

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 16/MP/2018

Subject : Petition for issuance of RECs updating of name and Re-registration of the Petitioner under the Renewable Energy Certificate Mechanism.

Date of Hearing : 14.3.2018

Coram : Shri P. K. Pujari, Chairperson
Shri A. K. Singhal, Member
Shri A. S. Bakshi, Member
Dr. M. K. Iyer, Member

Petitioner : Tadas Wind Energy Private Limited

Respondent : National Load Dispatch Centre

Parties present : Shri Vishal Gupta, Advocate, TWE(P)L
Shri Dipun B, TWE(P)L

Record of Proceedings

Learned counsel for the petitioner, Tadas Wind Energy Private Limited submitted that present petition has been filed for seeking direction to the respondent for issuance of Renewal Energy Certificates REC. Learned counsel further submitted as under:

- a) The petitioner was incorporated on 27.7.2011 as Tadas Wind Energy Private Limited. Subsequently, on 20.1.2012 the name of the petitioner was changed from Tadas Wind Energy Private Limited to Tadas Wind Energy Limited.
- b) The petitioner has set up 100 MW power plant in the State of Karnataka and 50.5 MW power plant in the State of Andhra Pradesh. The power plant at Karnataka has been commissioned in phases from May, 2012 to September, 2012 and the power plant at Andhra Pradesh has been commissioned in July, 2012.
- c) On 27.9.2013, the name of the petitioner's company was further changed from Tadas Wind Energy Limited to Tadas Wind Energy Private Limited. The change in the status from a public limited company to a private limited company does not change the constitution or legal status of the petitioner's company.
- d) As per proviso to Section 2(71) of the Companies Act, 2013 a company which is a subsidiary of a company not being a private company, shall be deemed to be public company for the purpose of Companies Act, 2013 even

though such subsidiary company continues to be a private company in its articles. Therefore, despite the conversion of the petitioner's company from a public limited company to a private limited company, it continues to be deemed as public limited company for the purpose of Companies Act, 2013. Further, petitioner's Company Identification Number, Permanent Account Number, Tax Deduction Account Number, remained the same under the revised name also.

e) The respondent denied RECs to the petitioner since December, 2016 and onwards on the ground that change in name of the petitioner's company is not a simple name change but the legal status of the company has been changed and the new name of the company is a separate entity.

f) Learned counsel requested the Commission to direct the respondent to issue RECs to the petitioner under REC Mechanism.

2. After hearing the learned counsel for the petitioner, the Commission admitted the petition and directed to issue notice to the respondent.

3. The Commission directed the petitioner to serve the copy of the petition on the respondent immediately. The Commission directed the respondent to file its reply by 27.3.2018, with an advance copy to the petitioner, who may file its rejoinder, if any, by 13.4.2018. The Commission directed that due date in filing reply and rejoinder should be strictly complied with. No extension shall be granted on that account.

4. The matter shall be listed for hearing on 26.4.2018.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Legal)**