

COURT-2

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(Appellate Jurisdiction)

APL No. 13 OF 2017

**Dated: 23<sup>rd</sup> July, 2024**

**Present: Hon'ble Mr. Sandesh Kumar Sharma, Technical Member  
Hon'ble Mr. Virender Bhat, Judicial Member**

**In the matter of:**

Indian Wind Power Association (IWPA)  
Through its Vice President  
513-514, 5<sup>th</sup> Floor, World Trade Centre,  
Barakhamba Lane,  
New Delhi – 110001.

**...Appellant(s)**

Vs.

- 1) Madhya Pradesh Electricity Regulatory Commission,  
Through its Secretary,  
5<sup>th</sup> Floor, Metro Plaza,  
Arera Colony, Bittan Market,  
Bhopal – 462016,
- 2) M.P. Power Management Co. Ltd.  
Through its Director,  
No. 1, Shakti Bhawan,  
Rampur, Jabalpur – 482008.
- 3) M/s. Green Energy Association,  
Sanrgam, 143, Taqdir Terrace,  
Near Shirodkar High School,  
Dr. E. Borjes Road, Parel(E),  
Mumbai – 4000127.

- 4) Madhya Pradesh Poorva Kshetra Vidyut Vitran Co. Ltd.,  
Through its Director,  
Shakti Bhawan, PO: Vidyut Nagar,  
Rampur, Jabalpur (M.P.) - 482008.
- 5) Madhya Pradesh Paschim Kshetra Vidyut Vitran Co. Ltd.  
Through its Director,  
GPH Campus, Pologround, Indore.
- 6) Madhya Pradesh Madhya Kshetra Vidyut Vitran Co. Ltd.,  
Through its Director,  
Bijli Nagar Colony, Nishtha Parisar,  
Govindpura, Bhopal – 462023.
- 7) Madhya Pradesh Urja Vikas Nigam Ltd.  
Through its Director,  
Link Rd., Number 2,  
5 No. Bus Stop, Shivaji Nagar,  
Bhopal – 462016.

**...Respondent(s)**

- Counsel for the Appellant(s) : Mr. Vishal Gupta  
Mr. Kumar Mihir  
Mr. Sumeet Sharma  
Mr. Majid Durrani  
Mr. Adishree Chakraborty  
Mr. Vishal Gupta  
Mr. Divyanshu Gupta  
Mr. Nikhil Kumar  
Mr. Ashutosh Jain  
Mr. Sumeet Sharma
- Counsel for the Respondent(s) : Mr. Shri Venkatesh  
Mr. Sandeep Rajpurohit  
Ms. Nishtha Kumar  
Mr. Samarth Kashyap  
Mr. Suhael Buttan  
Mr. Vikas Maini  
Mr. Krishnesh Bapat  
Ms. Lasya Pamidi

Mr. Varun Singh  
Mr. Pratyush Singh  
Mr. Aashwyn Singh  
Mr. Vineet Kumar for R-1

Mr. G. Umapathy, Sr. Adv.  
Mr. Nitin Gaur  
Mr. Aditya Singh  
Ms. Vaishnavi  
Ms. Pavitra B.  
Ms. Sanjeev Khari  
Ms. Anuradha Mishra  
Mr. Purushaindra Kaurav  
Ms. Anuradha Mishra for R-2

Ms. Mandakini Ghosh  
Mr. Parinay Deep Shah  
Ms. Ritika Singhal  
Mr. Saransh Shaw  
Ms. Surabhi Pandey for R-3

### **ORDER**

The instant Appeal has been filed challenging the part order dated 06.09.2016 for *suo moto* Petition No. 43 of 2015 passed by the Madhya Pradesh Electricity Regulatory Commission, whereby the State Commission has effectively waived of the shortfall in the renewable purchase obligation on the 2<sup>nd</sup> Respondent for the Financial Year 2014-15, 2015-16.

After hearing the contesting Parties herein, we found it appropriate to direct the 2<sup>nd</sup> Respondent to submit their compliance report in respect of RPO. The affidavit has since been filed by the 2<sup>nd</sup> Respondent, furnishing the information as sought for. The same was discussed during the hearing and the Appellant accepted the said submission made by the 2<sup>nd</sup>

Respondent, accordingly, the Appeal stands disposed of in terms of the compliance report filed by the 2<sup>nd</sup> Respondent.

We make it clear that we have not passed any observation on the submission made. However, in the light of the provisions of the Electricity Act, 2003 and the relevant regulations of the State Commission, the 2<sup>nd</sup> Respondent is duty bound to comply with the RPO obligations. Therefore, for future orders, they should adhere to the regulations as specified.

The Appeal and IAs, if any, are disposed of in above terms.

**Pronounced in the Open Court on 23<sup>rd</sup> July, 2024.**

(Virender Bhat)  
Judicial Member

js/mkj

(Sandesh Kumar Sharma)  
Technical Member (Electricity)