



# ASSAM ELECTRICITY REGULATORY COMMISSION

FILE NO. AERC. 408/2013

PETITION NO. 02/2017

## ORDER SHEET

07.02.2017

M/s NewGen Power Company Private Limited (hereinafter referred to as NPCPL/ the Petitioner) submitted a Review Petition on 22.09.2016 against the Tariff Order dated 12.07.2016 for determination of tariff of 1.2MW (3x400KW) Biomass Gasifier Based Renewable Energy Power Plant at Bicrampur Tea Estate in Chandranathpur, Cachar District of Assam.

1. After preliminary scrutiny it was observed that the Petitioner did not pay the requisite fee and have filed the Petition after the due date for filing of Review Petition. Therefore, vide Letter dated 03/10/2016, the Commission directed the Petitioner for payment of the requisite fee.

2. Thereafter, considering nonpayment of requisite fee even after lapse of 3 month, the Commission called for a Hearing on 06.02.2017 vide Notice dated 21.01.2017.

3. As scheduled a Hearing was held on 06.02.2017. During the Hearing the following were present from the Petitioner and Respondent:

Representative of Petitioner:

Mr. Assiem Mittal, Director, NewGen Power Company Pvt. Ltd.

Mr. P K Hazarika, Advisor, NewGen Power Company Pvt. Ltd.

Representative of Respondent:

Mr. A N Dev Choudhury, AGM, APDCL

Mr. I Tahbildar, DM, APDCL

During the Hearing the Commission highlighted that the Petitioner has filed the Review Petition after the timeline specified in the AERC Regulations. Further, the Commission enquired why the Petitioner has not paid the requisite Fee for filing of Review Petition even after issuance of Letter from the Commission.

The representative of the Petitioner submitted that the Petitioner is not in a position to pay the requisite fee for filing of Review Petition.

As the Petitioner has not paid the requisite Fee for filing of Review Petition, the Review Petition remains defective in nature. Further the Review Petition was filed much after the timeline specified in the AERC Regulations and no separate petition was filed for condonation of delay. **Therefore, the Review Petition (Petition No 02/2017) is hereby rejected and disposed of at the admission stage itself.**

Sd/-  
(Subhash C Das)  
Member, AERC

Sd/-  
(Dipak Chakravarty)  
Member, AERC

Sd/-  
(N. K. Das)  
Chairperson, AERC