dated 18.03.2024 conveyed that as per Clause No. 3 of MoP' Guidelines, these guidelines are applicable to bid capacities of 10 MW and above for the projects connected to an Intra-State transmission System whereas the required capacity of the Petitioner is 9.0 MW Hybrid project which does not fall under the MoP guidelines dated 21.08.2023 and therefore, the proposed matter is not in the purview of the State Government.
- 3.2. Thereafter, the Petitioner has initiated the tendering process for the procurement of 9 MW by issuing public notices alongwith draft RfP and PPA in the newspapers and

the same has been informed to the Commission vide letters dated 01.05.2024 & 07.06.2024. In view of the above, now approval is not required as the present Petition became infructuous. It is submitted that the Petitioner is no longer willing to pursue the present Petition and accordingly, agreed to withdraw the present Petition. It is requested to the Commission to permit withdrawal of Petition.

4. We have considered the submissions made by the Petitioner. The present Petition has been filed for seeking approval for deviation from the 'Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Wind Solar Hybrid Projects' dated 21.08.2023 issued by the Ministry of Power, Government of India for long term power procurement of electricity from Grid connected Wind-Solar Hybrid Project. We also note that in compliance to directives of the Commission, the Petitioner has approached the Government of Gujarat seeking approval of deviation with respect to power procurement of 9.0 MW in Hybrid arrangement and Govt. of Gujarat vide letter dated 18.03.2024 conveyed that the required capacity of the Petitioner is 9.0 MW Hybrid project which does not fall under Clause No. 3 of the MoP guidelines dated 21.08.2023 as the guidelines are applicable to bid capacities of 10 MW and above for the projects connected to an Intra-State transmission System. Hence, there is no needs to get any approval for deviations in the Bid documents with consideration of the project size of 9 MW. Thereafter, the Petitioner has initiated tendering process by issuing public notices alongwith draft RfP and PPA in the newspapers. We further note that the Petitioner is no longer willing to pursue the present Petition and agreed for withdrawal of Petition No. 2334 of 2024. Accordingly, with consideration of same, we allow withdrawal of Petition No. 2334 of 2024.
5. In view of the above, this Petition stand disposed of as withdrawn by the Petitioner.

**Sd/-**  
**[S. R. Pandey]**  
**Member**

**Sd/-**  
**[Mehul M. Gandhi]**  
**Member**

**Sd/-**  
**[Anil Mukim]**  
**Chairman**

Place: Gandhinagar.  
Date: 02/07/2024.