



Delhi Electricity Regulatory Commission

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110017.

No. F.11(1867)/DERC/2021-22/7088

Petition No. 29/2021

In the matter of: Petition under Section 86 read with Section 63 of the Electricity Act, 2003 for seeking approval of the Power Sale Agreement dated 26th March, 2015 in terms of the DERC (Renewable Purchase Obligation and Renewable Energy Certificate Framework Implementation) Regulations 2012 read with DERC Comprehensive Conduct of Business Regulations, 2001.

Rays Power Experts Pvt. Ltd.

.... Petitioner

Vs.

New Delhi Municipal Council

.....Respondent

Coram:

Hon'ble Shri Justice Shabihul Hasnain Shastri, Chairperson
Hon'ble Dr. A. K. Ambasht, Member

Appearance:

1. Mr. Randhir Kalkal, Advocate, Rays Power Experts Pvt. Ltd.
2. Mr. Tushar Sannu, Advocate, NDMC
3. Mr. Madan Pal, Advisor (RE), NDMC

INTERIM ORDER

(Date of Hearing: 03.08.2021)

(Date of Order: 06.08.2021)

1. The case has been taken up. A question was put to the Counsel of the Petitioner, Sh. Randhir Kalkal, as to how this Petition is maintainable and a specific provision under which the Petition has been filed and what relief under law can be granted to him. He has stated that he wants to refresh his memory with legal provisions.
2. Mr. Tushar Sannu along with Mr Madan Pal, Advisor (RE), after having being asked whether he could have entered into a PPA with a Private Generator and act upon it without the approval of the DERC. He has tried to submit that one clause of PPA has shifted this responsibility upon the private generator. However, he could not answer to the legal query whether such a contract can be legally agreed upon. The Counsel for the NDMC has submitted that the legal queries will be answered on the next date.

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3. On the next date, it will be the duty of both the Counsels to address on the maintainability of the Petition failing which the Petition may be dismissed for non-prosecution.
4. List the matter on 07.09.2021.

Sd/-
(Dr. A.K. Ambast)
Member

Sd/-
(Justice Shabihul Hasnain Shastri)
Chairperson