

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 7/SM/2019

Coram:

Shri P. K. Pujari, Chairperson

Dr. M. K. Iyer, Member

Shri I. S. Jha, Member

Date of Order : 4th of September, 2019

In the matter of:

Non-compliance of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012.

And

In the matter of:

Parshavnath Power Projects Private Limited
Office No. 6, 3rd Floor, Street No. 3,
Near PVR Cinema Hall, Opp. Saket,
Saidulajab, New Delhi-110 030

...Respondent

ORDER

By order dated 19.5.2014 in Petition No. 283/TDL/2013, Parshavnath Power Projects Private Limited (hereinafter referred to as "the licensee") was granted trading licence for Category `IV for trading in electricity in whole of India, except the State of Jammu and Kashmir in terms of Regulation 6 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) Regulations, 2009 (hereinafter referred to as 'Trading Licence Regulations') as amended from time to time subject to compliance of terms and conditions specified in said regulations and trading licence.

2. Under clause (4) of Regulation 7 of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012 (hereinafter referred to as 'the



Fees Regulations'), the licensees are required to pay licence fee within thirty days of the date of grant of licence and thereafter, annually by 30th April of each year. It has been brought to our notice by the staff of the Commission that the Respondent has not paid the surcharge for the year 2017-18 and licence fee for the year 2018-19, which was payable by 12.1.2018 and 30.4.2018 respectively despite issuance of reminders dated 23.3.2018, 31.7.2018, 19.11.2018, 25.3.2019 and 24.4.2019.

3. In accordance with the Section 19 of the Electricity Act, 2003 (hereinafter referred to as "the Act"), where the licensee in the opinion of the Commission, makes willful and prolonged default in doing anything required of him by or under the Act or the Rules or the Regulations, the Commission may revoke the licence after serving a notice of not less than three months. Under the Fees Regulations, the licensee is required to pay the surcharge for the year 2017-18 by 12.1.2018 and licence fee for the year 2018-19 by 30.4.2018. The Respondent has failed to deposit the licence fee along with late payment surcharge within the stipulated period.

4. As per Regulation 7(a) of the Trading Licence Regulations, the licensee is required to regularly pay the licence fee specified by the Commission from time to time. The Respondent has not responded to the letters issued by the staff of the Commission for depositing the licence fee. The conduct of the licensee amounts to non-compliance of the provisions of the Trading Licence Regulations and Fee Regulations. In our view, the licensee is not entitled to hold licence when he has failed to pay the licence fee in violation of the regulations. Accordingly, we direct the Respondent to file its response as to why its inter-State trading licence should not be revoked for willful default in depositing the licence fee. This order shall also be



treated as notice under sub-section (3) of Section 19 of the Act and if no reply is received within two months and unless otherwise directed by the Commission, the licence of the licensee shall stand revoked after expiry of the period of three months from the date of issue of this order.

Sd/-
(I.S. Jha)
Member

sd/-
(Dr. M.K. Iyer)
Member

sd/-
(P. K. Pujari)
Chairperson

