

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 7/2004**

**Coram**

1. Dr. Pramod Deo, Chairperson
2. Shri S.Jayaraman, Member
3. Shri V.S.Verma, Member
4. Shri M.Deena Dayalan, Member

**DATE OF ORDER: 30.9.2011**

**In the matter of**

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

**And in the matter of**

Venergy International Private Limited

.....**Respondent**

**ORDER**

By order dated 12.7.2004, Sumex Organics Private Limited (hereinafter referred to as "the licensee") was granted trading licence for Category `B` to trade in electricity as an electricity trader within the Country, 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, 2004. 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 (hereinafter



referred to as '2009 trading licence regulations'), the licence stands re-categorised as category 'III'. On the request of the licensee, Commission vide its order dated 3.11.2005 in I.A. No. 58/2005 had changed the name of the licensee from "Sumex Organics Private Limited" to "Vinergy International Private Limited".

2. Under clause (4) of Regulation 4 of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2008 (hereinafter referred to as "the payment of fee 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 of each year. It has been noted that the respondent has not paid the licence fee for the year 2011-12, which was payable by 30.4.2011 despite issue of reminders dated 31.5.2011 and 10.8.2011.

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.

4. As already noted, the respondent has not deposited the licence fee in compliance with the 2009 trading licence regulations. Moreover, the respondent has also not responded to the letters issued by the Commission for depositing the licence fee. This amounts to non-compliance with the provision of payment of fee

regulations and the directions of the Commission. In our views, no useful purpose will be served to allow the petitioner to retain the licence without paying the licence fee. Accordingly, we direct the respondent to file its response as to why its 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.

Sd/-

**(M.DEENA DAYALAN)**  
**MEMBER**

sd/-

**(V.S. VERMA)**  
**MEMBER**

sd/-

**(S.JAYARAMAN)**  
**MEMBER**

sd/-

**(DR.PRAMOD DEO)**  
**CHAIRPERSON**