

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

1. **Shri Ashok Basu, Chairperson**
2. **Shri Bhanu Bhushan, Member**
3. **Shri A.H. Jung, Member**

Petition No. 126/2005

In the matter of

Grant of licence for inter-state trading in electricity to Energy Development Company Ltd.

And in the matter of

Energy Development Company Ltd. ... **Applicant**

**ORDER
(DATE OF HEARING: 29.8.2006)**

The applicant, a company registered under the Companies Act, 1956 has made the present application under sub-section (1) of Section 15 of the Electricity Act, 2003 for grant of licence for inter-state trading in electricity in whole of India for trading of more than 1000 Million Units in a year.

2. By order dated 23.5.2006 applicant was directed to file the following information:

(a) Whether the applicant or any of his partners, or promoters, or Directors or Associates is declared insolvent and has not been discharged; and

(b) Whether the applicant, or any of his partners, or promoters, or Directors or Associates is involved in any legal proceedings; and

(c) Whether the applicant, or any of his partners, or promoters, or Directors or Associates has at any time in the past been convicted of an offence involving moral turpitude or any economic offence.

3. Further, during the last hearing applicant undertook to amend the Memorandum of Association so as to omit the business of transmission of electricity from its objects. For this purpose, the representative of the applicant sought three months time. The applicant was directed to file the amended Memorandum and Articles of Association along with the information as per para 2 above by 20.8.2006. The above direction has not been complied by the applicant.

4. A letter bearing No. EDCL/CERC/08-06/79 dated 28.8.2006 has been received in the Commission's office on 28.8.2006 informing that Annual General Meeting of the company will be held on 2.9.2006 in which the Board will pass a resolution to make necessary amendments in the main objects of the Memorandum. The applicant has requested for two months time to file the amended Memorandum and Articles of Association.

5. None has appeared on behalf of the applicant.

6. Earlier three months time was allowed to the applicant at its own request but the applicant has not furnished the information even unrelated to amendment of the Memorandum of Association. The application for grant of licence is to be considered in a time bound manner.

7. For the foregoing reasons, the present applicant is dismissed in default and for non-prosecution.

Sd-/
(A.H.JUNG)
MEMBER

sd-/
(BHANU BHUSHAN)
MEMBER

sd-/
(ASHOK BASU)
CHAIRPERSON

New Delhi, dated the 29th August 2006