

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 105/MP/2016

Subject : Petition under Section 79 (1) of the Electricity Act, 2003 and Regulations 14 and 15 of Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010, challenging the illegal and arbitrary rejection of grant of REC application of the petitioner by respondent.

Date of hearing : 9.8.2016

Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioner : M/s Oudh Sugar Mills Limited

Respondent : National Load Despatch Centre

Parties present :
Shri Pankaj Bhagat, Advocate, M/s Oudh Sugar Mills Limited
Shri Sadre Alam, Advocate, M/s Oudh Sugar Mills Limited
Ms. Surbi Agarwal, M/s Oudh Sugar Mills Limited
Shri Neeraj, M/s Oudh Sugar Mills Limited
Shri Dipanshu, M/s Oudh Sugar Mills Limited

Record of Proceedings

The petitioner mentioned the matter and submitted as under:-

- (a) The petitioner has a bagasse based co-generation plant with installed capacity of 26.5 MW located at Hargaon, Sitapur District, Uttar Pradesh which is registered as an eligible project under Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 (REC Regulations) vide registration dated December 23, 2011.
- (b) The petitioner with reference to energy generation for March, 2014, in compliance with the modified procedures applied for issuance of REC, submitted its application on the website portal of National Load Despatch Centre (NLDC) by punching the online Energy Injection Report on September 10, 2014. The printout of online Energy Injection Report (EIR) along with SLDC verified EIR and

payment details were dispatched to the Nodal Officer, REC mechanism on September 18, 2014 as per the applicable procedure which was received by NLDC on September 19, 2014.

(c) The petitioner, subsequent to receiving an e-mail from the respondent notifying lapse of REC for month of March, 2014 was informed that the respondent, vide e-mail dated September 25, 2014 had directed the petitioner to submit requisite information. The learned counsel for the petitioner submitted that this e-mail was missed by the petitioner and accepted its error in this regard. However, this error is procedural and there is no discrepancy in any of the documents submitted by the petitioner to the respondent.

2. After hearing the learned counsel for the petitioner, the Commission admitted the petition and directed issue of notice to the respondent.

3. The petitioner has directed to serve copy of the petition on NLDC, if not already done, by 16.8.2016. NLDC was directed to file its reply by 31.8.2016 and the petitioner to file its rejoinder, if any by 10.9.2016.

4. The Petition shall be listed for hearing on 20.9.2016.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**