

**JOINT ELECTRICITY REGULATORY COMMISSION FOR THE STATE OF GOA
AND UNION TERRITORIES, GURGAON**

Coram
Dr. V.K. GARG CHAIRPERSON
SH. R.K. SHARMA FIE MEMBER

Petition No. 7/2009- Misc

In the matter of

Petition under Section 86 (1)(f) of the electricity Act. 2003 for direction to the respondents to pay the long standing dues/for settlement of long pending issues/payments

And in the matter of

Suryachakra power Corporation Ltd. Hyderabad **Petitioner**
VS

1.Chief Secretary Andaman & Nicobar Administration, Port Blair
2.Superintending Engineer, Electricity Department,
Andaman & Nicobar Administration, Port Blair **Respondents**

Present

For the Petitioner:

1. Sh.P.S. Raghuram Advocate
2. Sh. Rohit Rao N Advocate
3. Sh. P. Sr. Ram Advocate
4. Sh. K. Vijay Kumar General manager
5. Sh. D.V. Lakshmi pathy Advisor
6. Sh. K.J. Joseph Liaison Officer

For the Respondents:

1. Sh. Sumeet Pushkarna Counsel of A&N Admn.
2. Sh. O.P. Gupta Consultant
3. Sh. Y. Murtza Superintending Engineer A&N Admn
4. Sh. Jagannathan Assistant Engineer A&N Admn
5. Ms. H.K. Pabla Junior Engineer A&N Admn

ORDER

Date of Hearing: January 28, 2010

The respondents filed their replies and the petitioners filed an additional affidavit.

The petitioner requested for additional time to study and to file a rejoinder, if required. The respondents were advised to ensure timely submissions in future.

The petitioners in their additional affidavit mentioned that they have to carry out maintenance of the machines in line with the prudent practice notified in the maintenance schedules of the manufacturers of the machines and that they have no funds to undertake the overhauling of the machines on account of non payment of their dues by the respondents and that they have brought above to the knowledge of the respondents.

It was observed that respondents have shown their inability to make any payment as the matter is pending before the Commission and that the repair and maintenance is the responsibility of the petitioner.

The petitioners has further requested the respondents to bail them out of financial constraints by deferring the deductions of cost of HSD loaned to IPP for about 1 to 2 months from their monthly invoice of December 2009 and that the same could be adjusted at the time of finalisation of the petition and requested the Commission to intervene.

During arguments, the petitioners requested for a financial assistance in any form, including above alternative, so that they could under take the overhauling of the machines. It also emerged that while it is the responsibility of the petitioners to ensure timely repair and maintenance of machines, both sides agreed on the importance and need of the overhauling of the machines.

The Commission directed the petitioners to take up the matter directly with the respondents afresh regarding financial assistance/relief for the overhauling of the machines. The Commission suggests that the respondents in the overall interest of electricity supply in their area, after satisfying themselves fully with the extent of financial assistance and surety

mechanism, if consider the request of the petitioner in terms of providing a financial assistance/relief as they deem fir, for the exclusive purpose of overhauling of the machines, the Commission shall have no objection. The status of the issue shall be reported within 10 days.

The petitioner shall file their rejoinder by 19.02.2010.

The next hearing on the matter shall be held on 23.02.2010.

sd/-
R.K. SHARMA FIE
Member

sd/-
Dr. V.K.GARG
Chairperson

Gurgaon Dated: February 09, 2010

CERTIFIED COPY


(J.S. Sehrawat)
Secretary