

The HPSEBL and M/s PVR Solar Power Project

Review Petition No. 208 of 2025

04.09.2025

Present: Sh. Kamlesh Saklani, Authorized Representative for
the Joint Petitioner No. 1.
None for the Joint Petitioner No. 2.

ORDER

This Review Petition has been filed jointly by the Himachal Pradesh State Electricity Board Limited (the HPSEBL/ Joint Petitioner No. 1) and M/s PVR Solar Power Project (the Joint Petitioner No. 2) for reviewing the order dated 19.04.2025 passed in Petition No. 124 of 2025. Be registered.

2. It is averred that HIMURJA granted the approval for setting up of 1.5 MW capacity Solar Power Project in favour of the Joint Petitioner No. 2 vide letter dated 03.03.2025 and based on said letter, Joint Petition No. 124 of 2025 for the approval of Power Purchase Agreement (PPA) was filed which was decided by the Commission approving the tariff of Rs. 3.47 per kWh.

3. It is averred that subsequent to order of the Commission dated 19.04.2025 and prior to execution of the PPA, the Joint Petitioner No. 2 produced before the Joint Petitioner No. 1 letter No. HIMURJA(F-7)/SPV projects/2024-14192 dated 29.03.2025 from the HIMURJA revising the capacity of the Project from 1.5

MW to 1.3 MW and accordingly, the Joint Petitioners have signed the PPA on 14.05.2025 for the reduced capacity of 1.3 MW inadvertently, whereas the Commission had issued the order in respect of the capacity of 1.5 MW. The parties have also signed the Connection Agreement on 07.05.2025.

4. In the circumstances, there is an apparent inconsistency between the capacity approved by the Commission and actual capacity as incorporated in the PPA and since, an inadvertent bonafide mistake has been made by the Petitioners in signing the PPA for 1.3 MW capacity, without approval of the Commission, it has been prayed to review the order dated 19.04.2025 in view of the aforesaid letter dated 29.03.2025 of the HIMURJA for revising the capacity from 1.5 MW to 1.3 MW.

5. We have heard Sh. Kamlesh Saklani, Authorised Representative for the Joint Petitioner No. 1, who has submitted that the Joint Petitioner No. 2 could not come due blockage of road on account of incessant rains. He has also submitted that due to an inadvertent bonafide mistake, the PPA has been signed for capacity of 1.3 MW, whereas, the Project was approved for the capacity of 1.5 MW by the Commission as the HIMURJA revised the capacity on 29.03.2025 and, therefore, the Petition may kindly

be allowed and the Project capacity be ordered to be treated as 1.3 MW.

6. Though, the Petition has been filed for review but there is no error apparent on the face of record in order dated 19.04.2025. Rather, due to a bonafide mistake, based on a certificate issued by the HIMURJA vide letter No. HIMURJA(F-7)/SPV Projects/2024-14192 dated 29.03.2025, whereby the Project capacity has been revised from 1.5 MW to 1.3 MW, the PPA was signed on 14.05.2025 for the capacity of 1.3 MW without seeking approval of the Commission. Hence, the Petition.

7. A careful perusal of Petition No. 124 of 2025 reveals that a tariff of Rs. 3.47 per kWh was allowed to the Joint Petitioner No. 2 for the Project for capacity of 1.5 MW which has now been revised by the HIMURJA for 1.3 MW vide letter dated 29.03.2025, as mentioned above. The tariff for the Projects above 1 MW and upto 5 MW capacity is Rs. 3.47 per kWh as per order dated 14.03.2024 in Suo Moto Petition No. 01 of 2024. As such, there is no change in tariff. Though, the Joint Petitioners were required to seek review of order of the Commission before signing the PPA but it has been mentioned that due to bonafide mistake, the PPA has been signed based on the aforesaid letter of the HIMURJA. Thus, the prayer made in the Petition appears to be genuine as no change in tariff is

involved and irregularity is required to be regularized which is accordingly regularized.

8. In view of the above, the Petition succeeds and allowed. It is ordered that the Project capacity of M/s PVR Solar Power Project be treated as 1.3 MW instead of 1.5 MW for all intents and purposes.

9. Since, the PPA has already been signed on 14.05.2025 and there is no change in the tariff structure of the Project, no Supplementary Power Purchase Agreement is required to be signed.

10. Let a copy of this order be placed immediately before the Order dated 19.04.2025 in Petition No. 124 of 2025.

11. The Petition disposed off. Be tagged to Petition No. 124 of 2025.

The file after needful be consigned to records.

Announced
04.09.2025

**-Sd-
(Shashi Kant Joshi)
Member**

**-Sd-
(Yashwant Singh Chogal)
Member (Law)-cum-Chairman**