

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 1852 of 2020

In the Matter of:

**Petition seeking exemption from the restriction imposed on captive use of
Wind energy under Clause 5 of Gujarat Wind Power Policy, 2016.**

Petitioner : Gujarat Fluorochemicals Limited

Represented By : Ld. Advocate Ms. Nameeta Singh

V/s.

Respondent No. 1 : Energy & Petrochemicals Department,
Government of Gujarat.

Represented By : Nobody was present.

Respondent No. 2 : Gujarat Energy Development Agency

Represented by : Nobody was present.

Respondent No. 3 : Gujarat Energy Trans. Corporation Limited

Represented by : Nobody was present.

Respondent No. 4 : Dakshin Gujarat Vij Company Limited

Represented by : Nobody was present.

CORAM:

Mehul M. Gandhi, Member

S. R. Pandey, Member

Date: 17/11/2021.

DAILY ORDER

1. The matter was kept for hearing on 10.11.2021.
2. When the matter was called out, nobody was present on behalf of the Respondents.
3. Ld. Advocate Ms. Nameeta Singh, on behalf of the Petitioner submitted that Vakalatnama for counsel to the Petitioner is being filed today on 10.11.2021 in the present matter. It is further submitted that in pursuance to the Daily Order dated 14.07.2020, wherein the Petitioner was directed to file the relevant documentary evidence to substantiate its submissions regarding representations made by the Petitioner to the Respondents in respect of the grievances or to any reply/response filed by the Respondents. The Petitioner was also directed to amend the cause title by joining GETCO and distribution licensees within the State as party Respondents and provide a copy of Petition and other documents to the Respondents. In compliance to the aforesaid directives, the Petitioner has filed affidavit dated 08.11.2021 impleading Dakshin Gujarat Viji Company Limited (DGVCL) and Gujarat Energy Transmission Corporation Limited (GETCO) in the array of parties as party Respondents No. 3 and 4 respectively and also copy of Petition and other documents has duly been served upon to newly joined Respondents.
 - 3.1. It is further submitted that pursuant to the liberty granted by the Commission vide Daily Order dated 30.09.2021, the Petitioner has filed an IA seeking permission for amendment of the Petition with amended prayer clause in the present matter.
 - 3.2. In response to query of the Commission regarding impleading only GETCO and DGVCL but not impleading other distribution licensees as party Respondents in the present matter as per the directions of the Commission, Ld. Counsel for the Petitioner submitted that the Petitioner's manufacturing plant is situated in the distribution area of DGVCL and therefore DGVCL and GETCO being STU are made as party Respondents in the present matter and not joined other distribution licensees of the State. However, in compliance of the directive by the Commission to implead all other distribution licensees within the State as party Respondents, the Petitioner will also implead them and requested the Commission to permit the Petitioner to file fresh affidavit alongwith amended memo of parties by impleading other distribution licensees of the State in the present matter for which weeks' time has been sought by the Petitioner. It is also requested that the matter be kept for hearing on 23.11.2021.
4. We have considered the submissions made by the Petitioner. We note that the Respondents neither remained present during today's proceedings nor made any written communication about their inability to remain present, despite being served

the hearing notice to them in advance. We note that the Petitioner has filed an IA on 09.11.2021 in pursuance of directives of the Commission in Daily Order dated 30.09.2021 for amendment of Petition No. 1852 of 2020, which is pending for Registration and Numbering. Let the same be registered and numbered.

4.1. We also note that though the Commission vide its Daily Order dated 14.07.2020 had clearly directed the Petitioner to implead GETCO and distribution licensees within the State in the present Petition and provide a copy of Petition and other documents to the such Respondents but the Petitioner vide its affidavit dated 08.11.2021 has only joined and impleaded Dakshin Gujarat Vij Company Limited (DGVCL) and Gujarat Energy Transmission Corporation Limited (GETCO) in the array of parties as party Respondents No. 3 and 4 respectively and proof of services has also filed in respect of serving the copy of petition and other documents to DGVCL and GETCO. We also note the statement of the counsel appearing for the Petitioner that the Petitioner will also implead all other distribution licenses within the State by filing fresh affidavit alongwith amended memo of parties for which weeks' time has been sought. Accordingly, the Petitioner is directed to file a fresh affidavit, impleading GETCO and all other distribution licensees of the State, within week' time from the date of this Order and also to provide copy of the Petition and IA alongwith all other documents to them. The Respondents are at liberty to file their reply, if any, on above after receipt.

5. At the request of the Petitioner the matter is listed for hearing on 23.11.2021 at 11:30 A.M.

6. We Order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.
Date: 17/11/2021.