

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 725/MP/2020

- Subject : Petition under Section 79 of the Electricity Act, 2003 and Regulation 24 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Regulations 14 and 15 of the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for renewable energy generation) Regulations, 2010 and in compliance to the Commission's order dated 27.1.2020 in Petition No. 61/MP/2019, whereby POSOCO was directed to file Petition before the Commission with all the facts of the case for the Commission to take the appropriate action.
- Date of Hearing : 23.3.2023
- Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : National Load Despatch Centre (NLDC)
- Respondents : Weizmann Limited and 3 Ors.
- Parties Present : Shri Ankur Singh, Advocate, NLDC
Ms. Khushboo Mittal, Advocate, NLDC
Shri Kailash Chand Saini, NLDC
Shri Alok Mishra, NLDC
Ms. Dipali Seth, Advocate, Weizmann Ltd.

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed in compliance of the Commission's order dated 27.1.2020 in Petition No. 61/MP/2019 wherein the Petitioner was directed to investigate & prepare a report on the matter of wilful misconduct and suppression of material information by Weizmann Limited and consequently, to file a Petition before this Commission with all relevant facts of case for the Commission to take an appropriate action. Learned counsel submitted that the Petitioner, in compliance with the above direction, has prepared its report and filed along with the Petition. Learned counsel further referred to the said report and mainly submitted as under:

- (a) Since the commissioning certificate in the name of Weizmann Limited was issued by Maharashtra State Electricity Board Limited vide letters dated 21.12.2000, 2.5.2001 and 16.7.2001, therefore at all the stage of REC mechanism viz. accreditation, registration & issuance of RECs, it seems that the concerned agency relied on the said commissioning certificate and it appears that they were unable to detect the change in ownership of the company (arising out of demerger scheme) following the High Court order dated 29.10.2010 pursuant to which all the assets & liabilities of power

business undertaking from Weizmann Ltd. were transferred and recorded in the books of account of Karma Energy Limited.

(b) The onus was on the renewable energy generator to bring to the notice of concerned authorities the change in the legal status of the company owing the concerned renewable plants.

(c) The renewable generator, in its reply, has accepted and admitted its mistake stating it is unintentional.

(d) With effect from 14.7.2018 i.e. from the date of application for fresh accreditation by Karma Energy Limited, the RECs are being issued in its name. However, for the period prior thereto, the RECs have been issued in the name of Weizmann Ltd., which as per the REC Regulations of the Commission, was not an eligible entity and hence, the Commission may either revoke such RECs or consider condoning the same.

2. Learned counsel for the Respondents 1 & 2, Weizmann Limited & Karma Energy Limited submitted that the Respondents had inadvertently failed to register Karma Energy Limited as generating company after the demerger/restructuring exercise. There was, however, no intention on part of the Respondents to disguise their name or the scheme from the concerned authorities or to claim RECs twice or to obtain undue benefits or wrongful gains, etc. Learned counsel also submitted that, in this regard, disciplinary proceedings had also been initiated against the concerned persons.

3. After hearing the learned counsel for the parties, the Commission directed the Respondents to file on affidavit the details of internal actions/disciplinary proceedings undertaken by the Respondents against the concerned persons responsible for the above lapse, on an affidavit, within two weeks.

4. Subject to the above, the Commission reserved the matter for order.

By order of the Commission

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