

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

Coram  
Dr. V.K. Garg, Chairperson  
Shri S.K.Chaturvedi, Member  
**Petition No. 94/2013**

**In the matter of**

Petition for approval of Power Purchase Agreement between Electricity Department- Andaman & Nicobar Administration and M/s Suryachakra Green Fuels Pvt. Ltd. under section 86 (1) (b) of Electricity Act, 2003.

**And in the matter of**

The Electricity Department, A&N Administration, Vidyut Bhawan, Port Blair- 744101  
.....Petitioner

**Present for petitioner:**

1. Shri U.K. Pual, Executive Engineer, ED- A&N Island.
2. Shri S.K. Biswas, AE, ED- A&N.

**Order**

**17.04.2013**

1. In exercise of the powers conferred by Section 83 of the Electricity Act, 2003 the Central Government constituted a two member (including Chairperson) Joint Electricity Regulatory Commission for all Union Territories except Delhi to be known as "Joint Electricity Regulatory Commission for Union Territories" with Headquarters at Delhi as notified vide notification no. 23/52/2003- R&R dated 2nd May, 2005. Later with the joining of the state of Goa, the Commission came to be known as "Joint Electricity Regulatory Commission for the State of Goa and Union Territories" as notified on 30th May, 2008. The Joint Electricity Regulatory Commission (for the State of Goa and Union Territories) started functioning with effect from August 2008 in the district town of Gurgaon, Haryana.
2. The petitioner ED- Andaman & Nicobar filed the present Petition for approval of Power Purchase Agreement to be executed between Electricity Department- Andaman & Nicobar Islands and M/s Suryachakra Green Fuels Pvt. Ltd. under section 86 (1) (b) of Electricity Act, 2003 and in principal accord approval for purchase of power from proposed 2 MW Biomass based power plant of M/s Suryachakra Green Fuels Pvt. Ltd. Hyderabad in

Meethankhari, South Andaman at the lowest bid tariff rate of Rs. 9.81/- unit finalized through competitive bidding.

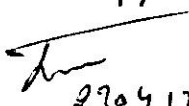
3. The Commission admitted the petition on 11.01.2013 and sent notice of hearing to the parties for 26.02.2013 with direction to submit status of clearances by 23.02.2013. The petitioner submitted status of clearances received in the Commission on 25.02.2013 contending as under:-
  1. The developer M/s Suryachakra Green Fuels Pvt. Ltd., has confirmed that they have already sent letters to all concerned authorities for clearances required in respect of 2 MW Biomass based power plant and same will be submitted as soon as these clearances are received.
  2. The developer M/s Suryachakra Green Fuels Pvt. Ltd., have proposed the lowest rate of Rs. 9.81/- unit with an escalation of 3% per annum and hence the tariff rate will be Rs. 9.81/- unit for the first year with an escalation of 3% annually during subsequent years.
  3. The statement regarding 4 Nos. Biomass plants are enclosed.
  4. M/s Suryachakra Green Fuels Pvt. Ltd., earlier submitted the DPR to the ED- A&N during June, 2012 which was having number of discrepancies/ deviations and information of which was sent back to the developer immediately during 27<sup>th</sup> June, 2012 for revision and submission of fresh DPR. The firm submitted the fresh DPR only during December, 2012 and only on receipt of this fresh DPR, the petition was filed for approval of PPA. The developer after signing the PPA will adhere the time line as per the relevant provision of PPA.
  5. All the works of interconnection facilities and synchronizing is in the scope of the developer.
  6. The subject land has been allotted by A&N Administration for setting up the 2 MW Biomass power project. As mentioned at Serial No. 1 for all clearances letters to concerned authorities have been already sent by the developer and M/s Suryachakra Green Fuels Pvt. Ltd., have been requested to pursue and get these clearances immediately.
4. The Commission heard the representatives of the parties on 26.02.2013 at length and perused the petition, additional information and accompanying documents carefully and thoroughly.
5. The Commission held public hearing on 18.03.2013 at Port Blair. The Commission did not receive any objection from any stakeholder.

6. The Commission in the order dated 26.02.2013 observed that the PPA to be signed between the parties is in line with the provisions of section 86 (1) (b) of the Electricity Act, 2003 and Regulations framed by the Commission under the Electricity Act, 2003. The tariff between the parties is to be fixed under case one bidding guidelines for procurement of power under section 63 of the Electricity Act, 2003. The Commission before approval of the PPA to be signed for procurement of power by the petitioner under case one bidding guidelines under section 63 of the Electricity Act, 2003 requires the petitioner to file an affidavit stating that the Govt. guidelines for procurement of power under case one bidding guidelines have been complied.
7. The petitioner on 17.04.2013 in compliance of the previous order dated 26.02.2013 submitted an affidavit stating that case one bidding guidelines of Govt. of India for procurement of power under section 63 of the Electricity Act, 2003 are followed in the present case.
8. The Commission heard the representatives of the petitioner at length and has gone through the contents of the petition with accompanying documents carefully and thoroughly and found the tariff at the rate of Rs. 9.81/- unit reasonable and as per prevailing rate of tariff in the market. The Commission also found the PPA to be executed between Electricity Department- Andaman & Nicobar Islands and M/s Suryachakra Green Fuels Pvt. Ltd. under section 86 (1) (b) of Electricity Act, 2003 in line with the Electricity Act, 2003 and Regulations framed thereunder. The Commission in principal approves the Power Purchase Agreement to be executed between Electricity Department- Andaman & Nicobar Islands and M/s Suryachakra Green Fuels Pvt. Ltd. under section 86 (1) (b) of Electricity Act, 2003 for purchase of power from proposed 2 MW Biomass based power plant of M/s Suryachakra Green Fuels Pvt. Ltd. Hyderabad in Meethankhari, South Andaman at the lowest bid tariff rate of Rs. 9.81/- unit finalized through competitive bidding.

Sd/-  
(S.K.Chaturvedi)  
Member

Sd/-  
(Dr. V.K. Garg)  
Chairperson

Certified Copy

  
23.04.13  
(R.K. Malik)  
Secretary

R.K. Malik  
Secretary  
Joint Secretary to the Commission  
For  
Vani