

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.184/2012 (Suo motu)

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

Date of order: 21.12.2012

In the matter of

Non-compliance of the Central Electricity Regulatory Commission
(Payment of Fees) Regulations, 2008.

And in the matter of

Chromatic India Limited, Mumbai

.....**Respondent**

ORDER

By order dated 20.9.2011, Chromatic India Limited (hereinafter referred to as "the licensee") was granted trading licence for Category 'III' to trade in electricity as an electricity trader within the territory of India, except the State of Jammu and Kashmir in terms of Regulation 6 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) Regulations, 2009 (hereinafter referred to as 'Trading Licence Regulation) amended from time to time, subject to compliance of terms and conditions specified in the said regulations.



- (c) *Where the licensee fails, within the period fixed in this behalf by his licence, or any longer period which the Appropriate Commission may have granted therefore-*
- (i) *to show, to the satisfaction of the Appropriate Commission, that he is in a position fully and efficiently to discharge the duties and obligations imposed on him by his licence; or*
 - (ii) *to make the deposit or furnish the security, or pay the fees or other charges required by his licence;*
- (d) *where in the opinion of the Appropriate Commission the financial position of the licensee is such that he is unable fully and efficiently to discharge the duties and obligations imposed on him by his licence.*
- (2) *Where in its opinion the public interest so requires, the Appropriate Commission may, on application, or with the consent of the licensee, revoke his licence as to the whole or any part of his area of distribution or transmission or trading upon such terms and conditions as it thinks fit.*
- (3) *No licence shall be revoked under sub-section (1) unless the Appropriate Commission has given to the licensee not less than three months notice in writing, stating the grounds on which it is proposed to revoke the licence, and has considered any cause shown by the licensee within the period of that notice, against the proposed revocation.”*

5. In our order dated 11.9.2012, the respondent was directed to explain as to why its trading licence should not be revoked for willful default in depositing the licence fee. In response, the respondent has not filed any reply to the notice. A period of three months has already lapsed since the issue of notice to the respondent. Therefore, we are of the view that the trading licence issued to M/s Chromatic India Limited should be revoked in public interest. In exercise of our power under Section 19 of the Electricity Act, 2003, we revoke the licence granted to M/s Chromatic India Limited with effect from the date of issue of this order. We further direct that if it comes to the notice of the Commission that M/s Chromatic India Limited has undertaken any trading during the period from 1.4.2012 till the date of issue of this order, the same shall be considered as

illegal and unauthorized and appropriate action under the Electricity Act, 2003 shall be taken against M/s Chromatic India Limited.

6. Petition No. 184/2012 (Suo-motu) is disposed of in terms of above.

Sd/-
(M.Deena Dayalan)
Member

sd/-
(V.S. Verma)
Member

sd/-
(S.Jayaraman)
Member

sd/-
(Dr. Pramod Deo)
Chairperson

