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**BEFORE THE HIMACHAL PRADESH ELECTRICITY REGULATORY
COMMISSION, SHIMLA**

In the matter of issuance of certification of excess of renewable energy procurement beyond the RPP0 targets to the distribution licensee for FY 2013-14 for issuance of Renewable Energy Certificates.

ORDER

Section 86 (1)(e) of the Electricity Act, 2003, reads as under:-

“86(1) The State Commission shall discharge the following functions, namely:-

(e) promote co-generation and generation of electricity from renewable source of energy by providing suitable measures for connectivity with the grid and sale of electricity to any person, and also specify, for purchase of electricity from such sources, a percentage of the total consumption of electricity in the area of a distribution licensee”.

2. Section 86(4) of the Electricity Act, 2003, reads as under:-

“86(4) In discharge of its functions, the State Commission shall be guided by the National Electricity Policy, National Electricity Plan and Tariff Policy published under Section 3”.

Clause 6.4(1) of the amended Tariff Policy, 2006, reads as under:-

3. “6.4 Non-conventional and renewable sources of energy generation including co-generation.

(1) Pursuant to provisions of section 86(1)(e) of the Act, the Appropriate Commission shall fix a minimum percentage of the total consumption of electricity in the area of a distribution licensee for purchase of energy from such sources, taking into account available of such resources in the region and its impact on retail tariffs. Such percentage for purchase of energy should be made applicable for the tariffs to be determined by the SERCs latest by April 1, 2006.

(i) Within the percentage so made applicable, to start with, the SERCs shall also reserve a minimum percentage from purchase of solar energy from the date of notification in the Official Gazette which will go up to 0.25% by the end of 2012-13 and further up to 3% by 2022”.

4. The State Commission had accordingly notified “the Himachal Pradesh Electricity Regulatory Commission (Renewable Power Purchase Obligation and its Compliance) Regulations, 2010 dated 26.05.2010” and amendment dated 03.10.2011 pursuant to Section 86(1) of the Electricity Act 2003 and the amended Tariff Policy, 2006 is reproduced below:-

A. ✓

“4 Quantum of Renewable Power Purchase Obligation (RPPO)

- (i) As specified in the table below:
- (a) the distribution licensee shall purchase electricity (in kWh) from renewable sources, at a minimum percentage of the total consumption including transmission and distribution losses, within area of the distribution licensee, during a year; and
- (b) the Captive and Open Access User(s) /Consumer (s), shall purchase electricity (in KWh) from renewable sources, at a minimum percentage of his total consumption during a year:-

Table-Minimum percentage for Renewable Power Purchase Obligation

Financial Year	Minimum Quantum of Purchase (in %*) from renewable sources (in terms of energy in kWh) of total consumption.	
	Total RPPO %age.	Minimum Solar RPPO %age of the total purchase
2010-11	10.00	0.00
2011-12	10.00	0.01
2012-13	10.25	0.25
2013-14	10.25	0.25
2014-15	10.25	0.25
2015-16	11.25	0.25
2016-17	12.25	0.25
2017-18	13.50	0.50
2018-19	14.75	0.75
2019-20	16.00	1.00
2020-21	17.50	2.00
2021-22	19.00	3.00

5. The Electricity Act, 2003, the policies framed under the Act and also the NAPCC provide for a roadmap for increasing the share of renewable in the total generation capacity in the country. There are constraints in terms of availability of RE sources evenly across different parts of the country. As per the CERC Regulations on REC, the obligated entities have the options either to buy Renewable Energy (RE) or Renewable Energy Certificates (REC) to meet its RPPO targets fixed by the Appropriate Commissions. As per these regulations only generating company(s) engaged in generation of electricity from RE sources are eligible to apply for registration for issuance/dealing in Certificates.

6. The 3rd Amendment dated 30.12.2014 of CERC (Terms and Conditions for Recognitions and Issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 (hereinafter referred as “REC Regulations”), the sub-regulation (1A) of regulation 5, stipulates as under:-

“ [1A] A distribution licensee shall be eligible to apply for registration with the Central Agency for issuance of and dealing in Certificates if it fulfills the following conditions:

(a) It has procured renewable energy, in the previous financial year, at a tariff determined under Section 62 or adopted under Section 63 of the Act, in excess of the renewable purchase obligation as may be specified by the Appropriate Commission or in the National Action Plan on Climate Change or in the Tariff Policy, whichever is higher:

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Provided that the renewable purchase obligation as may be specified for a year, by the Appropriate Commission should not be lower than that for the previous financial year:

Provided further that any shortfall in procurement against the non-solar or solar power procurement obligation set by the Appropriate Commission in the previous three years, including the shortfall waived or carried forward by the said Commission, shall be adjusted first and only the remaining additional procurement beyond the threshold renewable purchase obligation -- being that specified by the Appropriate Commission or in the National Action Plan Climate Change or in the Tariff Policy, whichever is higher - shall be considered for issuance of RECs to the distribution licensees.

(b) It has obtained a certification from the Appropriate Commission, towards procurement of renewable energy as provided in sub-clause (a) of this regulation."

7. Non Solar RPPO fixed by the HPERC, in accordance with the provisions of the Act and the Tariff Policy, is higher than the policy statement under NAPCC. Tariff Policy does not provide for any minimum RPPO but provides for Solar RPPO of 0.25% in 2012-13, going further up to 3% by 2022. Therefore, total RPPO should not be less than that provided for Solar RE. On the other hand NAPCC provides for RPPO of 5 % by 2010 and thereafter increasing by 1% every year to reach 10% by 2015. HPERC specified targets for Non Solar RPPO much higher than NAPCC, all through the years upto FY 2015 and beyond upto FY 2022.

8. As per the Himachal Pradesh Electricity Regulatory Commission (Renewable Power Purchase Obligation and its Compliance) Regulations, 2010, on RPPO, compliance monitoring is required to be done by the State commission every year. The distribution licensee (HPSEBL) as per compliance order (suo-moto case No.93(A)/2013 dated 29th July, 2013 has already met and in fact exceeded the specified targets in respect of Non-Solar RPPO for FY 11, FY12 and FY13. Therefore, there is no incidence of carry forwarded of any unachieved targets of the previous three years for adjustment in FY14.

9. The 1st proviso to clause (a) of sub-regulation (1A) of regulation 5 of REC Regulations provides that the RPPO as may be specified for a year, by the Appropriate Commission, should not be lower than the previous financial year. The Commission has specified non-solar RPPO of 10% for FY14, which is same percentage for the previous year also.

10. As per the Himachal Pradesh Electricity Regulatory Commission (Renewable Power Purchase Obligation and its Compliance) Regulations, 2010, the distribution licensee (HPSEBL) in accordance with RPPO compliance order dated 10th November, 2014 of this Commission has also met the Non-Solar RPPO target for FY 14 and also procured excess Non-Solar RE grossing up with T&D losses over net consumption of energy for Non-Solar sources.

11. While the licensee has achieved the RPPO targets for FY 14, for issuance of certificate under REC Regulations as amended on 13.12.2014, Commission carried out the status check by calling for details of RE procurement from each of the non solar generating stations/sources. The distribution licensee has furnished the data regarding its eligibility for

Non-Solar RECs for Renewable Energy (RE) procured beyond Non-Solar RPPO target for FY 2013-14, as shown in the Tables below:-

Table -1

Sr. No.	Description	Quantum
1	Financial Year	2013-14
2	Total energy procured for supply in the State	8598.99 (MUs)
3	Non-Solar RPPO (% age)	10%
4	Quantum of Non-Solar RPPO requirement	859.90 (MUs)

Table- II

Total R.E. purchased on tariff u/s 62

Sr. No.	Description	Quantum
A	HPSEBL's (Distribution Licensee) own generation from Hydro Electric Projects upto 25 MW capacity as detailed below:	328.746(MUs)

Sl. No.	Power Station	Installed Capacity (in MW)	Generation MU	Auxiliary Consumption MU	Net Generation MU	Free power of GoHP MU	Net own Generation MU
1	Andhra	16.950	77.79	0.13	77.66		
2	Ghanvi	22.500	76.23	0.21	76.02	9.12	66.90
3	Ghanvi-II	10.000	3.75	0.03	3.72	0.44	3.28
4	Baner	12.000	42.63	0.09	42.54	5.11	37.43
5	Gaj	10.500	46.57	0.09	46.48	5.58	40.90
6	Binwa	6.000	19.31	0.06	19.25		19.25
7	Thirot	4.500	13.91	0.06	13.85		13.85
8	Gumma	3.000	0.00	0.01	-0.01		-0.01
9	Holi	3.000	8.34	0.05	8.29		8.29
10	Khauli	12.000	45.58	0.29	45.29	5.45	39.84
11	Bhaba Aug	4.500	0.91	0.00	0.91		0.91
12	Nogli	2.500	5.93	0.01	5.92		5.92
13	Rongtong	2.000	0.65	0.00	0.65		0.65
14	Sal-II	2.000	6.69	0.04	6.65		6.65
15	Chaba	1.750	4.79	0.01	4.78		4.78
16	Rukti	1.500	0.57	0.00	0.57		0.57
17	Bhuri Singh	0.450	1.50	0.02	1.48		1.48
18	Killar	0.300	0.39	0.00	0.39		0.39
	Total		355.54	1.10	354.44	25.70	328.74

Power purchased (Net saleable energy) from IPP owned SHEPs upto 25 MW capacity as detailed below: 1008.89 (MUs)

Power purchased (Net saleable energy) from IPP owned SHEP of 25 MW & below capacity (e/c projects under REC)

	Name of Projects	Station & Company	IC (MW) & DE (MU)	IC & DE Under PPA	PPA date	Tariff Rs/Unit	Actual Purchase KWH
	2	3	4	5	6	7	8
	Raskat (0.8 MW)	M/s Indusree Power Pvt. Ltd. N. Delhi	0.8	0.8	30/03/2000	2.50	3797290
2	Titang (0.9 MW)	M/s Sai Engineering Foundation, New Shimla.	0.9	0.9	3/10/2000	2.50	1323999
3	Dehar (5MW)	M/s Astha Projects (India) Pvt. Ltd., Hyderabad	5	5	21/04/2004	2.50	26424300
4	Baragran (4.9 MW)	M/s KKK Hydro Power Ltd., Faridabad	4.9	4.9	30/03/2000/ 11/03/2008	2.50	26317373.81
5	Maujhi (4.5 MW)	M/s Dharamshala Hydro Power Ltd., Hyderabad	4.5	4.5	24/06/2004	2.50	11546100
6	Ching (1.00 MW)	M/s Hateshwari Om Power Pvt. Ltd., Shimla-6	1	1	31/05/2000	2.50	3790520
7	Manal/Chandni (3+3MW)	M/s M/s Himalyan Crest Power Ltd., New Delhi	6	6	30/03/2000/ 30/03/2000	2.50	23021829
8	Aleo (3.00 MW)	M/s Aleo Manali Hydro Power Pvt. Ltd., Kullu	3	3	28/06/2004	2.50	13625800
9	Manjhal (1MW)	M/s Varinder Dogra Power Projects Pvt. Ltd., Pathankot	1	1	30/03/2000	2.50	3995356
10	Salag(0.15 MW)	M/s Dhauladhar Hydro System Pvt. Ltd., Hamirpur	0.15	0.15	31/05/2000	2.50	677930
11	Jiwa Kothari (1.00 MW)	M/s Chevron Hydel Pvt. Ltd., New Delhi	1	1	30/03/2000	2.50	5655928
12	Marhi (5 MW)	M/s Marhi Mini Hydel Power Project, New Shimla.	5	5	29/03/2007 (SPPA on 06/07/2011)	2.95	25585002
13	Kothi (200 KW)	HIMURJA, Shimla-9	0.2	0.2	16/05/2007	2.95	599920
14	Juthed(100 KW)	HIMURJA, Shimla-10	0.1	0.1	16/05/2007	2.95	43900
15	araila (5 MW)	M/s Ginni Global Ltd., New Delhi	5	5	7/6/2004	2.50	23803529
16	Gharola (100 KW)	HIMURJA, Shimla-9	0.1	0.1	4/10/2007	2.95	200510
17	Bramganga(5 MW)	M/s Harisons Hydel Constn. Co. Pvt. Ltd., Kullu	5	5	8/6/2004	2.50	23171100
18	Sahu (5 MW)	M/s Him Kailash Pvt. Ltd., West Godavari (AP)	5	5	28/04/2004	2.50	20878710
19	Sarbari -I(4.5 MW)	M/s DSL Hydrowatt Limited, Mumbai	4.5	4.5	18/03/2006	2.50	28225446
20	Upper Awa (5 MW)	M/s Astha Project India Ltd., Hyderabad	5	5	14/01/2008	2.95	30162986
21	Purthi (100KW)	HIMURJA, Shimla-9	0.1	0.1	4/10/2007	2.95	177743
22	Sural (100 KW)	HIMURJA, Shimla-9	0.1	0.1	4/10/2007	2.95	279107
23	Lingti(400 KW)	HIMURJA, Shimla-9	0.4	0.4	2/9/2005	2.50	0
24	IKU-II (5.00MW)	M/s Vamshi Hydro Energies, Hyderabad	5	5	1/12/2006	2.95	18606475
25	Shyang (3.00 MW)	M/s Sai Engineering Foundation, New Shimla.	3	3	17/09/2007	2.95	8333997
26	Tarella-II	M/s Cimaron Constructions	5	5	6/12/2006	2.95	27720229

	(5.00 MW)	(P) Limited Hyderabad					
27	Luni-III (5.00 MW)	M/s Sri SaiKrishna Hydro Energy, Hyderabad	5	5	14/01/2008	2.95	21446978
28	Andhra Stage-II(5MW)	M/s Gowthami Hydro (E) Co.Pvt. Ltd. Secundrabad(AP)	5	5	30/03/2005	2.50	22947950
29	Lower Baijnath Kuhl (1MW)	M/s. Changer Vidyut Kranti Pvt. Ltd. Palampur(HP)	1	1	27/12/2000	2.50	4222160
30	Upper Tarella (5 MW)	M/s. AT Hydro Pvt. Ltd., Hyderabad.	5	5	6/12/2006	2.95	23451451
31	Luni-II (5.00 MW)	M/s Sri SaiKrishna Hydro Energy, New Shimla	5	5	14/01/2008	2.95	23127105
32	Baner-III (5.00 MW)	M/s. Vamshi Hydro Pvt. Ltd., Hyderabad.	5	5	1/12/2006	2.95	13805450
33	Manglad (4.5 MW)	M/s. Shree Bhavani Power Projects Pvt. Ltd., New Delhi.	4.5	4.5	24/11/2009	2.95	27890300
34	Drinidhar (5 MW)	M/s. Vamshi Industrial Power Ltd., Plot No. 229, Phase-I, Udyog Vihar, Gurgaon-16.	5	5	1/12/2006	2.95	23223425
35	Sainj (5 MW)	M/s. Himshakti Projects Pvt. Ltd., Shimla.	5	5	10/6/2009	2.95	29580400
36	Gurahan (1.5 MW)	M/s Sarabai Enterprises Pvt. Ltd., Village Sarabai, P.P. Bhunter, Distt. Kullu.	1.5	1.5	15/03/2005	2.50	5502500
37	Maujhi-II (5.00 MW)	M/s. Dharamshala Hydro Power Ltd..	5	5	27/05/2009	2.95	8645850
38	Palor-I (3.00 MW)	M/s. Mangalam Energy Dev. Co. Pvt. Ltd. Noida.	3	3	20/07/2004	2.50	10677680
39	Tangling (5.00 MW)*	M/s. Tangling Mini Hydel Power Project, Distt. Kinnaur.	5	5	26/05/2010	2.95	11710991
40	Gaj-II (1.5 MW)	M/s. Raheja Hydel Power Ltd. Gurgaon	1.5	1.5	11/11/2010	2.95	9050100
41	Brahal (4.00 MW)	M/s. Sodhi Brothers, Nagrota Bagwan, Kangra.	4	4	11/4/2007	2.95	15518320
42	Upper Khaulii (5 MW)	M/s. Vamshi Industrial Power Ltd., Plot No. 229, Phase-I, Udyog Vihar, Gurgaon-16.	5	5	1/12/2006	2.95	19685651
43	IQU-I (4.5 MW)	M/s. IQU Power Company Pvt. Ltd., Kangra.	4.5	4.5	31/05/2000	2.50	0
44	Rakchad (5.00 MW)	M/s. Regent Energy Limited, New Delhi.	5	5	19/12/2006	2.95	18767200
45	Chirchand (5.00 MW)	M/s. Chirchind Hydro Power Ltd. Bardaspura Chamba(HP).	5	5	30/06/2008	2.95	25661298
46	Timbi (3 MW)	M/s M/s Himalyan Crest Power Ltd., New Delhi	3	3	30/03/2000	2.50	9097916
47	Binua Parai (5.00 MW)	M/s Anubhav Hydel Power Limited, Hyderabad	5	5	28/06/2008	2.95	22498981
48	Dehar-II (1.5 MW)	M/s Saini Techno Construction Pvt Ltd. Pathankot	1.5	1.5	5/5/2007	2.95	8112400
49	Tarella-III (5.00 MW)	M/s. Tarela Power Ltd., Hyderabad.	5	5	31/03/2009	2.95	28459908
50	Sach (900 KW)	IIMURJA, Shimla-9	0.9	0.9	21/10/2010	2.95	2073668
51	Rukti-II (5.00 MW)**	M/s. Door Sanchar Hydro Power Private Limited, V.P.O. Sangla, Distt.	5	5	24/05/2010	2.95	21506686 .5

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Sechi (4.5 MW)	M/s. Ascent Hydro Projects Limited, Bldg., 2/RH-1' Visava Enclave, D.P. Road, Aundh, Pune.	4.5	4.5	25/10/2007	2.50	19261100
Chakshi (2.00 MW)	M/s Puri Oil Mills Ltd., 302, Jyothi Shikhar, 8. distt Center, Janak Puri. New Delhi	2	2	30/08/2007	2.95	8858600
Belij (5.00)	M/s. Balij Hydro Power Private Limited, Plot No. 84, Kavuri Hills, Phase-II, Madhapur, Hyderabad-500033 (AP).	5	5	26/11/2010	2.95	22980604
Suman Sarwari(2.5 MW) Unit-I	M/s Usaka Hydro Powers (P) Ltd. H No. 345, Bhandari Niwas, Gandhi Nagar Kullu HP	2.5	2.5	23/12/2005	2.50	9385579
Masli (5MW)	M/s NSL Masli Power Generation (P) Ltd .A - 105, Sector-3 Phase-Ii, New Shimla 171009	5	5	3/12/2004	2.50	13486300
Dunali (5MW)	M/s Jala Shakti Ltd House No.-135 Upper Julakari Chamba -176318 (HP)	5	5	11/1/2007	2.50	16252461.97
Panwi (4MW)	M/s Ascent Hydro Project Ltd.A DLZ Company House No-16,H.P. Officers Colony(West End) Panthaghati, Shimla-9	4	4	3/11/2008	2.50	11465300
Dikleri (2MW)	M/sManimahesh Hydel Power Porject Dall House, Mohalla Sapri, Chamba-176310 (HP)	2	2	29/03/2012	2.95	8265281
Binwa-IV (4MW)	M/s. Shree Bhavani Power Projects Pvt. Ltd., New Delhi.	4	4	12/6/2013	2.95	8447678
Hamal (2MW)	M/s Hamal Hydel Ltd., 92/10 Devi Nagar, Poanta Sahib, Distt Sirmour (H.P).	2	2	23/09/2009	2.87	574300
Kotlu (1.80MW)	M/s Siri ram Syal Hydro Power Private Limited, 267, masjid Moth, Uday Park (N.D.S.E. Part -II) New Delhi-110 049.	1.80	1.80	20/05/2005	2.50	616809
Tulang (3MW)	M/s Himachal Hydel Projects Pvt. Ltd. SCO 263, Sector 14, Panchkula- 134 113 (Haryana), India	3.00	3.00	30/06/2008	2.87	9950
Patikari (16 MW)	M/s Patikari Power Pvt. Ltd., Gurgaon.	16.00	16.00	28/08/2010	2.25	64870080
Toss (10 MW)	M/s Sai Engg. Foundation, Sai Bhawan ,New Shimla	10.00	5.00	13/01/2009	2.50	40025693
Sarbari-II (5.4 MW).	M/s. DSL Hydrowatt Limited, Mumbai.	5.40	5.40	23/08/2010	2.95	28122400
Neogal (15MW)	M/s OM Power Corporation Limited Vill Bundla, P.O. Nachhir,	15.00	15.00	27/10/2006	2.25	21637500
	Total	259.35	254.35			1008888784
						1008.89 MUs

Renewable energy (royalty power) procured from the State Govt. of Small Hydro Projects (IPP owned) upto 25 MW capacity as detailed below:

37.66 (MUs)

Free power entitlements of GoHP in IPP owned SHPs of 25 MW & below capacity purchased by HPSEBL

Sr. No.	Name of Project.	Total unit (Royalty)	Royalty
1.	Tangling(5.00 MW)*	366030	3%
2.	Rukti-II(5.00 MW)**	664375	3%
3.	Sach (.90 MW)	132362	6%
4.	Suman Sarwari (2.5 + 2.5MW)	589032	1.5% & 1% LADF.
5.	Binwa-IV (4.00MW)	539958	6%
6.	Patikari (16 MW)	8845920	12%
7.	Toss (10 MW)	7063358	15%
8.	Sarbari-II (5.4 MW).	3828054	12%
9.	Upper Joiner. (12.00 MW)	2992683	15%
10.	Sumez (14.00 MW)	5427777	15%
11.	Beaskund (9.00 MW)	3348305	13.65%
12.	Neogal (15 MW)	3825000	15%
13.	Kurmi (8MW)	30174	12.73%
14.	Jongini (16MW)	4842	15.00%
		37.66 MU	

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- D Renewable energy (royalty power) 25.70 (MUs)
procured from the State Govt. of Small
Hydro Projects (HPSEBL own projects)
upto 25 MW capacity as detailed below:

Free Power of GoHP from own Generation			
Sl. No.	Power Station	Installed Capacity (in MW)	Free Power of GoHP (MU)
1	Andhra	16.950	-
2	Ghanvi	22.500	9.12
3	Ghanvi-II	10.000	0.44
4	Baner	12.000	5.11
5	Gaj	10.500	5.58
6	Binwa	6.000	-
7	Thirot	4.500	-
8	Gumma	3.000	-
9	Holi	3.000	-
10	Khauli	12.000	5.45
11	Bhaba Aug	4.500	-
12	Nogli	2.500	-
13	Rongtong	2.000	-
14	Sal-II	2.000	-
15	Chaba	1.750	-
16	Rukti	1.500	-
17	Bhuri Singh	0.450	-
18	Killar	0.300	-
	Total		25.70
Total R.E. purchased (A+B+C+D)			1400.99 (MUs)

12. The information, in relation to the FY 2013-14, submitted by the distribution licensee i.e. Himachal Pradesh State Electricity Board Ltd. (HPSEBL), as given in the Tables I & II set out in the preceding para of this Order, is summarised as under:

Sr. No.	Description	Quantum (in MUs)
1.	Financial Year	2013-14
2.	Total Energy procured for supply with in state	8598.99
3.	RPPO (% age)	10.00%
4.	RPPO (MUs)	859.90
5.	Total RE purchased on tariff u/s 62 & 64	
(a)	HPSEBL's own generation from 25 MW and below projects	328.75
(b)	Power Purchase from IPP(25 MW and below)	1008.89
(c)	Royalty Power of GoHP from IPP less than 25 MW	37.66

(d)	Royalty Power of GoHP from own generation	25.70
	Total RE purchased	1400.99
6.	RE sold outside its area of supply	0
7.	Total RE purchased for supply	1400.99
8.	Total surplus RE eligible for REC	541.09

13. Based on the submissions made by the distribution licensee and taking into account the RPPO compliance orders of this Commission for previous three years, in exercise of powers conferred under clause (b) of sub-regulation (1A) of regulation 5 of the Central Electricity Regulatory Commission (Terms and Conditions for Recognition and Issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulation, 2010, it is hereby certified that the distribution licensee (Himachal Pradesh State Electricity Board Ltd.) in the State of Himachal Pradesh has procured 541.09 MUs excess Non-Solar Renewable Energy, beyond its Non-Solar RPPO target Compliance, in financial year 2013-14. The distribution licensee (JIPSEBL) fulfills all the conditions specified in the REC Regulations for its eligibility regarding issuance of Non-Solar Renewable Energy Certificate (RECs) for this quantum purchased in excess of RPPO targets.

Shimla
Dated: 07.03.2015


(Subhash C. Negi)
Chairman