

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:**

- 1. Dr. Pramod Deo, Chairperson**
- 2. Shri Bhanu Bhushan, Member**
- 3. Shri R.Krishnamoorthy, Member**

**Petition No.16/2008**

**In the matter of**

Application for grant of inter-state trading licence in electricity.

**And in the matter of**

Indiabulls Power Generation Limited, Gurgaon                      ..Applicant

**The following was present:**

Shri Murali Subramanian, IPGL

**ORDER  
(DATE OF HEARING: 10.6.2008)**

The applicant, a company registered under the Companies Act, 1956 has made the present application for grant of licence for inter-State trading in electricity in whole of India for Category 'F', in terms of sub-section (1) of Section 15 of the Electricity Act, 2003, read with Central Electricity Regulatory Commission (Procedure, Terms & Conditions for grant of Trading Licence and other related matters) Regulations, 2004, as amended.

2. As per Clause (4) of Regulation 4 ibid, notices of the application are required to be published in all editions of at least two national daily newspapers including one economic newspaper. The explanation below Clause (4) of Regulation 4 ibid, defines the expression `national newspaper` as a daily newspaper published simultaneously at New Delhi and in more than three other States or Union Territories.

3. It is noted that the notice of the application has been published by the applicant in `Business Standard` and `Asian Age`.

4. Business Standard, an economic newspaper, is simultaneously published from 11 places, in addition to New Delhi. The applicant has placed on record copies of the notices published in Business Standard for New Delhi, Mumbai, Ahmedabad and Kolkata editions. The applicant could not establish that it has published notices in other editions of Business Standard. Further, the newspaper `Asian Age` does not fall within the definition of `national newspaper` as defined under Clause (4) of Regulation 4 ibid since in addition to New Delhi it is published only in three other States, namely, Maharashtra, Karnataka and West Bangal and not more than three other States or Union Territories. Accordingly, the applicant has not complied with the requirement of Clause (4) of Regulation 4 ibid.

5. The applicant is directed to publish afresh the notice of its application in accordance with Clause (4) of Regulation 4 ibid.

6. As per the Memorandum of Association, the main objects of the applicant include "business of generating, developing, transmitting, distributing and supplying of all forms of electricity energy". It is noted that trading is not included in the main objects of the applicant. When pointed out to the representative of the applicant, he has undertaken to amend the Memorandum of Association so as to include trading in electricity in the main objects.

7. The applicant has claimed that its authorized capital is of Rs. 22 crore (including preferential share capital of Rs. 21 crore) and issued subscribed and paid-up capital is of Rs. 21.50 crore (including preferential share capital of Rs. 21

crore). However, as per the Memorandum of Association filed by the applicant, its authorized share capital is Rs. 1 crore. The applicant is directed to reconcile the discrepancy.

8. The applicant is further directed to file its financial statements, duly audited, as on the date of making application and as at 31.3.2008.

9. The representative of the applicant stated that the necessary procedural requirements shall be complied with shortly.

10. The application shall be kept pending and be processed for hearing after completion of above formalities.

**Sd/-**  
**(R.KRISHNAMOORTHY)**  
**MEMBER**

**Sd/-**  
**(BHANU BHUSHAN)**  
**MEMBER**

**Sd/-**  
**(DR. PRAMOD DEO)**  
**CHAIRPERSON**

**New Delhi dated the 11<sup>th</sup> June 2008**