

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram

1. **Dr. Pramod Deo, Chairperson**
2. **Shri R. Krishnamoorthy, Member**
3. **Shri S. Jayaraman, Member**
4. **Shri V.S.Verma, Member**

Petition No. 16/2005

In the matter of

Non-compliance of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Trading Licence and other related matters) Regulations, 2004.

And in the matter of

Suryachakra Power Corporation Limited, Hyderabad

Respondent

Following was present:

Shri K.J.Joseph, SPCL

**ORDER
(DATE OF HEARING: 21.7.2009)**

M/s Suryachakra Power Corporation Limited, Hyderabad were granted the licence for inter-State trading in electricity for Category `A`, subject to compliance of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Trading licence) Regulations, 2004 (the trading licence regulations).

2. By order dated 13.2.2009, M/s Suryachakra Power Corporation Limited were directed to submit latest by 10.3.2009, their Special Balance Sheet as on 31.12.2008 by virtue of powers under Regulation 11 of the trading licence

regulations, which enjoins upon the licensees for inter-State trading in electricity to furnish such information from time to time as may be required by the Commission to monitor the licensees` performance.

3. M/s Suryachakra Power Corporation Limited had not submitted the Special Balance Sheet as on 31.12.2008. Nor did they file any reply to the said order dated 13.2.2009. Therefore, a notice dated 16.6.2009 was issued to M/s Suryachakra Power Corporation Limited. In the above notice dated 16.6.2009, M/s Suryachakra Power Corporation Limited were directed to show cause as to why penalty under Section 142 of the Act be not imposed for contravention of the directions contained in the second order dated 13.2.2009 for non-supply of the Special Balance Sheet as on 31.12.2008. M/s Suryachakra Power Corporation Limited were afforded time up to 17.7.2009 for showing cause. The matter was posted for hearing on 21.7.2009.

4. M/s Suryachakra Power Corporation Limited under their letter dated 8.7.2009 have submitted the Special Balance Sheet as at 31.12.2008.

5. Based on facts available on record and narrated hereinabove, we are satisfied that the charge of the non-compliance of the trading licence regulations inasmuch as the balance sheet for the year 2007-08 had not been initially filed. However, taking a lenient view in the matter and for the fact that Special Balance Sheet as at 31.12.2008 has since been filed, we are not proceeding with imposition of penalty. M/s Suryachakra Power Corporation Limited shall ensure that in future these regulations and the Commission's specific directions are

complied with in letter and spirit. Any instances of violation of the trading licence regulations in future will attract appropriate action in accordance with law.

6. On above considerations, the proceedings initiated in terms of the show cause notices under order dated 16.6.2009 are hereby dropped.

(V.S.VERMA) (S. JAYARAMAN) (R. KRISHNAMOORTHY) (Dr. PRAMOD DEO)
MEMBER MEMBER MEMBER CHAIRPERSON
New Delhi, dated the 7th September 2009.