

The prayer made before the State Commission itself shows that the Commission was requested to fix the tariff for procurement of power from biomass based projects for the period beyond 31.03.2012, considering the promotion of projects as main criteria. Therefore, the decision taken by the Commission that it could not be decided at that stage as it was premature, and it will be considered at the appropriate time for initiating the process, is perfectly justified.

Therefore, we do not find any ground to admit the Appeal. However, we deem it appropriate to direct the Commission to start the process for finalization of tariff for the period beyond 31.03.2012 at an early date, so that the process could be completed before 31.03.2012.

Accordingly, the Commission is directed to initiate the proceedings before 01.12.2011, so that it would be completed within 120 days as prescribed by the provisions of the Act.

The Appellant is at liberty to urge all the contentions raised in this Appeal before the State Commission during the proceedings. With these observations, this Appeal is disposed of.

(V.J. Talwar)
Technical Member

(Justice M. KarpagaVinayagam)
Chairperson

TS/KS