



# दिल्ली ट्रांसको लिमिटेड DELHI TRANSCO LIMITED

पंजीकृत कार्यालय : शक्ति सदन, कोटला रोड, न्यू दिल्ली-110002  
(Regd. Office Shakti Sadan, Kotla Road, New Delhi-110002)  
Office of General Manager (एसएलडीसी)  
एस एल डी सी बिल्डिंग, मिनटो रोड, न्यू दिल्ली-110002  
SLDC Building, Minto Road, New Delhi-110002  
Ph: 23221091 FAX No.23221069

No. F/DTL/207/17-18/GM(SLDC)/F.03/14

Dated : 03.05.2017

**Subject : Minutes of the meeting held on 28.04.2017 at 15:00hrs. in SLDC  
Regarding NRLDC Charges.**

Sir,

The Minutes of the meeting held on 28.04.2017 at 15:00hrs. in SLDC regarding payment of NRLDC Charges bills are enclosed for ready reference and further necessary action please.

Thanking you,

Yours faithfully

**Encl : As above**

(V. VENUGOPAL)  
General Manager (SLDC)

To

As per list of the participants through email.

Copy for favour of kind information to :-

1. Secretary (CERC), Chandralok Building, Janpath, New Delhi-110001
2. Chairperson, NDMC, Palika Kendra, Sansad Marg, New Delhi-110001
3. Secretary, DERC, Viniyamak Bhawan, C-Block, Shivalik, New Delhi-110017
4. Chairperson and Managing Director, DTL
5. Member Secretary, NRPC, Katwaria Sarai, New Delhi-110016
6. Chairperson & M.D., IPGCL / PPCL, Himadri, Rajghat Power House, New Delhi-110002
7. Director (Tech), IPGCL / PPCL
8. Director (Finance), DTL
9. Director (Finance), IPGCL / PPCL
10. CEO, POSOCO
11. Executive Director (T), DTL, Planning Department, DTL, Jhandewalan, Delhi.
12. Executive Director (Tariff), DERC, Viniyamak Bhawan, Malviya Nagar, New Delhi.
13. Executive Director (Engg.), DERC, Viniyamak Bhawan, Malviya Nagar, New Delhi.
14. General Manager, NRLDC
15. General Manager (Commercial), IPGCL / PPCL
16. General Manager, Badarpur Thermal Power Station, NTPC, Badarpur, New Delhi.
17. General Manager (Commercial), NTPC, NCR Headquarters, R&D Building, A&A, Setor-24, Noida-201301. Fax no. 0120-2410192
18. General Manager (Finance), DTL, Shakti Sadan, New Delhi 110002

19. General Manager (C&RA), DTL
20. CEO, BRPL, BSES Bhawan, Nehru Place, New Delhi-110019
21. CEO, BYPL, Shakti Kiran Building, Karkardooma, New Delhi-110092
22. CEO, TPDDL, 33kV Grid S/Stn, Hudson Lane, Kingsway Camp, Delhi-110009
23. Chief Engineer (Electrical)-I, NDMC
24. Director (Power), NDMC, Room No. 5016, 5<sup>th</sup> Floor, Palika Kendra, Sansad Marg, New Delhi.
25. Dy.G.M.(System Operation), SLDC
26. Manager (Energy Accounting), SLDC
27. Asstt. Manager(Finance), SLDC



**DELHI TRANSCO LTD.**

(Regd. Office : Shakti Sadan, Kotla Road, New Delhi 110002)

**[Office of General Manager (SLDC)]**

SLDC Building, Minto Road, New Delhi – 110 002

Phone No.23221091, Fax 23221069

**Subject : Summary of record of discussions in the meeting held in SLDC on 28.04.2017 at 15:00hrs. regarding the payment of NRLDC Charges bills.**

The list of participants is enclosed as Annexure. The gist of discussions and decisions are as under:-

2 SLDC has been registered as a 'USER' of NRLDC on behalf of the Distribution Licensees operating in Delhi. This was done on the basis of decisions taken in the meeting held on 27.04.2010 in SLDC in this regard. The relevant extracts of the minutes of the said meeting were cited as under:-

9. G.M.(NRLDC) clarified the queries raised in the discussions and informed that the intention of the Regulations of CERC with regard to charges of NLDC and NRLDC clearly affirms the hierarchy of National Load Despatch Center - Regional Load Despatch Center - State Load Despatch Center and Distribution Licensees / Buyers etc. Even though the ultimate payer is Distribution Licensees / Buyers (no doubt is reimbursed the amount by the consumers through tariff) the regulation does not envisage National Load Despatch Center to collect charges from them instead the charges are apportioned amongst RLDCs and RLDCs are to reimburse the amount to NLDC. As such prima-facie it is a responsibility of SLDC to get it registered with RLDC after paying necessary fees and collect the charges from Distribution licensees who at present share the charges of SLDC and reimburse the same to NRLDC.

NRLDC, also explained that transactions utilizing Inter-State Transmission System (ISTS) network to and from utilities within Delhi are not scheduled directly by NRLDC but are always scheduled through Delhi SLDC.

The inter-state transactions involving Delhi Control Area could be

- i) Transaction for the power transfer from Inter-state Generating Stations (ISGS) or from other embedded generator in other states (other than Delhi in this case) to the DISCOMS within the Delhi state.
- ii) From Intra-state Generators (SGS) or embedded generators within Delhi State Control Area to a utility in a other states (other than Delhi).

The above inter-state transactions are scheduled at the state boundary as bunched transactions and RLDC carries out all coordination in respect of these transactions with the SLDCs only. The SLDC in turn schedules

these transactions at the respective boundary of the DISCOM or SGS. The metering and accounting of these DISCOM or SGS is also carried out by the concerned SLDCs duly taking care of the inter-state as well as intra-state transactions by these DISCOMs/SGS.

From the above it is clear that the scheduling, metering and accounting is carried out at regional level considering the state as a single control area. Therefore the ISGS or Generator Control Areas and States & other drawee Control Areas at Regional level should pay for the RLDC fee and charges.

As far as the payment of RLDC charges by Gencos of Delhi is concerned GM (NRLDC) was of the view that these Delhi Gencos or SGS (namely IPGCL/PPCL) are not having inter-state transactions and consequently RLDC is neither scheduling the power from these SGS stations nor carrying out metering and accounting of these stations and thus are not the ISGS stations. These stations are being scheduled, metered and accounted by the SLDC Delhi for the utilities within Delhi and as such these SGSs may have to pay the SLDC charges as per the SLDC fee & charges regulations of the DERC.

**All stake holders agreed the suggestion of GM(NRLDC) and requested Delhi SLDC to act as a nodal agency for collection and disbursal of fee and charges of RLDC. It was further decided that SLDC shall register after paying the requisite amount (Rs. 10 Lacs one time) in line with section 24 of the Regulations and claim the same through ARR of SLDC.**

- 3 According to the decision of the above meeting, Delhi SLDC was registered as USER on behalf of Distribution Licensees in Delhi even though the Distribution Licensees can also be registered as USER of RLDC as per the RLDC Fees and Charges Regulation 2009 where 'USER' has been defined as under:-

*(25) 'user' means the generating companies, distribution licensees, buyers, sellers and inter state transmission licensees, as the case may be, who use the inter-state transmission network or the associated facilities and services of National Load Despatch Centre and Regional Load Despatch Centres*

- 4 Since October 2010, NRLDC Charges have been levied based as per the CERC Orders. SLDC Delhi allocates the NRLDC Charges payable by the Distribution Licensees in Delhi and collects the charges and remits the same to NRLDC based on the Regulations. Due to the process, Distribution Licensees deduct TDS on the respective amounts and remit the same to SLDC and SLDC further deducts the TDS on the total charges payable by Delhi Control area and remit the same to NRLDC. In the existing methodology of Delhi, NRLDC Bill Charges are not being paid full. Further, the TDS benefit (TDS done by the Discoms) is availed by DTL (as DTL is operating SLDC). This is being done as per the advise rendered by the Tax Consultant namely M/s M/s M Verna & Associates, Chartered Accountants. The advise rendered by the Tax Consultant was exhibited as under:-

## Quote

M VERMA & ASSOCIATES  
CHARTED ACCOUNTANTS

1209, Hemkunt Chambers  
89, Nehru Place, New Delhi-110019  
Ph.26475905, Telefax 26211211

Email:mvermaassociates@indaitimes.com

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The Deputy General Manager  
Delhi Transco Limited  
Shakti Sadan, Kotla Road, ITO  
New Delhi-110002

**Sub : Deduction of TDS on payment of (i) Interstate Transmission Charges (ii) System Operation Charges & Market Operation Charges. Your Letter Dated 01.06.2011.**

Sir,

This is with reference to your letter dated 01.06.2011 and subsequent discussion held with undersigned in our office at Nehru Place with regard to seeking our opinion for the recovery of TDS while releasing payment of charges to PGCIL / POSOCO after collecting / recovering the amount from DISCOMs as beneficiary. As per section 194J of Income Tax Act 1961 "Fee for Professional or Technical Services"

- i) Any person, not being an individual or Hindu undivided family, who is responsible for paying to a resident any sum by way of
  - a) Fee for professional services, or
  - b) Fee for technical services or
  - c) Royalty, or
  - d) Any sum refer to in clause (va) of section 28

Shall, at the time of credit of such sum to the account of payee or at the time of payment thereof in cash or by issue of cheque or draft or by any other mode, whichever is earlier deduct an amount equal to 10% of such sum as Income Tax on Income comprised therein

Further, as per clause (3)(b) "Fee for technical service" shall have the same meaning as in explanation 2 to clause (vii) of sub section (1) of section 9 i.e. "fee for technical service" means by any consideration (including any lump sum consideration) for the rendering of any managerial, technical or consultancy service (including the provision of services or technical or other personal).

We have perused the existing provisions relating to deduction of tax at source on technical services and we are of the opinion that the tax will have to be paid on each payment when it is subsequently made to the beneficiaries. This is no doubt a double taxation at this juncture, however this amount is refundable at the time of final assessment. For taking refund it is necessary to comply with all the provision and file all TDS return in time.

Please note as per the Law statue the only way to avoid double taxation is to seek exemption from the Appropriate Tax Authority.

Should you need more clarification, you are most welcome.

Thanking you  
Yours faithfully  
M. VERMA & Associates  
Chartered Accountants

Madan Verma  
Partner

Unquote

- 5 It was noted that the Consultant rendered the advise correctly but he did not mention about who gets the TDS benefit in the process of payment of NRLDC Charges. In case of the NRLDC Charges bill, the TDS done by Disocms was used by DTL in the payment of Taxes. As such the shortfall of payment to NRLDC should be paid to SLDC for reimbursing the same to NRLDC.
- 6 The matter has been discussed in various forum, wherein NRLDC was requested to directly bill the NRLDC Charges, on DISCOMs of Delhi, so that double taxation issue doesn't come up. The issue was discussed in the 31<sup>st</sup> Commercial Sub-Committee Meeting of NRPC, wherein NRLDC was advised to consider the proposal of bill payments directly to NRLDC based on the allocations of charges provided by Delhi SLDC by Delhi DISCOMs, the extracts of the Minutes of the said meeting was cited as under:

Quote

***ITEM-24 Truing up of NRLDC Fee & Charges Payments for 2009-14***

*Representative of NRLDC stated that truing up det ails of NRLDC Fees & Charges Payments for 2009-14 were available on NRLDC website. (<http://nrldc.org/truingup.aspx>).*

*Representative of SLDC, Delhi raised the issue of double TDS and requested NRLDC to raise bill directly to the Discoms. Representative of NRLDC stated that they could not raise bill to Discoms directly, as they were not registered entity with NRLDC.*

***SE, NRPC suggested that Delhi, SLDC may apportion charges among Discoms. Discoms may make payment directly to the NRLDC and NRLDC would consider it as a payment from Delhi.***

***NRLDC agreed to look into possible options within the ambit of law.***

Unquote

- 7 The issue was again discussed in the 32<sup>nd</sup> Commercial Sub-Committee Meeting of NRPC held on 07.04.2017, wherein it was advised that the above proposal be discussed internally with Distribution Licensees to resolve the matter.

- 8 NRLDC has refunded only about Rs. 1 Crore against the total due of Rupees.3 Crores in the True-up of expenses for the period 2009-2014. The difference is basically the effect of double Taxation and Surcharge thereof. The Distribution Licensees have requested to get full charges of refund of Rupees 3 Crores. The Distribution Licensees even threatened to stop the payment of NRLDC Charges if their dues are not refunded to them.
- 9 It was also brought out that in case NRLDC Charges are not paid as per the Regulations, the Open Access transactions can be withheld by NRLDC which would create havoc in Power System.
- 10 To avoid further complications of non payment of dues to NRLDC, SLDC vide letter No.F.DTL/207/16-17/GM(SLDC)/F.31/126 dated 10.01.2017 has informed NRLDC that SLDC will not going to accept any bill pertaining to the period April, 2017 onwards. The March 2017 Bill has been received on 13.04.2017 and the payment is due after 60<sup>th</sup> day of issue of Bill as per CERC Regulations. Since, there is a dispute of payment of NRLDC charges for the period 2009-14 and further double TDS complications, SLDC is in no way responsible for payment of NRLDC Charges for the bills pertaining to April, 2017 onwards. It was also informed in this connection that the CERC Regulations clearly clarifies that only if there is a consensus for taking the responsibility of collection of NRLDC Charges from the Distribution Licensees operating in the state by the SLDC, Delhi SLDC is responsible for the payments of NRLDC charges. For clarity, the relevant extracts of the Regulation (CERC Fee and Charges of RLDC) is appended hereunder:-

#### Quote

##### **22. Collection of SOC.-**

- (1) The System operation charges shall be collected from the users as per the norms given below:-
- (i) Inter state transmission licensees: 10% of system operation charges;
- (ii) Generating stations and sellers: 45% of system operation charges;
- (iii) Distribution licensees and buyers: 45% of system operation charges.
- (2) The system operation charges shall be levied on the inter state transmission licensees on the basis of the ckt.-km of the lines owned by them as on the last day of the month prior to billing of the month.
- (3) The system operation charges from the generating companies and sellers shall be collected in proportion to their installed capacity or contracted capacity, as the case may be, as on the last day of the month prior to billing of the month.
- (4) The system operation charges from distribution licensees and buyers shall be collected in proportion to the sum of their allocations and contracted capacities, as the case may be, as on the last day of the month prior to billing of the month.

Provided that the respective State Load Despatch Centre shall be the nodal agency for this purpose in the State if the concerned Regional Load Despatch Centre, State Load Despatch Centre and the distribution licensees arrives at a mutual consensus to do so. The respective State Load Despatch Centre shall collect the system operation charges from the distribution licensees within a state on behalf of the concerned Regional Load dispatch Centre and the same shall be deposited to the concerned Regional Load Despatch Centre.

(emphasis supplied)

23. **Collection of Market Operation Charges. -**

The market operation charges shall be collected equally from all the users except interstate transmission licensees:

Provided that the respective State Load Despatch Centre shall be the nodal agency for this purpose in the State if the concerned Regional Load Despatch Centre, State Load Despatch Centre and the distribution licensees arrives at a mutual consensus to do so. The respective State Load Despatch Centre shall collect the market operation charges from the distribution licensees within a state on behalf of the concerned Regional Load dispatch Centre and the same shall be deposited to the concerned Regional Load Despatch Centre.

(emphasis supplied)

Unquote

- 11 It was also informed by SLDC that the notice of this meeting was sent to Dy. G.M. (Finance), NRLDC and Dy. G.M. (Market Operation), NRLDC to attend the meeting. Copy of the meeting notice was also sent to G.M., NRLDC and CEO, POSOCO for favour of information along with Secretary (DERC) etc. The matter was mentioned in the 17<sup>th</sup> Delhi GCC meeting held 26.04.2017 wherein the representative of NRLDC was also present. He assured that the possible suggestions would be provided in the proposed meeting to be held on 28.04.2017 for discussions in the preliminary meeting. On 28.04.2017, at about 02.00PM, DGM(Market Operation), NRLDC sent a mail of sample Bill Proforma (\*which is attached as Annexure-2). On telephonic discussion with him, he expressed his inability to attend the meeting. The matter was brought to the notice of Chair – Director (Operations), DTL wherein the Chair advised to discuss the suggestions of NRLDC received through mail and take view on it so that he can present the same in the upcoming TCC / NRPC meeting to be held on 01/02.05.2017.
- 12 The participants strongly deplored the attitude of NRLDC as without the presence of NRLDC, no conclusion could be arrived at. Some of the representatives even opined to bring the matter in the notice of CERC about the attitude of NRLDC by not attending the meeting called to resolve the issue of their own case. They also complained about the unilateral decision of NRLDC to deduct the dues to Delhi SLDC in the exercise of truing up of NRLDC Charges for the period of 2009-14. It was also cited that Minutes of the 6<sup>th</sup> meeting of Delhi Grid Coordination Committee held on 08.05.2012 wherein NRLDC representative assured that the waiver of Late Payment Surcharge. Contradictory to the assurance even surcharge to the tune of Rs.58 Lacs was also deducted which is not at all acceptable to the Users of Delhi. The relevant extracts of the MoM were cited as under:-



## Quote

### 18 PAYMENT OF NRLDC CHARGES - PENALY BILL RAISED BYNRLDC FOR THE PERIOD OCTOBER 2010 TO FEBRUARY 2011.

SLDC representative gave a brief background on the issue as under :-  
CERC vide notification dated 18.09.2009 notified RLDC Fees and Charges Regulations. CERC vide order dated 11.03.2011 fixed the NRLDC Charges for the period 01.10.2010 (from the date of creation of Power System Operation Corporation as a 100% subsidiary company of PGCIL) to 31.03.2014. The relevant portion of regulations stipulating SLDC can be a nodal agency for collection and disbursal of RLDC Fees and Charges are reproduced hereunder :-

#### 22. Collection of SOC.-

- (1) The System operation charges shall be collected from the users as per the norms given below:-
  - (i) Inter state transmission licensees: 10% of system operation charges;
  - (ii) Generating stations and sellers: 45% of system operation charges;
  - (iii) Distribution licensees and buyers: 45% of system operation charges.
- (2) The system operation charges shall be levied on the inter state transmission licensees on the basis of the ckt.-km of the lines owned by them as on the last day of the month prior to billing of the month.
- (3) The system operation charges from the generating companies and sellers shall be collected in proportion to their installed capacity or contracted capacity, as the case may be, as on the last day of the month prior to billing of the month.
- (4) The system operation charges from distribution licensees and buyers shall be collected in proportion to the sum of their allocations and contracted capacities, as the case may be, as on the last day of the month prior to billing of the month.

*Provided that the respective State Load Despatch Centre shall be the nodal agency for this purpose in the State if the concerned Regional Load Despatch Centre, State Load Despatch Centre and the distribution licensees arrives at a mutual consensus to do so. The respective State Load Despatch Centre shall collect the system operation charges from the distribution licensees within a state on behalf of the concerned Regional Load dispatch Centre and the same shall be deposited to the concerned Regional Load Despatch Centre.*

*(emphasis supplied)*

#### 23. Collection of Market Operation Charges

The market operation charges shall be collected equally from all the users except inter state transmission licensees:

*Provided that the respective State Load Despatch Centre shall be the nodal agency for this purpose in the State if the concerned Regional Load Despatch Centre, State Load Despatch Centre and the distribution licensees arrives at a mutual consensus to do so. The respective State Load Despatch Centre shall collect the market operation charges from the distribution licensees within a state on behalf of the concerned Regional Load dispatch Centre and the same shall be deposited to the concerned Regional Load Despatch Centre.*

*(emphasis supplied)*

Based on the above stipulation, a meeting was convened in SLDC on 27.04.2010 wherein all Distribution Licensee were present and authorized SLDC to get it registered with NRLDC on behalf of Discoms and SLDC has been authorized to collect the amount towards NRLDC Charges and disburse the same to NRLDC. The first bill was raised by NRLDC for the period October 2010 to February 2011 on 23.03.2011.

However, in the meeting held on 05.04.2011 under the Chairmanship of Director (Operations), DTL, it was decided to settle the bills of March 2011 onwards by SLDC Delhi and upto Feb. 2011, the bills are required to be settled by PGCIL / NRLDC directly with Discoms as PGCIL was settling all the bills including NRLDC Charges with Discoms.

The matter was discussed in 20<sup>th</sup> Commercial Sub-Committee of NRPC meeting held on 24.08.2011 at Jaipur wherein details of credits given by Powergrid to Distribution Companies for the period October 2010 to February 2011 as Powergrid was settling the RLDC Charges till February 2011 to settle the bills for the period October 2010 to February 2011 on the request of NRLDC that these bills may also be settled by SLDC.

The matter was discussed in the 11<sup>th</sup> meeting of Delhi Commercial Sub-Committee held on 18.10.2010 wherein the issue of the payment for October 2010 to February 2011 was discussed and all Delhi Discoms assured that they would release the charges of NRLDC Fee and Charges for the period October 2010 to February 2011 by 04.11.2011 i.e. 58<sup>th</sup> day of issue of statement by SLDC on the basis of the receipt of the bill from NRLDC with the intimation of credit of Powergrid to Distribution Companies already done for the period October 2010 to February 2011, received on 07.09.2011 from NRLDC. Accordingly, payment was collected and disbursed to NRLDC by Delhi SLDC. Hence, no surcharge is liable to be paid by Delhi SLDC for the payment pertains to the period October 2010 to February 2011.

NRLDC vide letter dated 01.03.2012 included the surcharge for the period October 2010 to March 2011 amounting Rs. 1874231/- along with the bill of February 2012. However, bills for February 2012 were forwarded to Distribution Companies for payment, copy of which was endorsed to GM, NRLDC stating that the surcharges payment is not acceptable to Delhi SLDC for the period October 2010 to February 2011.

It may also be noted that with regard to NRLDC Charges, SLDC is only a collecting and disbursing agency based on the agreement reached with SLDC and Delhi Discoms and NRLDC. SLDC can not take any responsibility for non payment of any Discom (s) except reporting the matter to NRLDC and other Regularity Authorities. NRLDC has to withdraw late payment surcharge bill for the period October 2010 to February 2011 failing which SLDC has no other option but to advise NRLDC to raise the bill directly on Discoms based on the allocation mentioned by SLDC because as per the regulations, SLDC is not bound to act as a Collection and Disbursing agency for these charges.

It may also be noted that the PGCIL is directly raising the bills of Transmission Charges from Discoms in PoC regime also. In the present regime of NRLDC Charges, Discoms do the TDS on the bills raised by SLDC and thereafter, SLDC also does the TDS for making payment to NRLDC. Thus, a total 21% TDS is done in this case. If NRLDC does the collection directly from Discoms, these double deductions of TDS could be foregone. This was also brought to the notice vide SLDC's letter dated 24.06.2011 to NRLDC till date no reply has been received.

NRLDC representative opposed the views of SLDC and said that in all the five regions in the country, the respective SLDCs are the nodal agencies for collection and disbursement of RLDC Charges on behalf of the Distribution Licensees. No special dispensation can be given to Delhi in this regard.

Dy. G.M. (Finance), DTL dealing SLDC finance matters, expressed the Finance Department's inability to continue to act as Collection and Disbursing Agency as it is creating legal problems in settling the TDS issue apart from the other issues. He narrated the fact that though payments are received on 58<sup>th</sup> day or later, the TDS liability starts from the issue of the bill by SLDC. Further, if any of the Users delays payment, the entire payment of NRLDC gets delayed and attracts Late Payment Surcharge on SLDC. SLDC is only a Collecting and Disbursing Agency and payment liabilities are discharged from a ZERO Balance Account opened in a Nationalized Bank. It cannot discharge the Late Payment Surcharge due to delay in payment by any one of the Users. He further intimated that due to Bank Holidays or other reasons, sometimes one or two days payment delay occurs in discharging the payment liabilities to NRLDC by SLDC even though all Users pay the charges. He requested NRLDC to bill directly on Users on the basis of apportionment of charges fixed by SLDC to avoid all such problems.

NRLDC representative expressed his inability to bill directly to Distribution Licensees / Users. He gave the details of outstanding dues and surcharge on Delhi Utilities due to delay in payments beyond 60 days. The details are as under:-

BILL Month (1)	Date of Bill Issue (2)	Amount in Rs. (3)	Date of Receipt of payment (4)	Name of Party	Amount-Admitted in Rs. (5=6+7+8)	TDS-deducted by users in Rs. (6)
Jul-11	1-Aug-11	3698183	3-Oct-11	BRPL, NDPL, NDMC, Bawana	2725792	545160
			11-Nov-11	BYPL	972388	194478
Aug-11	1-Sep-11	3698183	1-Nov-11	BRPL, NDPL, NDMC	2731583	535980
			11-Nov-11	BYPL, Bawana	966600	151979
Sep-11	3-Oct-11	3678393	2-Dec-11		2566862	624526
			12-Dec-11	BYPL	967955	193591
			21-Dec-11	NDMC	143576	28716
Oct-11	1-Nov-11	3678393	29-Dec-11		1123062	193602
			4-Jan-12	BYPL	1006770	232366
			10-Jan-12	BRPL	1548562	309714
Nov-11	1-Dec-11	3377010	31-Jan-12	BRPL, NDPL, NDMC, Bawana	2490637	498126
			2-Feb-12	BYPL	886372	177276
Dec-11	2-Jan-12	3272023	2-Mar-12		2414273	482857
			7-Mar-12	BYPL	857750	171550
Jan-12	1-Feb-12	3272023	30-Mar-12		2414273	482856
			4-Apr-12	BYPL	857750	171550
Feb-12	1-Mar-12	3202471	30-Apr-12		3202472	640496
Mar-12	2-Apr-12	3270838				

BILL Month (1)	Name of Party	Amount Received (8)	Billed-Admitted (9=3-5)	Delay in Number of days beyond a period of 60 days from date of billing	Rebate/ Surcharge applicable in %	Rebate/ Surcharge applicable in Rs (10)	Net out Standing (11=3-6-8-10)
Jul-11	BRPL, NDPL, NDMC, Bawana	2180632	2.65	3	-1.25	-3407	20,427
	BYPL	777910		42	-1.25	-17017	
Aug-11	BRPL, NDPL, NDMC	2195603	0.00	1	-1.25	-1138	5,568
	BYPL, Bawana	814621		11	-1.25	-4430	
Sep-11		1942336	0.30	-			5,170
	BYPL	774364		10	-1.25	-4033	
	NDMC	114860		19	-1.25	-1137	
Oct-11		929460	-0.70	-			8,130
	BYPL	774404		4	-1.25	-1678	
	BRPL	1238848		10	-1.25	-6452	
Nov-11	BRPL, NDPL, NDMC, Bawana	1992511	0.63	1	-1.25	-1038	2,146
	BYPL	709096		3	-1.25	-1108	
Dec-11		1931416	0.00	-	-1.25		1,787
	BYPL	686200		5	-1.25	-1787	
Jan-12		1931417	0.00				1,072
	BYPL	686200		3	-1.25	-1072	
Feb-12		2561976	-0.79				-1
Mar-12							3270838
						Total	3315138

He further elaborated that with regard to late payment surcharge imposed for the payment due to from October 2010 to February 2011, PGCIL has already credited the difference into Distribution Companies' bill during May 2011 though the same was intimated in September 2011. Distribution Licensees should at least consider the payment dues of NRLDC from the date of adjustment done by PGCIL in this regard. He further offered that if any Users intend to remit the payment directly with NRLDC, that could be done and he informed that Rajasthan utilities remit directly to NRLDC's account in spite the accounts are issued to Rajasthan SLDC by NRLDC.

To remit the NRLDC charges directly to NRLDC Charges Accounts when Accounts in this regard are issued by Delhi SLDC, the representatives of Distribution Licensees intimated that in Delhi, it can not be possible as it would create problems for them for auditing of accounts.

After a detailed discussions, NRLDC representative agreed to convince their management to waive off the Late Payment Surcharge as a special case for the period October 2010 to February 2011 and Surcharge imposed to Delhi SLDC due to delay in payment for 2/3 days later than due dates. He further suggested to take care of advance TDS payment, certain amount may be deducted from the bills due to NRLDC on monthly basis and remit the same in Income Tax Department. He requested to provide the TDS Certificate for claiming the same from Income Tax Department by NRLDC.

**Concluding the discussions, GCC advised the following:-**

- a) NRLDC should review the late payment surcharges levied on Delhi SLDC for the payment related to October 2010 to February 2011 and Surcharge imposed to Delhi SLDC due to delay in payment for 2/3 days later than due date.

- b) All Users should remit the amount in SLDC's account in respect of NRLDC Charges as per the accounts issued by SLDC by 55<sup>th</sup> day of the issue of the bill by NRLDC so that SLDC can remit the amount positively by 60<sup>th</sup> day of the issue of the bill to NRLDC to avoid late payment surcharge.

Unquote

- 13 G.M. (SLDC) informed that NRLDC never responded to the letters addressed to them regarding NRLDC Charges. Under the circumstances mentioned above, SLDC is left with no option but to return the NRLDC Charges Bill pertaining to April 2017, if it is received in SLDC.
- 14 On the advise of the Chair, the bill Proforma sent by NRLDC through mail was examined thoroughly.
- 15 TPDDL representative suggested that some modification in the bill otherwise it would be a difficulty in making the payment directly to NRLDC and deduct TDS in the name of NRLDC. This will help to avoid the double deduction of TDS as well as Accounting issues. He suggested that NRLDC should indicate the following in the proforma :-

Details	As per the Proforma of NRLDC	Modification suggested by Discoms
Name of the User	SLDC Delhi	TPDDL, BRPL, BYPL, NDMC, PPCL (274.24MW) of Delhi Control Area
Address	General Manager, SLDC Delhi Transco Ltd SLDC Building (Behind Jakir Hussain College), Tagore Hostel Lane, Minto Road, New Delhi-110002	Nodal Agency, Delhi SLDC, Delhi Transco Ltd SLDC Building (Behind Jakir Hussain College), Tagore Hostel Lane, Minto Road, New Delhi-110002
Note	--	Addition note is required as under:- User / Distribution Licensees are requested to remit the payment in the Account details given
		Discom wise /PPCL outstanding amount if any should be indicated in the note.

- 16 Other Users also supported the TPDDL view.
- 17 G.M.SLDC brought into the notice that for the Open Access transactions, Distribution Licensees directly approach NRLDC for carrying out the Interstate Open Access transactions. As such, NRLDC should not have any objection to get them registered as USERS, if NRLDC desires so.
- 18 Distribution Licensees agreed the suggestion of G.M. (SLDC).
- 19 With regard to refund of True Up expenses of 2009-14 and 2014-19 (for the period upto December 2016), the TDS in respect of Discoms would be reimbursed to the USERS as per their dues. It was also brought out that the TDS credit given by Discoms has been used by DTL in discharging the total tax

liabilities of DTL as DTL is operating SLDC. SLDC shall refund the amount due to true up of NRLDC Charges along with TDS credit availed by DTL to the Delhi Discoms/ Beneficiaries at the earliest. However, with regard to the surcharge deduction the same would be possible after the amount is reimbursed by RLDC.

- 20 G.M. (SLDC) also brought out that since November 2016, NRLDC Charges have been paid in full after the applicable TDS and the certificates in this regard would be provided by DTL to NRLDC (for the TDS done by SLDC on NRLDC Charges bills). The TDS made by Discoms would be adjusted in the dues among the DTL and SLDC. The shortfall in amount on accounts of TDS by Discoms is made good from the available funds of SLDC to make the full payment after adjusting the TDS to NRLDC.
- 21 Director (Operations), DTL advised Finance Section of SLDC to immediately reconcile the TDS for the period October 2010 till date with regard to Discoms for NRLDC Charges with DTL.
- 22 Concluding the discussions, it was decided that the changes suggested by the Discoms as mentioned in point no.15 above shall be intimated to NRLDC for modifications in the bill to be raised by them. Also all the above facts will be placed before Member Secretary, NRPC to call a separate meeting to resolve the issue as decided in the 32<sup>nd</sup> Commercial Sub-Committee meeting held on 07.04.2017 in case NRLDC does not agree with the suggestion made by SLDC.
- 23 Meeting ended with thanks to Chair.

**List of participants attended the meeting held on 28.04.2017 at Delhi SLDC regarding NRLDC Charges**

Sr. N o.	Name of officer	Designation	Company	Phone No.	E.mail
1	Sh. Prem Prakash	Director (O)	DTL-in Chair	9999533630	dir.opr@dtl.gov.in
2	Sh. H. Vyas	Executive Director	DTL	9999833631	harjiwan.vyas@gmail.com
3	Sh. V. Venugopal	G.M.(SLDC)	SLDC	9871093902	venugopal.v1960@yahoo.co.in
4	Sh. Naveen Goel	Manager (EA)	SLDC	9999533950	<a href="mailto:naveengoel06@gmail.com">naveengoel06@gmail.com</a>
5	Sh. Deepak Sharma	AM(T)E/A	SLDC	9999535008	deepakslde@gmail.com
6	Ms. Sonali Garg	AM(T)E/A	SLDC	9999533898	sonaligarg@gmail.com
7	Sh. Birendra Prasad	G.M. (C&RA)	DTL	9999533663	bprasadm.dtl@gmail.com
8	Sh. Anil Kumar Pal	Asstt. Manager (F)	SLDC	9999532626	financeslde@gmail.com
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18	Sh. Praveen Salvan	ASVP	BRPL	9313581042	praveen.salvan@relianceada.com
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25	Sh Shekhar Saklani	Manager	BYPL	8010618252	shekhar.saklani@relianceada.com