CENTRAL ELECTRICITY REGULATORY COMMISSION NEW DELHI

Coram:

- 1. Shri Ashok Basu. Chairman
- 2. Shri K.N. Sinha, Member
- 3. Shri Bhanu Bhushan, Member
- 4. Shri A.H. Jung, Member

Petition No. 9/2004

In the matter of

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

And in the matter of

TGV Projects and Investments Pvt. Ltd.

. Applicant

The following were present:

- 1. Shri Hemant Sahai, Advocate, TGV Projects & Investments Pvt. Ltd.
- 2. Shri Sitesh Mukherjee, Advocate, TGV Projects & Investments Pvt. Ltd.
- 3. Shri G.S. Murti, Advocate, TGV Projects & Investments Pvt. Ltd.
- 4. Shri Ajay K. Jain, Advocate for Objector
- 5. Shri Atanu Mukherjee, Advocate for Objector

ORDER (DATE OF HEARING: 10.3.2005)

Shri Ajay K. Jain, Advocate appearing for the objector, Shri M.A. Gafoor in support of thes objections has referred before us to an application dated 20.1.2004, addressed to Secretary of the Commission. A copy of this application is also available with Shri Hemant Sahai, Advocate for the applicant. This application is, however, not on the Commission's record. On the contrary, an application dated 20.1.2004, on the prescribed proforma, is available on office record. The application was received on 27.1.2004 and certain defects were pointed out to the applicant through Bench Officer's letter dated 29.1.2004. The defects were later on rectified by the applicant.

- 2. It is the case of Shri Ajay K. Jain, Advocate that objections filed by Shri Gafoor are based on the application dated 20.1.2004 in his possession. Since that application is not held on office record, we cannot proceed to hear the objections. As regards the source of the application dated 20.1.2004 in possession of the objector, an affidavit has been filed on his behalf in September 2004 stating that the documents available on the website of the applicant were downloaded. Maybe that the application available with Shri Jain was downloaded from the applicant's website. If that is so, (we are not expressing any firm opinion) it needs to be investigated whether the application made by the applicant before the Commission and held on its record was uploaded on the applicant's website.
- 3. We direct that the Secretary to the Commission shall conduct an inquiry to reconcile the discrepancies between the official records and the records in possession of the parties, also the reasons for the discrepancy and submit a report to the Commission. For this purpose, the applicant and the objector or their duly authorised representatives shall appear before the Secretary on 14.3.2005 at 3.00 P.M. The application shall be processed for hearing after submission of his report by the Secretary.

Sd/- Sd/- Sd/- Sd/- Sd/- (A.H. JUNG) (BHANU BHUSHAN) (K.N. SINHA) (ASHOK BASU) MEMBER MEMBER CHAIRMAN

New Delhi dated the 10th March 2005