

# CENTRAL ELECTRICITY REGULATORY COMMISSION

## Record of Proceedings

### PETITION NO. 62/2009

Sub: Miscellaneous petition under regulation 12 "Power to Remove Difficulties" and Regulation 13 "Power to relax" of the CERC (Terms and Conditions of Tariff) Regulations, 2004 for permission to bill and recover Service Tax on transmission and other charges recoverable by Govt. of India in terms of Section 64 of the Finance Act, 1994 for the period 2004-09.

.Date of hearing : 4.6.2009

Coram : Dr. Pramod Deo, Chairperson  
Shri R.Krishnamoorthy, Member  
Shri V.S.Verma, Member

Petitioner : Power Grid Corporation of India Ltd., Gurgaon

Respondents : Bihar State Electricity Board, Patna & Others

Parties present : Shri U.K.Tyagi, PGCIL  
Shri M.M.Mondal, PGCIL  
Shri Rakesh Prasad, PGCIL  
Shri S.S.Raju, PGCIL

Through this petition, the petitioner, Power Grid Corporation of India Limited has sought to be permitted to bill the recover the service tax together with education cess, interest penalty, if any, chargeable in terms of Section 64 of the Finance Act, 1994 from the respondents.

2. After hearing the representative of the petitioner, the Commission directed to admit the petition and issue notice to the respondents.

3. Accordingly, the petitioner has been directed to serve copy of the petition on the respondents latest by 25.6.2009 for which a confirmation shall be filed on affidavit. The respondents may file their reply by 15.7.2009, with a copy to the petitioner, who may file its rejoinder, if any, by 31.7.2009.

4. The petition shall be re-notified on 11.8.2009.

sd/-  
(K.S.Dhingra)  
Chief (Law)