

**COURT-I**

**Before the Appellate Tribunal for Electricity  
(Appellate Jurisdiction)**

**DFR No. 377 of 2015**

**&**

**DFR No. 378 of 2015**

**Dated : 1<sup>st</sup> April, 2015**

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson  
Hon'ble Mr. Rakesh Nath, Technical Member**

**DFR No. 377 of 2015**

**In the matter of :**

**BSES Yamuna Power Ltd. .... Appellant (s)**  
**Versus**  
**Delhi Electricity Regulatory Commission ... Respondent (s)**

Counsel for the Appellant(s) : Mr. Buddy A. Ranganadhan  
Mr. Hasan Murtaza  
Ms. Malavika Prasad

Counsel for the Respondent(s) : Mr. Prashant Bezboruah for DERC

**DFR No. 378 of 2015**

**In the matter of :**

**BSES Rajdhani Power Ltd. .... Appellant (s)**  
**Versus**  
**Delhi Electricity Regulatory Commission ... Respondent (s)**

Counsel for the Appellant(s) : Mr. Buddy A. Ranganadhan  
Mr. Hasan Murtaza  
Ms. Malavika Prasad

Counsel for the Respondent(s) : Mr. Prashant Bezboruah for DERC

**ORDER**

The Appellants are aggrieved by the letter dated 02.01.2015 sent on behalf of Delhi Electricity Regulatory Commission by the Executive Director (Tariff). The Appellants are more particularly aggrieved by the following paragraph:

***“In this regard, the Commission has examined the representation of Distribution Licensees and has decided not to allow any carry forward or waive off of RPO targets for FY 2013-14 and FY 2014-15. The Distribution Licensees are directed to strictly comply with the Renewable Purchase Obligation under the Regulations and meet their RPO targets failing which action shall be taken as per the applicable provisions of the Act/Regulations.”***

We notice that in the letter dated 02.01.2015 no reasons have been assigned by the State Commission as to why the representation of Distribution Licensees has been rejected.

In the circumstances, we are of the opinion that the Appellants should file a Petition before the State Commission under Section 86 (1) (e) of the Electricity Act, 2003 seeking appropriate relief. If such petition is filed, the State Commission shall pass appropriate reasoned

order thereon in accordance with law after hearing all parties concerned.

The Appeals are disposed of in the afore-stated terms.

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

**(Justice Ranjana P. Desai)**  
**Chairperson**

Ts/vg