

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

Coram  
Dr. V.K. Garg, Chairperson  
Sh. S.K.Chaturvedi, Member  
**Petition No. 89/2012**

**In the matter of**

Petition for fixation of completed / actual capital cost of project and Tariff of the project of the petitioner- a Power Generating Company under Sections 62(1) (a) and 63 of the Electricity Act, 2003 and Regulations 3(2)(a), 3(4), 12 and 36 of the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Terms and Conditions for determination of Tariff) Regulations, 2009.

**And in the matter of**

M/s Suryachakra Power Corporation Ltd.  
Suryachakra House,  
Plot No. 304-L-III, Road No.78,  
Film Nagar, Jubilee Hills,  
Hyderabad- 500096

**Vs.**

1. Electricity Department,  
Rep. by its Superintending Engineer,  
Port Blair, Andaman & Nicobar Islands.
2. Chief Secretary,  
Andaman & Nicobar Administration Secretariat,  
Port Blair, Andaman & Nicobar Islands.

**Present for petitioner**

1. Dr. S.M. Manepalli, MD, SPCL.
2. Shri K. Vijay Kumar, Executive Director, SPCL.
3. Shri Mukul Kakar, Financial Advisor, SPCL.
4. Shri Ritesh K Chowdhary, Advocate, SPCL.

**Present for respondents**

1. Shri Anand Behari, Superintending Engineer, ED- Andaman & Nicobar Islands.
2. Shri Yogesh Tiwar, J.E., ED- Andaman & Nicobar Islands.
3. Shri Arvind Tewari, Consultant, ED- Andaman & Nicobar Islands.
4. Shri M.D.S. Murthy, Consultant, ED- Andaman & Nicobar Islands.
5. Shri R. Balasubramanian, Advocate, ED- Andaman & Nicobar Islands.

**Order**

**Date 14.06.2013**

Commission at the very outset enquired from the parties as to whether honorarium of Shri H.L. Bajaj, expert appointed by the Commission vide order dated 17.04.2013 has been deposited by the parties. Counsel for the petitioner submitted that they have already deposited their share of the

honorarium. Counsel for the respondents submitted that they have brought demand draft of their share of the honorarium and shall deposit the draft with the Commission today.

Commission has received report dated 10.06.2013 from Shri H.L. Bajaj an expert appointed by the Commission vide order dated 17.04.2013. Counsel for the respondents submitted that as per Regulation 21 (iv) of JERC (Conduct of Business) Regulations, 2009 the parties are entitled for supply of copies of the report of the expert. He further submitted that they are also entitled to file version either in support or in opposition to the report. The Commission directed that copies of the report of the expert dated 10.06.2013 be supplied free of cost to the parties today positively.

Counsel for the parties submitted that they want to file their version either in support or in opposition to the report and prayed for 15 days time for filing the same. The Commission considered request of counsel for the parties and directed the parties to file their version either in support or in opposition to the report on or before 24.06.2013 with advance copies to the opposite parties.

The petitioner - M/S Suryachakra Power Corporation Ltd. has submitted additional affidavit dated 13.06.2013 with a prayer that there is an urgent need to stop the respondents from deducting amount from monthly invoice raised by the petitioner in contravention with terms of the PPA and repay the amount of Rs. 58,38,345/- deducted from invoice of the petitioner for the month of May, 2013 with interest as per the provisions of the PPA.

Copy of the additional affidavit supplied to the respondents. Counsel for the respondents prayed for 15 days time for filing reply to the additional affidavit of the petitioner. The Commission considered the request of learned Counsel for the respondents, acceded the same and directed the respondents to file reply to the additional affidavit of the petitioner on or before 24.06.2013 with advance copy to the petitioner.

Scheduled for hearing on 26.06.2013 at 3:00 PM.

Sd/-  
(S.K.Chaturvedi)  
Member

Sd/-  
(Dr. V.K. Garg)  
Chairperson

Certified Copy

  
17-06-13  
(R.K. Malik)

Secretary