

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION  
BAYS No. 33-36, SECTOR-4, PANCHKULA- 134112, HARYANA**

**Case No. HERC/PRO-24 of 2017**

**Date of Hearing : 08.05.2019**

**Date of Order : 08.05.2019**

**In the Matters of**

Application under section 86(1)(b) of the Electricity Act, 2003 for the approval of the Commission for procuring of power at regulated tariff from 110 MW (2X55 MW) Chuzachen Hydro Electric Project situated at East District, Sikkim.

**Petitioner**

Haryana Power Purchase Centre, Panchkula

**Respondent**

Gati Infrastructure Pvt. Ltd.

**Present On behalf of the Petitioner**

1. Shri Randeep Singh, SE/HPPC
2. Shri Rajiv Mishra, Xen, HPPC
3. Shri Ravi Juneja, AEE/HPPC

**Present on behalf of the Respondent**

1. Shri Tabrez Malawat, Advocate for GIPL
2. Shri Rajesh Sharma, GIPL
3. Shri Ved Prakash Goyal, GIPL

**Quorum**

**Shri Jagjeet Singh, Chairman  
Shri Pravindra Singh Chauhan, Member**

**INTERIM ORDER**

1. The case was heard by the Commission on 08.05.2019, as scheduled.
2. The petitioner submitted that the Commission approved the procurement of power from the Chuzachen Hydro Power Project, at the tariff of Rs. 4.69/kWh being the ceiling tariff for first 35 years of the PPA vide order dated 13th November, 2017.
3. Pursuant to above order, a review petition namely RA-1 of 2018, was filed by M/s. Gati Infrastructure Pvt. Ltd. seeking review of the Order of the Commission dated 13.11.2017 in HERC/PRO-24 of 2017.
4. Vide order dated 16.04.2019 in case no. RA-1 of 2018, the Commission dismissed the review petition and directed HPPC to redraft the PPA

accordingly. In this regard, the following observation was made at para 13 in the Order dated 16.04.2019:

*“Further, the Commission observes that it is not open for the HPPC to sign PPA with IPP against the terms & conditions contained in the Order of the Commission. In case of difficulty in implementation of the Order of the Commission, HPPC was required to approach the Commission seeking review, rather than signing PPA with IPP containing conditions contrary to the Order of the Commission. Accordingly, HPPC is directed to redraft the PPA as per the terms & conditions contained in the present Order as well as in the impugned Order of the Commission dated 13.11.2017. HPPC, while redrafting the PPA, shall also consider the Order of the Commission dated 08.03.2019 passed in the matter of approval of draft PPA with two other Sikkim based Hydro Power Generators and submit the signed copy of the same for approval of the Commission.”*

5. However, the Commission observes that no signed PPA has been submitted by the petitioner pursuant to the order dated 16.04.2019 as above.
6. In terms of the above-mentioned observations, the Commission directs HPPC to redraft the PPA and submit the same for approval of the Commission, within 2 weeks from the date of this Order, so that exercise for determination of tariff can be taken up.

This Order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 08<sup>th</sup> May, 2019.

Date: 08.05.2019  
Place: Panchkula

(Pravindra Singh Chauhan)  
Member

(Jagjeet Singh)  
Chairman