

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram

1. **Shri Ashok Basu, Chairperson**
2. **Shri Bhanu Bhushan, Member**

Petition No. 139/2006

In the matter of

Application for grant of licence for inter-State Trading licence.

And in the matter of

Gupta Power Trading Corporation

.Applicant

The following were present:

1. Shri P.S. Dixit, Gupta Power Trading Corporation
2. Shri M. Bhattacharya, Gupta Power Trading Corporation

**ORDER
(DATE OF HEARING : 22.2.2007)**

The application has been made for grant of inter-State trading licence as Category `A' electricity trader.

2. The applicant has placed on record the certificate of incorporation dated 2.12.1996 which is in the name of Gupta Coal India Limited. In response to a query made by the Commission's office, it was clarified that the applicant, Gupta Power Trading Corporation, is wholly owned subsidiary or a Division of Gupta Coal India Ltd., the company incorporated under the Companies Act, 1956. The term "applicant" has been defined in terms of sub-clause (b) of clause (1) of Regulation 2 of the Central Electricity Regulatory Commission (Procedure, Terms & Conditions for grant of Trading Licence and other related matters) Regulations, 2004, to mean as a person who has made an application to the Commission for grant of licence for inter-state

trading. Proviso to sub-clause (b) provides that such person should be a resident of India, or a partnership firm registered under the Indian Partnership Act, 1932, or a company incorporated under the Companies Act, 1956 or an association or body of individuals whether incorporated or not or an artificial juridical person subject to Indian laws.

3. We have heard Shri P.S. Dixit for the applicant. The representative of the applicant fairly conceded that the applicant does not fall in any of the categories specified under proviso to sub-clause (b) of clause (1) of Regulation 2 *ibid*. Since the application has not been made in accordance with the statutory regulations specified by the Commission, it is not maintainable. Accordingly, the application is dismissed.

4. There are certain other deficiencies in the application. However, for the view we have taken, we do not consider it necessary to refer to them in the present order.

Sd/-
(BHANU BHUSHAN)
MEMBER

SD/-
(ASHOK BASU)
CHAIRPERSON

New Delhi dated the 22nd February, 2007