

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 9/SM/2021

Subject : Petition for non-compliance of the provisions of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) Regulations, 2020

Respondent : Atria Energy Services Private Limited (AESPL)

Date of Hearing : 22.10.2021

Coram : Shri P. K. Pujari, Chairperson

Shri I.S Jha, Member
Shri Arun Goyal, Member
Shri P.K Singh, Member

Parties Present : Shri Tabrez Alawat, Advocate, AESPL

Record of Proceedings

Case was called out for virtual hearing.

2. The learned counsel for the Respondent, Atria Energy Services Private Limited (AESPL) submitted the following:

(a) AESPL had filed the Petition No. 105/TD/2021 under Regulations 9(4) and 15(3)(a) of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) Regulations, 2020 (hereinafter referred to as “the Trading Licence Regulations”) for down-gradation of inter-State trading licence in electricity from Category “IV” to Category “V” granted vide order dated 20.6.2017. The Commission in its order dated 29.6.2021 had observed that as per audited special balance sheet as on 30.9.2020 submitted by the Respondent, it had a net worth of only Rs. 166.27 lakh. Therefore, the Respondent does not meet requirements of net worth for any category of trading licence as prescribed under Regulation 3(3)(a) of the Trading Licence Regulations.

(b) There was an inadvertent error and miscommunication by the personnel of the Respondent due to Covid-19 pandemic. An amount of Rs. 80,55,083/- was reduced from the net worth as loans and advances given to associates. However, out of the said amount, payment of Rs.80 lakh was given to APCPL for the purpose of installation of solar power plant at Atria Institute of Technology.

(c) The above amount has been paid for the specified purposes and not as a loan to any associates company. Therefore, deduction made for loans and advances is no longer needed for computation of the net worth. There was no wilful violation of any terms and conditions of the Trading Licence Regulations.

(d) The learned counsel prayed for closure of the present proceeding and to downgrade its inter-State trading licence in electricity from Category 'IV' to Category 'V'.

3. The Commission, after hearing the submissions of the learned counsel for the Respondent, reserved the order in the matter.

By order of the Commission
SD/-
(T.D. Pant)
Joint Chief (Legal)