

**JOINT ELECTRICITY REGULATORY COMMISSION FOR
THE STATE OF GOA AND UNION TERRITORIES
GURGAON**

Coram*

Sh. S.K.Chaturvedi, Member

Petition No. 102/2013

Date of Order 29.10.2013

In the matter of

Review petition under section 94 of the Electricity Act, 2003.

And in the matter of:

M/S Saheli Export Private Limited, Chennai.

And

1. Electricity Department, Puducherry
2. Renewable Energy Agency Puducherry (REAP)

Present:

For the Petitioner

1. Shri K. Narayanan, Representative, Saheli Export Pvt. Ltd.

For the Respondents

1. Shri T. Chanemougan, Executive Engineer, ED- Puducherry.
2. Shri V. Sridharan, Executive Engineer, ED- Puducherry.

ORDER

The petitioner - M/S Saheli Export Private Limited has filed the present petition for review of order dated 27.02.2013 passed by this Commission in petition no. 39/2011.

The Commission in the order dated 19.09.2013 directed the petitioner to supply survey number of the land on or before 24.10.2013 where project of the petitioner is to be constructed. The petitioner failed to supply survey number of the land where project of the petitioner is to be constructed upto 24.10.2013 and thereafter also.

The Commission on 26.10.2013 by e-mail received a request from Shri Anand K. Ganesan, Advocate for the petitioner stating that due to personal difficulty he is unable to appear before this Commission on 29.10.2013 and requested for three weeks' adjournment.

The respondent made written submission that the project proponent M/s Saheli Exports Pvt. Ltd. has failed to furnish survey number and other details of the land at which the

power plant is proposed to be setup and thereby the project proponent has defaulted in complying with the directions of the Hon'ble Commission in its order dated 19.09.2013. Therefore, the respondent - EDP is not in a position to confirm the point of connectivity for evacuation of power generated from the power plant, which under JNNSM scheme, is an essential parameter to be finalized before execution of PPA.

The Commission considered the request of learned counsel for the petitioner and observed that the matter is lingering on since long between the parties for one reason or the other. The petitioner is interested in delaying the matter. However, in the interest of the justice and for proper adjudication of the matter, the Commission acceded the prayer of counsel for the petitioner and adjourned the petition to 20.11.2013 for supplying by petitioner survey number of the land where project of the petitioner is to be constructed with advance copy to the opposite side. If, the petitioner failed to supply survey number of the land in time where project of the petitioner is to be constructed the petition shall stand dismissed.

Scheduled for hearing 20.11.2013 at 11:00.

Sd/-
(S.K.Chaturvedi)

Member

Chairperson (Vacant)

- * Post of the Chairperson is vacant. As per proviso of Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 for review of its own orders "Coram is all Members". Whereas according to provisions of Section 93 of the Electricity Act, 2003 no act or proceedings of the appropriate Commission shall be questioned or invalidated merely on the ground of existence of any vacancy or defect in the Constitution of the appropriate Commission. So the Member only constitute a valid quorum.

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(Rajeev Amit)
Secretary