BEFORE THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION SHIMLA

Petition No: 204 of 2026
Instituted on: 30.10.2026
Heard on: 03.11.2026
Decided on: **03.11.2026**

CORAM

SHASHI KANT JOSHI
MEMBER-cum-Chairman

In the matter of:-

The HP State Electricity Board Ltd.
through Chief Engineer (SO),
Vidyut Bhawan, Shimla-171004. **…….Joint Petitioner No.1**

AND

The JAKS Energies Solar Power Project,
Registered office at Krishna Niwas Chungi Khana,
Lower Kaithu, Shimla Urban,
Post Office Agpo, Distt. Shimla, H.P-171003.
through its Authorised Signatory, Sh. Nitin Sharma.
…. ….Joint Petitioner No.2

Joint Petition under the provisions of Section 86(1)(b) of the Electricity Act 2003, read with Regulations 56 and 57 of the HPERC (Conduct of Business) Regulations, 2024, for the approval of the Power Purchase Agreement (Solar) in respect of JAKS Energies Solar Power Project (2.0 MW).

Present:-

Sh. Kamlesh Saklani, Authorised Representative for the Joint Petitioner No. 1.

Sh. Nitin Sharma, Authorised Representative for the Joint Petitioner No. 2.

ORDER

This Joint Petition has been filed by the Himachal Pradesh State Electricity Board Ltd. (the Joint Petitioner No.1 or the HPSEBL for short)

and JAKS Energies Solar Power Project (the Joint Petitioner No. 2 for short) for the approval of the Power Purchase Agreement (PPA for short) under section 86 (1) (b) of the Electricity Act, 2003 (Act for short) read with Regulations 56 and 57 of the Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2024, (CBR, 2024 for short) in respect of JAKS Energies Solar Power Project (2.0 MW) proposed to be set up at Village Julani, Post Office Kanerad, Tehsil Sujanpur, Distt. Hamirpur, H.P.

2. As per the Petition, the HIMURJA, vide letter No. HIMURJA(F-7)/ SPV/ Interest Subsidy/2025-377 dated 10.04.2026, has accorded 'in principle' approval for setting up of the JAKS Energies Solar Power Project under the scheme "Rajiv Gandhi Startup Swarozgaar Saur Urja Yojna" subject to certain conditions specified therein. The Scheduled Commercial Operation Date (SCOD) of the Project is 09.04.2027. Further, as per the affidavit of the Joint Petitoner No. 2 filed with the Petition, the proposed location of the Project falls in rural area.

3. Heard. Sh. Kamlesh Saklani, Authorised Representative for the Joint Petitoner No. 1 and Sh. Nitin Sharma, Authorised Representative for the Joint Petitioner No. 2 and have perused the entire record carefully.

4. It is evident from the record that the connection agreement in respect of the Project has been signed by the Joint Petitioners on 07.10.2026, a copy whereof has been placed on record. As per the connection agreement, the Interconnection Point of the project has been provided at existing 11 kV Patlander feeder, emanating from 2x3.15 MVA, 33/11 kV Sujanpur Sub-station with appropriate protection arrangement.

5. The Commission, after careful examination of the entire record of the case and the averments made in the petition, is satisfied that Joint Petitioners have made out a case for approval of the Power Purchase Agreement (Solar) in respect of the Project. Therefore, the Commission, in exercise of the powers conferred by section 86 (1)(b) of the Act read with Regualtions 56 and 57 of the CBR, 2024, accord its approval to the said Power Purchase Agreement subject to the following conditions:-

(i) The tariff of Rs. 3.40 per kWh shall be applicable to the Project of the Joint Petitioner No. 2 subject to the adjustment of admissible subsidy, if any, in accordance with the conditions stipulated in the Commission's Order dated 31.03.2026 passed in Suo Moto Petition No. 14 of 2026.

(ii) The Joint Petitioner No. 2 shall make an endeavour to avail admissible subsidy/financial assistance, if any, and shall intimate the Joint Petitioner No. 1 of any subsidy/financial assistance received from the State/Central Government or its designated Department(s)/agency(ies) within 15 days from the date of receipt of such subsidy/financial assistance, for tariff adjustment by Joint petitioner No. 1. An affidavit to

this effect shall form part of the PPA. In the event that the admissible subsidy/financial assistance is not availed, or the Joint Petitioner No. 2 fails to approach the State/Central Government or its designated Department(s)/Agency(ies) for the same, such subsidy/financial assistance shall be deemed to have been availed by the Joint Petitioner No. 2 for the purpose of tariff adjustment by the Joint Petitioner No. 1.

(iii) The affidavit of the Joint Petitioner No. 2 that the Project is in the rural area and the Connection Agreement dated 07.10.2026, shall form part of the PPA.

(iv) This tariff shall be firm and fixed and shall be applicable upto 31.03.2028 as per Clause 15 (E) of the Order dated 31.03.2026 in Suo Moto Petition No. 14 of 2026. In case there is enhancement in tariff for the FY 2027-28, such enhancement shall not be applicable for the Project. However, in case the tariff during the FY 2027-28 is less than the tariff determined vide order dated 31.03.2026 in Suo Moto Petition No. 14 of 2026, such reduced tariff shall be applicable after 31.03.2028.

(v) The royalty @ 5 paise per kWh shall be worked out and charged by the HPSEBL from the date of generation of the project installed under the Rajiv Gandhi Startup Swarojgaar Saur Yojna and shall be payable to the State Government over and above the approved tariff of the project which shall be eligible for the pass through.

6. Other terms and conditions of the PPA shall be subject to the provisions of the Himachal Pradesh Electricity Regulatory Commission (Promotion of Generation from the Renewable Energy Sources and Terms and Conditions for Tariff Determination) Regulations, 2017, as amended from time to time, and the Order of the Commission passed on

31.03.2026 in Suo-Motu Petition No. 14 of 2026 under the said Regulations.

7. The Joint Petitioners are directed to execute PPA as per the above Order after carrying out the necessary additions and alterations within 30 days from the date of this Order. Two copies of the executed Power Purchase Agreement be submitted to the Commission for record.

8. Let a copy of this Order be supplied to the Joint Petitioners forthwith.

The file after needful be consigned to records.

Announced
03.11.2026

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(Shashi Kant Joshi)
Member-cum-Chairman

HPERC