

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 166/ MP/2011**

**Coram: Dr. Pramod Deo, Chairperson  
Shri S.Jayaraman, member  
Shri V.S.Verma, Member  
Shri M.Deena Dayalan, Member**

**Date of Hearing: 8.9.2011**

**Date of Order: 18.9.2011**

**IN THE MATTER OF**

Petition for Approval of Exit Scheme submitted by Power Exchange of India Limited under Regulation 36 of the Central Electricity Regulatory Commission (Power Market) Regulations, 2010

**AND IN THE MATTER OF**

Power Exchange of India Ltd.

**.... Petitioner**

**INTERIM ORDER**

Regulation 36 of Central Electricity Regulatory Commission (Power Market) Regulations, 2010 (hereinafter "Power Market Regulations") provides as under:

*"36. Exit Scheme – The Power Exchange shall have their Exit Scheme approved by the Commission during the registration process detailing the manner in which the running contracts on the Power Exchange shall be closed or the succession plan for all transacted contracts in case of closure of Power Exchange, cancellation or withdrawal of registration under these regulations. Thereafter the Exit scheme shall be provided in the byelaws of the Power Exchange.*

*Provided that the Power Exchanges operating on the date of notification of these regulations, shall submit to the commission the exit scheme for approval within a period of one year. Consequently the bye laws shall be modified."*

2. Power Exchange of India Ltd.(PXIL) has submitted on 21<sup>st</sup> July, 2011 its Exit Scheme in compliance with Regulation 36 of Power Market Regulations for the approval of the commission. Hearing on the above matter was held on 8.9.2011.

3. The petitioner was heard on 8.9.2011. On examination of the Exit Scheme submitted by the petitioner, it is observed that the proposed scheme broadly conforms to the requirements of Regulation 36 of Power Market Regulations. However, the Commission is of the view that the petitioner should incorporate the following points in the Exit Scheme:

- (a) Scenario envisaging voluntary closure of Power Exchange by the shareholders.
- (b) A provision to the effect that process of Closure under the Exit Scheme shall be without prejudice to compliance of the provisions of the Companies Act or any other law in force with regard to winding up of the company.

4. The petitioner is directed to submit the modified Exit Scheme incorporating the above within a period of 15 days from the date of issue of this order.

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

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

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

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