

**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. 26/2004**

**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**

NTPC Vidyut Vypar Nigam Ltd., New Delhi

**Respondent**

**Following was present:**

1. Shri Lalan Raj, NVVN
2. Shri D. Kundan, NVVN

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

M/s NTPC Vidyut Vypar Nigam Ltd., New Delhi were granted the licence for inter-State trading in electricity for Category `E`, subject to compliance of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Trading licence) Regulations, 2004 (the trading licence regulations). On the request of NTPC Vidyut Vypar Nigam Ltd licence for inter-State trading was changed from Category `E` to Category `F`.

2. By order dated 13.2.2009, M/s NTPC Vidyut Vypar Nigam Ltd. 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 NTPC Vidyut Vypar Nigam Ltd. had submitted the Special Balance Sheet as on 31.12.2008 on 30.3.2009. However, a notice dated 16.6.2009 was issued to M/s NTPC Vidyut Vypar Nigam Ltd. In the above notice dated 16.6.2009, M/s NTPC Vidyut Vypar Nigam Ltd. were directed to show cause 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 NTPC Vidyut Vypar Nigam Ltd. were afforded time up to 17.7.2009 for showing cause. The matter was posted for hearing on 21.7.2009.

4. M/s NTPC Vidyut Vypar Nigam Ltd. under their letter dated 29.6.2009 again submitted the Special Balance Sheet as at 31.12.2008 and annual audit accounts for the financial year up to 31.3.2009. NTPC Vidyut Vypar Nigam Ltd. has submitted that it had submitted the un-audited 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 Special Balance Sheet as at 31.12.2008 has 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 NTPC Vidyut Vypar Nigam Ltd. 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.

<b>Sd/-</b>	<b>sd/-</b>	<b>sd/-</b>	<b>sd/-</b>
<b>(V.S.VERMA)</b>	<b>(S. JAYARAMAN)</b>	<b>(R. KRISHNAMOORTHY)</b>	<b>(Dr. PRAMOD DEO)</b>
<b>MEMBER</b>	<b>MEMBER</b>	<b>MEMBER</b>	<b>CHAIRPERSON</b>

**New Delhi, dated the 7<sup>th</sup> September 2009.**