

# MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION

BHOPAL

**Sub: In the matter of petition under Section 86 of the Electricity Act, 2003 read with Clause 12.03 of PPA dated 16.06.2014.**

**Petition No. 24 of 2020**

## **ORDER**

**(Hearing through Video Conferencing)  
(Date of Motion Hearing: 24<sup>th</sup> November' 2020)  
(Date of Order: 16<sup>th</sup> December' 2020)**

**M/s Globus Steel and Power Pvt Ltd.**

Through its Director  
2-A/3, Kundan Mansion, Asaf Ali Road,  
Delhi, North East Delhi – 110 002

- **Petitioner**

**Vs.**

**M.P. Power Management Company Ltd.,**

Through General Manager  
Block No. 15, Shakti Bhawan,  
Rampur, Jabalpur – 482008

- **Respondent**

Shri Sambhav Sogani , Advocate appeared on behalf of the petitioner.

The petitioner has installed 20MW solar PV project at Village Nataram Tehsil Sitamau, District Mandsaur. The petitioner and respondent have entered into a Power Purchase Agreement (PPA) dated 16.06.2014 for supply of power from the petitioner's Solar PV project to the Respondent.

2. The petitioner has filed the subject petition under Section 86 of the Electricity Act 2003 read with Clause 12.03 of above mentioned PPA regarding non-payment of outstanding amount in terms of PPA by the Respondent, M.P. Power Management Co. Ltd.

3. The case was fixed for motion hearing on the 02.06.2020 when no one appeared for the petitioner. This case was again heard in motion hearing on the 01.09.2020 when Ld. Counsel for the petitioner read various clauses in PPA with regard to payment, rebate and surcharge on delay payment etc. Vide Commission's order dated 04.09.2020 on aforesaid hearing, the petitioner was asked to inform whether the Power Purchase Agreement in the subject matter is approved by the Commission under Section 86(1) (b) of the Electricity Act'2003. The details and documents with regard to approval of the PPA were also sought from the petitioner. As requested, the petitioner was allowed to file the aforesaid details and documents by the 30.09.2020 and the case was re-scheduled for motion hearing on 13.10.2020.

4. During the course of next motion hearing held on 13.10.2020, it was observed that the details and documents as sought with regard to approval of the PPA were not filed by the petitioner and Ld. Counsel of the petitioner had sought adjournment in the subject matter. Considering the request of the petitioner, the case was again re-scheduled for motion hearing on 24.11.2020.

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5. During the course of next motion hearing held on 24.11.2020, Ld. Counsel who appeared for the petitioner submitted that the petitioner has sought the details and documents with regard to approval of the subject PPA from the Respondent (MPPMCL) and the petitioner has not received any details from the Respondent till date.

6. The Commission has observed that the subject petition has been filed under Clause 12.03 of the Power Purchase Agreement executed between the petitioner and the Respondent on 16.06.2014. However, after providing a number of opportunities, the petitioner has failed to provide the details and documents as sought with regard to approval of aforesaid PPA under Section 86(1) (b) of the Electricity Act'2003 after a period of more than two and half months. In view of aforesaid, the subject petition is dismissed and disposed of. However, the petitioner shall be at liberty to file a fresh petition along with the details and documents as sought in this matter.

**(Shashi Bhushan Pathak)**  
Member

**(Mukul Dhariwal)**  
Member

**(S.P.S Parihar)**  
Chairman