

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 12/SM/2015

Coram:

- 1. Shri A.K Singhal, Member**
- 2. Shri A.S Bakshi, Member**
- 3. Dr. M. K. Iyer, Member**

Date of Order: 28.10.2015

In the matter of

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

And

In the matter of

1. Pune Power Development Private Limited
Anmol, 25, Yaswant Ghatge Nagar,
Range Hill Corner, Pune – 411007
2. Indiabulls Power Trading Limited
12th Floor, Tower – A, Building No. 5,
DLF Phase – 3, DLF Cyber City,
Gurgaon – 122002 (Haryana)
3. Indrajit Power Technology Private Limited
Trade World, "C" Wing, 16th Floor,
Kamala City, Senapati Bapat Marg,
Lower Parel (West), Mumnai – 400013
4. Rajasthan Renewable Energy Corporation Limited
E – 166, Yudhishtir Marg,
C – Scheme, Jaipur – 302005
5. Jai International Private Limited
75, Mittal Chambers, Nariman Point,
Mumbai – 400021

.....Respondents



ORDER

Pune Power Development Private Limited (PPDPL), Indiabulls Power Trading Limited (IPTL), Indrajit Power Technology Private Limited (IPTPL), Rajasthan Renewable Energy Corporation Limited (RRECL) and Jai International Private Limited (JIPL) (hereinafter referred to as "the licensees") were granted trading licences vide orders dated 12.7.2004, 12.9.2008 16.5.2008 and 3.6.2014 and 18.7.2014, respectively to trade in electricity in whole of India, except the State of Jammu and Kashmir.

2. Under clause (4) of Regulation 7 of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012 (hereinafter referred to as '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 30th April of each year. It has been brought to our notice by the staff of the Commission that the licensees have not paid the licence fees for the year 2015-16, which was payable by 30.4.2015, despite issue of reminders dated 22.6.2015, 20.7.2015 and 31.8.2015.

3. As per Regulation 7 (m) of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) Regulations, 2009 as amended from time to time (hereinafter referred to as 'Trading Licence Regulations'), the licensee is required to pay the licence fee by the stipulated date specified by the Commission. The licensees have failed to deposit the licence fee within the stipulated period. The licensees have also not responded to the letters issued by the staff of the Commission for depositing the licence fee for the year 2015-16. The conduct of the respondents amounts to serious contravention under Regulation 14A (2) (a) and (e) of



the Trading Licence Regulations. In our view, the licensees are not entitled to hold their licences when they have failed to pay the licence fee in violation of the regulations. Accordingly, in exercise of power conferred under Regulation 14B (1) of the Trading Licence Regulations, we direct the respondents to file their responses on affidavit, by 30.11.2015 as to why their licences should not be revoked for non-compliance of the Trading Licence Regulations and Payment of Fees Regulations and the outstanding licence fees should not be recovered from them as arrears of land revenue in terms of Section 170 of the Electricity Act, 2003. This order shall also be treated as notice under sub-section (3) of Section 19 of the Act and unless otherwise directed by the Commission, the licences of the licensees shall stand revoked after expiry of the period of three months from the date of issue of this order.

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

SD/-
(A.S. Bakshi)
Member

SD/-
(A. K. Singhal)
Member

