

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

Coram

Dr. V. K. GARG, CHAIRPERSON  
SHRI R. K. SHARMA, MEMBER

Petition No. 07 /2009

With IA No. 01/2009

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**

**Versus**

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

**Respondents**

Present

For the Petitioner :

1. Shri. K. Vijay Kumar
2. Shri. Rohit Rao N
3. Shri. Sriram P

For the Respondent :

1. Shri Y.M. Murtaza
2. Shri M. Jagannathan
3. Ms. H.K. Pabla, Jr. Engineer

## **ORDER**

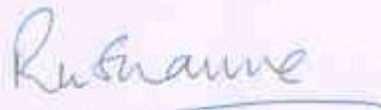
**Date of Hearing: 23.03.2010**

1. Parties have informed that no settlement/compromise is reached.
2. The respondent faxed letter No. 4-2(8)2010-Power (PF-II) ANDAMAN AND NICOBAR ADMINISTRATION SECRETARIAT dated 22<sup>nd</sup> March, 2010 to the Secretary of the Commission. In the said letter the respondent stated that they were reporting the present status on the directions contained in the Commission order dated 09.02.2010 and stating therein that (i) The proposal for filing joint petition for completed cost is under consideration. (ii) The Andaman & Nicobar Administration is of the view that claims of SPCL should not be entertained on piece meal basis since most claims and counter claims are linked to Completion Cost.
3. The Commission enquired from Shri Y.M. Murtaza appearing for the respondent as to where is the “direction” in the order dated 09/02/2010 of the Commission regarding filing of petition for approval/finalization of the completed cost, Shri Y.M. Murtaza after going through the order dt 09/02/2010 submitted that there is no such direction to file petition for approval/finalization of completed cost and it is inadvertently mentioned in the letter No 4-2(8)/2010-Power (PF-II) DT 22/02/2010 and letter No 4-2(8)/2010- Power (PF-II)DT 22/03/2010 and it is a bonafide mistake.
4. The application/letter No. 4-2(8)/2010-Power (PF-II) ANDAMAN AND NICOBAR ADMINISTRATION SECRETARIAT dated 22<sup>nd</sup> March, 2010 is not filed by the respondent in accordance with the Joint Electricity Regulatory Commission (Conduct of Business) Regulations, 2009 and is not accompanied by an affidavit of the authorized representative. The application is rejected.

5. Heard arguments on the point of admission of the petition. After some arguments, the counsel for the petitioner sought time for further arguments and to cite case law.
6. The counsel for the petitioner sought some more time for filing rejoinder to the reply of the respondent as the petitioner could not file rejoinder in time in terms of order dated 28/01/2010 as the parties were exploring the possibilities of compromise/settlement. The petitioner may file rejoinder within two weeks from today with copy thereof to the respondent. Put up for further arguments on the point of admission of the petition on 07/06/2010.
7. The petitioner has also filed MA 12/2010 on 22/03/2010. Notice of the application be issued to the respondent. Reply be filed within four weeks from the date of receipt of notice. Rejoinder, if any, be filed within two weeks thereafter. Put up for admission on 14/06/2010.

List on 07/06/2010 for admission of the petition.

List on 14/06/2010 for admission of the MA12/2010.



**(R.K. SHARMA)**

**MEMBER**



**(Dr. V.K. GARG)**

**CHAIRPERSON**

Gurgaon, dated this 23<sup>rd</sup> day of March 2010.