

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram**

1. **Dr. Pramod Deo, Chairperson**
2. **Shri R. Krishnamoorthy, Member**
3. **Shri S. Jayaraman, Member**
4. **Shri V.S.Verma, Member**

**Petition No. 124/2007**

**In the matter of**

Non-compliance of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2008.

**And in the matter of**

Vandana Global Limited, Raipur

**Respondent**

**ORDER**

Vandana Global Limited (hereinafter "VGL") was granted licence for inter-State trading in electricity for Category "C" on 20.2.2008. Consequent to the notification of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) Regulations, 2009, the licence stands re-classified to Category-`II`.

2. Under clause (4) of Regulation 4 of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2008 (hereinafter "the payment of fees regulations") the licensees are required to pay licence fee within thirty days of the date of grant of licence and thereafter annually by 30<sup>th</sup> April each year.

3. It was noticed that VGL had not paid the licence fee for the year 2009-10, which was payable by 30.4.2009, despite issue of reminders dated 21.5.2009 and 20.8.2009. Accordingly, by order dated 24.9.2009, VGL was directed to

show cause as to why penalty under Section 142 of the Electricity Act, 2003 be not imposed on it for non-compliance of the provision of payment of fees regulations. VGL were further directed to explain as to why, for the same reason, Category `II` licence for inter-State trading in electricity granted to it be not revoked.

4. VGL was afforded time up to 16.10.2009 for showing cause. The matter was posted for hearing on 27.10.2009. On the date fixed for hearing, none appeared on behalf of VGL, nor had any reply been filed. However, VGL under letter dated 27.10.2009 has deposited licence fee with 1% surcharge which was received in the Commission's office on 28.10.2009. In view of the subsequent payment of the licence fee together with surcharge, Commission vide its order dated 4.11.2009 imposed token penalty of Rs. 25,000/- on VGL for contravention of the provisions of the payment of the fees regulations. VGL had paid excess amount of Rs. 12,500/-, while remitting the licence fee and surcharge for the delay of six months, that is, from May 2009 to October 2009. The Commission vide said order dated 4.11.2009 also directed that the excess amount paid by the VGL shall be adjusted against the penalty imposed. By said order dated 4.11.2009, VGL was also discharged from the notice for revocation of licence issued under order dated 24.9.2009.

5. VGL under letter dated 1.12.2009 has deposited the balance of the penalty amount of Rs. 12,500/-, which was received on 4.12.2009.

6. On the above considerations, we discharge VGL from the notice dated 24.9.2009 issued under Section 142 of the Electricity Act, 2003 for non-

compliance of fees regulations. VGL shall ensure that in future the regulations notified by the Commission and its specific directions are complied with in letter and spirit. Any instance of non-compliance of any of the provision of the regulation in future will attract appropriate action in accordance with the law.

**Sd/-**  
**(V.S.VERMA)**  
**MEMBER**

**sd/-**  
**(S. JAYARAMAN)**  
**MEMBER**

**sd/-**  
**(R. KRISHNAMOORTHY)**  
**MEMBER**

**sd/-**  
**(Dr. PRAMOD DEO)**  
**CHAIRPERSON**

New Delhi, dated the 23<sup>rd</sup> December 2009