



IN-GJ45225961295630W



सत्यमेव जयते

INDIA NON JUDICIAL Government of Gujarat Certificate of Stamp Duty

Reg. No 4697
Date 12 AUG 2024

Certificate No.	IN-GJ45225961295630W
Certificate Issued Date	12-Aug-2024 01:37 PM
Account Reference	IMPACC (AC)/ gj13268911/ BARODA/ GJ-BA
Unique Doc. Reference	SUBIN-GJGJ1326891107681325393148W
Purchased by	AJAY MODI
Description of Document	Article 4 Affidavit
Description	FOR AFFIDAVIT
Consideration Price (Rs.)	0 (Zero)
First Party	ASPENPARK INFRA VADODARA PRIVATE LIMITED
Second Party	GUJARAT ELECTRICITY REGULATORY COMMISSION
Stamp Duty Paid By	ASPENPARK INFRA VADODARA PRIVATE LIMITED
Stamp Duty Amount(Rs.)	300 (Three Hundred only)



HIF 0012792346

Statutory Note:

- The authenticity of this Stamp certificate should be verified at www.shcilestamp.com or using e-Stamp Mobile App of Stock Holding
- Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid
- The onus of checking the legitimacy is on the users of the certificate
- In case of any discrepancy please inform the Competent Authority.

SHCIL

NOTICE

- The contents of this e-stamp certificate can be verified at www.shcilestamp.com, Stock Holding mobile application "EStamping" or at Stock Holding Branch/ Centre (the details of which are available at www.stockholding.com).
- Any alteration to this certificate renders it invalid and would constitute a criminal offence.
- Kindly contact Stock Holding Branch / Centre in case of discrepancy:
- For information related to e-Stamping you may write to us on our email id estamp.ahmedabad@stockholding.com or visit our Branch/Centre.

સૂચના

- આ ઈ-સ્ટેમ્પ પ્રમાણપત્રની વિગતો www.shcilestamp.com દ્વારા અથવા સ્ટોક હોલ્ડિંગની "ઈસ્ટેમ્પિંગ" મોબાઈલ એપ્લિકેશન અથવા સ્ટોક હોલ્ડિંગની શાખા / કેન્દ્ર (જેની વિગતો www.stockholding.com પર ઉપલબ્ધ છે) પર જઈ ને ચકાસી શકાય છે.
- આ પ્રમાણપત્રમાં કરેલ કોઈપણ ફેરફાર અમાન્ય છે અને તે ફોજદારી ગુનો બને છે.
- આ ઈ-સ્ટેમ્પ પ્રમાણપત્રમાં કોઈપણ વિસંગતતા જણાય તો સ્ટોક હોલ્ડિંગની શાખા / કેન્દ્ર પર સંપર્ક કરવો.
- ઈ-સ્ટેમ્પિંગ સંબંધિત જાણકારી માટે અમને estamp.ahmedabad@stockholding.com પર ઈ-મેઈલ કરવો અથવા અમારી શાખા / કેન્દ્ર ની મુલાકાત લેવી.



FORM I
(see clause 27)
BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR

Filing No.

Case No.

(To be filled by the Office)

IN THE MATTER OF

Petition under the GERC (Procurement of energy for renewables sources) Regulations, 2010 and its (Third amendment) Regulations 2022 for revision in Renewable power purchase Obligation (RPPO) for FY2023-24

AND

AspenPark Infra Vadodara Private Limited
Survey No.26, Village Pipaliya,
Taluka: Waghodia
District: Vadodara – 391760



IN THE MATTER OF

As per the GERC (Conduct of Business) Regulations, 2004. Therefore, the Petitioner M/s AspenPark Infra Vadodara Private Limited (AIVPL) has filed the present petition under the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 and its (Third Amendment) Regulations, 2022 for revision in RPPO and also seeking the following prayers.

- (i) To admit the petition.
- (ii) To exempt the Petitioner from the RPO obligation for FY 2023-24
- (iii) To afford the reasonable opportunity of personal hearing to the Petitioner before passing any order in the matter.
- (iv) To allow amendments/alterations/changes/modifications to the submissions.
- (v) To condone any inadvertent omissions/errors/shortcoming.
- (vi) To grant any other relief/s as the Hon'ble Commission deems fit and appropriate under the circumstances of this case and in the interest of justice.

Place: Vadodara

Date: 12.08.2024





Signature of the Petitioner



2.1. M/s AspenPark Infra Vadodara Private Limited has been notified as a Special Economic Zone (SEZ) by the Ministry of Commerce & Industry, Government of India, vide notification No. 1084 (E) dated 03/07/2007. Further, the Department of Commerce, Government of India issued a notification No. 528 (E) dated 03.03.2010, under Section 49 of the SEZ Act, 2005 which stipulates that the SEZs are deemed distribution licensee under the Electricity Act, 2003.

2.2. The Petitioner is a company incorporated under the provisions of the Companies Act, 1956 having its registered Office at Survey No.26, Village: Pipaliya, Ta. Waghodia, Vadodara-391760, Gujarat.

2.3. The Petitioner has developed a multi sector special economic zone (SEZ) at Village Alwa and Pipaliya, Taluka Waghodia, District Vadodara, Gujarat under Section 3 of the SEZ Act, 2005.

2.4. The Petitioner has been notified as developer of the SEZ by the Ministry of Commerce and Industry (Department of Commerce), Government of India, vide its Notification No. S.O. 1084 (E) dated 03.07.2007 and granted deemed distribution licensee status by the Commission vide its Order dated 16.12.2009.

2.5. The Petitioner is complying all the necessary regulatory accountabilities on timely basis like True up and filing of petition for determination of Tariff and Aggregate Revenue requirements.

2.6. It is submitted that the present petition is filed with respect to the RPO compliance by the Petitioner as the deemed distribution licensee. Further, in this regard, the Petitioner has relied upon a Judgement dated 16.04.2015, passed by the Hon'ble Appellate Tribunal for Electricity in Appeal No. 258/2103 and 21/2014 & IA- 28 /2014 where SEZ (deemed licensee) are exempted from RPO Compliance. The relevant extract of the said Judgement is reproduced below.

“

63. *It is seen that the State Commission has exempted the SEZ (deemed licensee) from RPO compliance for FY 2010-11 and 2011-12 and again during 2012-13, they were exempted even though they did not make any efforts to fulfill their respective RPO. Low energy consumption of the distribution licensee increases in tariff due to purchase of renewable energy as per the RPOs, nascent stage of operation etc. cannot be the reasons for which their RPO should have been reduced to zero. Smaller entities will have low energy consumption but their RPO will also be low as RPO is fixed as a percentage of energy consumption. These reasons are not related to supply constraints or beyond the control of the licensee and do not qualify for revising of the RPO under Section 4.2. However, we do not find any infirmity in finding of the State*



Commission to relax the RPO obligation of those distribution licensees who purchase power from GUVNL and its four distribution licensees to meet their energy consumption at the retail supply tariff determined by the State Commission and their energy consumption is included in the RPO obligation of the supplying company....”

- 2.7. It is submitted that the Petitioner is purchasing/procuring the entire power requirements during the year from one of the Distribution licensee MGCVCL as consumer at retail supply tariff determined by the Commission and that the Petitioner's energy consumption is included in the RPO obligation of MGCVCL being the supplying company. Thus, even though the Petitioner has a distribution license, it does not fall in the category of obligated entity until the Petitioner starts procuring power from generators directly or through open access. Details of Actual power purchase from MGCVCL FY2023-24 is as under,

Particulars	F.Y 2023-24
<i>Power Purchase (Units) from MGCVCL</i>	65,77,960
<i>Power Purchase Cost (Rs. Lakhs) paid to MGCVCL</i>	674.21
<i>Cost Per Unit (Rs. /kWh)</i>	10.25



FORM II
(see clause 28(1))
BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR

Filing No.

Case No.

(To be filled by the Office)

IN THE MATTER OF

Petition under the GERC (Procurement of energy for renewables sources) Regulations, 2010 and its (Third-amendment) Regulations 2022 for revision in Renewable power purchase Obligation (RPPO) for FY2023-24

AND

AspenPark Infra Vadodara Private Limited
Survey No.26, Village Pipaliya,
Taluka: Waghodia
District: Vadodara – 391760

... The Petitioner

Affidavit verifying the Petition reply/ application.

(Dated this 12th day of Aug 2024)

I, Apurva M. Shah son of Mr. Manharbhai Chimanlal Shah, aged 52 Years, Occupation Service, presently residing at A1/28, Dream villa, Sayajipura, Ajwa Road, Vadodara -390 019, being Head- SEZ of AspenPark Infra Vadodara Private Limited, a Company incorporated under the Companies Act, 1956 having its registered office at Survey No.26, Village: Pipaliya, Ta.Waghodia, Vadodara-391760 petitioner of the above said Petition do hereby solemn affirm that:

1. That I am duly authorized by the Petitioner Company to swear this Affidavit.
2. That the facts stated in the submissions are based on record and files of the Petitioner Company and they are true and correct to my knowledge, information and belief and I believe the same to be true.
3. That the subject matter of the Petition has not been raised by the Petitioner Company before any other competent forum, and that no other competent forum is currently seized of the matter or has passed any orders in relation thereto.

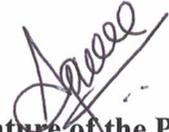


Solemnly affirmed at Vadodara on this 12th day of Aug 2024 that the contents of the above affidavit are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

Identified Before me

Place: Vadodara.

Date: 12.08.2024



Signature of the Petitioner



Solemnly Affirmed / Declared on
Oath Sworn Before me by M.C. Shah



GANPAT R. BARIA
NOTARY (Govt. of Gujarat) INDIA



11 2 AUG 2024