

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:**

1. Dr. Pramod Deo, Chairperson
2. Shri R.Krishnamoorthy, Member

**I.A. No. 31/2009 and I.A. No.  
32/2009 in  
Petition No. 117/2009**

**In the matter of**

Petition under Section 66 read with regulation 24 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.

**And in the matter of**

Tata Power Trading Company Ltd., Mumbai

**....Applicant**

**Vs.**

1. Indian Energy Exchange Ltd. New Delhi
2. Power Exchange Indian Limited, Mumbai .....

**Respondents**

**ORDER**

Tata Power Trading Company Ltd., has filed this application along with I.A.No. 24/2009 bringing to the notice of the Commission the trading operations by a section of the members of the power exchanges' operated by the respondents and has sought directions for restraining them.

2. The petition was heard on 30.7.2009 and the respondents were directed to file their reply to the petition and the interlocutory application No. 24/2009. Accordingly, the matter was fixed for hearing on 15.9.2009.

3. Indian Energy Exchange Ltd. (IEX) and Power Exchange Indian Limited (PXIL) vide their letters dated 28.8.2009 and 27.8.2009, respectively have sought

approval of the Commission to include the following provisions in the respective bye-laws:

'Notwithstanding anything to the contrary contained in the guidelines, bye laws, rules business rules or any other documents of the exchange dealing with the rights, privileges, duties and functions of a professional member as dealt in the above, it is hereby clarified that a professional member, other than a trader, shall not carry out the activities of a trader as defined in the Electricity Act, 2003.'

4. The letters of IEX and PXIL have been treated as I.A. No. 31/2009 and 32/2009 respectively.

5. We have considered the proposed amendment to the bye laws and approve the same subject to any further amendment that may be considered necessary after disposal of the main petition.

6. I.As. No. 31/2009 and 32/2009 are disposed of in terms of the above.

Sd/-  
(R.KRISHNAMOORTHY)  
MEMBER

**New Delhi dated the 31st August 2009**

Sd/-  
(DR.PRAMOD DEO)  
CHAIRPERSON