

**COURT-I**  
**Before the Appellate Tribunal for Electricity**  
(Appellate Jurisdiction)

**O.P. No. 3 of 2012**

**Dated: 3<sup>rd</sup> November, 2014**

**Present:** Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson  
Hon'ble Mr. Rakesh Nath, Technical Member  
Hon'ble Mr. Justice Surender Kumar, Judicial Member

**In the matter of**

**Indian Biomass Power Association** **...Appellant(s)**

**Versus**

**Ministry of Power, Government of India & Anr.** **...Respondent(s)**

**Counsel for the Appellant(s) :** **Mr. Ganesan Umapathy**  
**Ms. R. Mekhala**

**Counsel for the Respondent(s) :** **Mr. Rutwik Panda and**  
**Mr. Anshu Malik for OERC**  
**Ms. Suparna Srivastava**  
**Ms. Nishtha Sikrora for R-5 & R-8**  
**Mr. S. Vallinayagam for TNERC**  
**Ms. Swapna Seshadri**  
**Mr. C.K. Rai for R-6**

**ORDER**

We have heard the Learned Counsel for the parties. They have also filed short notes after serving copy on the other side.

**Order is reserved.**

**(Justice Surendra Kumar)**  
**Judicial Member**

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**(Rakesh Nath)**  
**Technical**

**(Justice M. Karpaga Vinayagam)**  
**Member Chairperson**