

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

Coram  
Shri S.K.Chaturvedi, Chairperson  
**Petition No. 138/2014**  
**Date of Order 14.07.2014**

**In the matter of**

Petition for approval of the Joint Electricity Regulatory Commission for the State of Goa and Union Territories in respect of approval of RFP documents for procurement of Renewable Energy Power of 145 MUs on yearly basis by the Dadra & Nagar Haveli Power Distribution Corporation Ltd. as per the Case I- Renewable Energy bidding guidelines for Tariff Based Competitive Bidding Process for Grid Connected Power Projects Based on Renewable Energy Sources issued by the Govt. of India.

**And in the matter of**

DNH Power Distribution Corporation Ltd.

.... Petitioner

**Present**

1. Sh. H.M. Patel, Executive Engineer, DNH Power Distribution Corporation Ltd.
2. Sh. Chandresh, Consultant, DNH Power Distribution Corporation Ltd.

**Order**

Dadra & Nagar Haveli Power Distribution Corporation Ltd.- Petitioner has filed the present petition for approval of the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (JERC) for deviations in RFP documents for procurement of Renewable Energy Power (145 MUs on yearly basis) by the Dadra & Nagar Haveli Power Distribution Corporation Ltd. (DNHPDCL) as per the Case -I Guidelines for Tariff Based, Competitive Bidding Process for Grid Connected Power Projects based on Renewable Energy Sources issued by MNRE Govt. of India.

The petition was received in the Commission on 01.07.2014. The petition was examined and found as per JERC (Conduct of Business) Regulations, 2009 and provisions of the Electricity Act, 2003.

The Commission admitted the petition on 02.07.2014. The Commission sent hearing notice to the petitioner for today dated 14.07.2014. The Commission heard the representatives of the petitioner in Court Room of the Commission.

The representatives of the petitioner explained salient features of the petition and clauses of the RFP documents for procurement of Renewable Energy Power (145 MUs on yearly basis) by Dadra & Nagar Haveli Power Distribution Corporation Ltd. (DNHPDCL) as per the Case -I Guidelines for Tariff Based, Competitive Bidding Process for Grid Connected Power Projects based on Renewable Energy Sources issued by MNRE Govt. of India.

The Commission after hearing the representatives of the petitioner and carefully and thoroughly going through the petition and RFP documents, pointed out following discrepancies in the RFP documents and Annexure-III:-

- i. The petitioner has shown deviations from RFP documents in Annexure -III. But the same is incomplete and explained below:
  - a. Three paras have been added at Sr. No. 2.4, under 'Bid Submission Procedure', but they are not mentioned in Annexure - III.

- b. Format 5.7, referred on page 35 in clause 3.4.9 is blank.
  - c. Clauses 3.4.4 to 3.4.7 have been deleted on page 35. But there is no mention of this fact in Annexure - III.
  - d. Last line in para 2.3.2 on page 23 is added. But there is no mention of this fact in Annexure - III.
- ii. 'Delivery Point' has not been defined in Bidding RFP document, though in later part of document it is written that DNHPDCL expects it to be at DNH Periphery.
  - iii. The Commission also pointed out following typographical errors:-
    - a. Page 7- 'PPA' word missing
    - b. Serial nos. wrongly mentioned at page-24 in clause 2.4.1.1 (A).
    - c. Wrong sequencing in clause 2.4 (B) at page 25.
  - iv. Formats 5.8 to 5.9 will be superfluous in case 'Delivery Point' is clearly defined at 'DNH Periphery'.
  - v. It is not clear, whether is a two part tender, or single part tender.
  - vi. The Commission also pointed out some more errors in the RFP documents and Annexure – III.

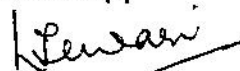
Facing with this situation the representatives for the petitioner prayed for 15 days time for making corrections, alternations and additions in RFP documents and Annexure –III.

The Commission considered the request of the representatives for the petitioner and acceded the same. The Commission directed the petitioner to make corrections, alternations and additions in RFP documents and Annexure –III and submit to the Commission on or before 30.07.2014.

Sd/-  
(S.K.Chaturvedi)  
Chairman  
Member (Vacant)

\* As per Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 "Coram is two". Whereas as per proviso of Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 if Chairperson or the Member is prevented from attending hearing of which he has been given notice the Member or the Chairman as the case may be attending the meeting shall validly constitute the Coram. Post of the Member is vacant. 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 Chairperson only constitute a valid Coram.

Certified Copy



(Keerti Tewari)  
Secretary

कीर्ति तिवारी/Keerti Tewari  
सचिव/Secretary  
संयुक्त विद्युत विनियामक आयोग  
Joint Electricity Regulatory Commission  
गोवा राज्य और संघ राज्य क्षेत्र  
For the State of Goa & Union Territories  
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