

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 74/MP/2022

Subject : Petition under Regulation 15 of the Central Electricity Regulatory Commission (Terms and Conditions for Recognition and Issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 seeking directions against the Respondent, National Load Despatch Centre in the matter of issuance of the Renewable Energy Certificates to the Petitioner for the specified period.

Date of Hearing : 22.8.2022

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

Petitioner : Delhi International Airport Ltd. (DIAL)

Respondents : National Load Despatch Centre (NLDC) and Anr.

Parties Present : Shri Ayush Puri, Advocate, DIAL
Shri P. Ravi, DIAL
Ms. Abhiha Zaidi, Advocate, NLDC

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter alia*, seeking direction to the Respondents to update and re-issue certificate of Accreditation, Certificate of Registration and Renewable Energy Certificates with retrospective effect in the new name of the Petitioner Company for its 2.84 MWp and 5 MWp Solar Plants pursuant to the representations of the Petitioner dated 1.9.2017, 23.6.2018 and 7.9.2018. Learned counsel submitted that as per Section 2(71) of the Companies Act, 2013, the Petitioner Company is deemed Public Company being a subsidiary of Company not being a Private Company, namely, GMR Airport Limited and accordingly, the name of the Petitioner Company was changed from Delhi International Airport Private Limited to Delhi International Airport Limited and Certificate of Incorporation to above extent was issued by the Registrar of Company on 10.4.2017. Learned counsel submitted that subsequent to the above, the Petitioner vide its representations dated 1.9.2017, 23.6.2018 and 7.9.2018 had informed the Respondents about the change in the name of the Petitioner Company and requested for issuance of fresh/amended certificates reflecting the name change. However, the said request was denied on the ground that it is not a simple name change but change in the legal status of the Petitioner Company. Learned counsel submitted that there is no change in legal status of the Petitioner Company and in any case, the present case of the Petitioner is covered by the judgment of the Appellate Tribunal for Electricity in the case of Techno Electric & Engineering Company Ltd. v. CERC & Ors. in Appeal No. 57 of 2020.



3. Learned counsel pointed out that the present Petition has been filed pursuant to the order of Hon'ble Delhi High Court dated 28.2.2020 in WP (C) No. 12165 of 2019 filed by the Petitioner on the aforesaid subject matter, wherein the Hon'ble High Court has permitted the Petitioner, without prejudice to its rights and contentions in the Writ Petition, to approach this Commission for seeking relaxation of strict application of this Commission's approved procedure for issuance of Renewal Energy Certification to eligible entity by Central Agency.

4. Learned counsel for the Respondent No.1, NLDC accepted notice and sought time to file reply to the Petition.

5. After hearing the learned counsel for the parties, the Commission ordered as under:

(a) Admit. Issue notice to the Respondents.

(b) The Petitioner to serve copy of the Petition on the Respondents and the Respondents to file their reply to the Petition, if any, within three weeks after serving copy of the same to the Petitioner, who may file its rejoinder within three weeks thereafter.

(c) Parties to comply with the above directions within specified timeline and no extension of time shall be granted.

6. The Petition shall be listed for hearing on 13.12.2022.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**