

March 13, 2024

IWPA Circular No. 12 of 2023-24

(For kind attention of all members having Windmills in Tamil Nadu)

Dear Member,

Sub: 20 years completed WEGs – Payment of CC bill for February 2024 – Deferred by the Hon'ble Division Bench by its order dated 11.03.2024 – Letter to SEs / DFCs – Model Letter sent

Ref: Our Circular No. 11 of 2023-24 dated 12.03.2024

Please refer to our earlier Circular No. 11 of 2023-24 issued by us on 12.3.2024 with regard to the High Court direction in its order dated 11.3.2024, with regard to implementation of the banking in respect of WEGs that have completed 20 years of life.

Members who are awaiting banking energy adjustment considered earlier as lapsed by TANGEDCO, and wish to avail time to make payment of the Feb month CC bill, can send a letter to the respective jurisdictional SE of the consuming circle EDC seeking to defer the payment as per the model letter attached.

The below matter can be printed in your letterhead and after signing, the same may be scanned and sent by RPAD / E-Mail to the SE/DFC.

(By E-Mail / RPAD)

To,

Date:

The Superintending Engineer,
TANGEDCO,
_____ Electricity Distribution Circle,
Station _____.

Sir/Madam,

Sub: Deferment of payment of CC Bill for the month of February 2024-Banked Units of our WEG not provided for allotment as per the order of the Division Bench of the High Court Order - copy communicated.

We are writing this letter to inform you that we have WEGs installed in the state that have completed 20 years since commissioning, to meet our captive consumption.

The surplus energy generated by our WEGs, after adjusting the consumption for the month, has not been carried forward and included in the Banking account in the monthly generation statement issued by TANGEDCO and that banked units could not be adjusted against our consumption. The Indian Wind Power Association (IWPA), of which we are a member, filed a writ petition before the Madras High Court in WP(MD) No 13255 of 2021 and the Hon'ble High Court passed an order on 27.1.2022 allowing our prayer to adjust the banked energy.. TANGEDCO has filed an appeal in WP 2360 of 2023 before the Division Bench of the Hon'ble Madras High Court in which the court passed an interim order directing to provide banking for WEGs that have completed 20 years of life.

During the hearing on 11.3.2024, the Hon'ble Division Bench, passed an order as follows:

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Indian Wind Power Association

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IWPA

helping mankind with energy from nature

"2. An interim order is already passed by us. The same does not require any clarification.

3. On the last date also, we had recorded the submission of learned Advocate General that the order of the Apex Court dated 29.1.2024 would be implemented on or before 29.2.2024. Now, again it is said that the meeting of the Board would be held tomorrow.

4. Learned Advocate General, on instructions of the officers present in the court, makes a statement that till the next date the power connections of the respondents and the members of the respondent-associations would not be disrupted/disconnected awaiting the adjustment of the bank units. The said statement is recorded.

At the request of learned Advocate General, adjourned to 25.3.2024."

Therefore, as per Para 4 of the above order dated 11.03.2024, the Hon'ble Court has directed that the power supply in respect of generators who are awaiting adjustment of banked units (not accounted by TANGEDCO) shall not be disconnected till the next date of hearing if the Feb CC bill is not paid on time . If the revised generation statement including the lapsed energy as banked energy is uploaded, we will make the allotment based on which revised CC Bill can be raised and if any amount is due to be paid after adjusting the revised CC Bill, we will make payment of the same on time.

Accordingly in terms of the orders of the Hon'ble High Court, we are deferring the payment of CC bill for February 2024 until the revised CC Bill is raised considering the banked energy not accounted by TANGEDCO or until the next date of hearing. This deferment shall not be construed as non-payment of the CC Bill and the power supply shall not be disconnected as recorded in the order passed by the High Court.

List of our WEGs completed 20 years

Sl. No.	WEG HTSC No.	Generation End EDC	Consumption End EDC	Units available at our banking account as on 29.02.2024
1				
2				
3				
4	Total Accumulated Units as on 29.02.2024			

We request you to kindly upload the revised generation statement, including the banked energy, to enable us to make revised allotment statement based on which the CC Bill for the month of Feb 2024 can be raised by you.

We look forward to your early action in this regard,

Thanking you,

Yours faithfully
for Indian Wind Power Association

Ajay Devaraj
Secretary-General

Indian Wind Power Association

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