

6400 MW project RfS and the PPA issued by the Govt of AP, quashed by the High Court of AP



The Hon'ble High Court of Andhra Pradesh passed a significant Order today i.e. 17.06.2021 wherein the Hon'ble High Court vide its Order was pleased to allow the Writ petition filed by Tata Power Renewable Energy Limited (TPREL) whereby the Hon'ble High Court has quashed the RfS and the PPA which were issued by Andhra Pradesh Green Energy Corporation Limited (APGECL).

The APGECL had issued RfS and the PPA for development 6400 MW Grid Connected Solar Photo Voltaic Ultra Mega Power Project spread over 10 Solar Parks in state of Andhra Pradesh.

It was strongly contended by TPREL that the RfS and the PPA were against the provisions of the Electricity Act, 2003 and the Competitive Bidding Guidelines dated 03.08.2017 issued by Ministry of Power and the Ministry of New and Renewable Energy as the same in effect seeks to oust the jurisdiction of the Ld. Andhra Pradesh Electricity Regulatory Commission which has been bestowed upon it by virtue of Section 62 of the Electricity Act, 2003.

The Hon'ble High Court of Andhra Pradesh after hearing the parties at length issued the following directions to APEGCL:

1. Quashed the Challenged 6400 MW RfS and PPA on the ground that the same in not in conformity with the Electricity Act, 2003.
2. Advised GoAP that in case it wishes to procure power then the bidding documents/ Tender documents must be in accordance with the Act as well as the Guidelines framed thereunder and in case of any deviation then such deviations must be approved by Ld. APERC.

TPREL was led by Mr. D. Prakash Reddy, Sr. Adv. Assisted by the team of SKV Law Offices comprising of Mr. Shri Venkatesh (Managing Partner), Mr. Ashutosh Srivastava (Senior Associate) and Mr. Anant Singh (Associate).