

**CENTRAL ELECTRICITY REGULATORY COMMISSION**  
**(LAW DIVISION)**

**RECORD OF PROCEEDINGS**

**Petition No.86/2008**

Application for grant of category 'A' licence for inter-State trading in Electricity

**Date of Hearing** : 14.8.2008

**Petitioner** : Shyam Indus Power Solutions Pvt. Ltd; New Delhi

**Respondent** : Nemo

**Coram** : Dr. Pramod Deo, Chairperson  
Shri Bhanu Bhushan, Member and  
Shri R. Krishnamoorthy, Member

**Party present** : Shri P.D. Goyal, Shyam Indus Power Solutions Pvt. Ltd

The applicant has applied for grant of category 'A' licence for inter-State trading in electricity in the whole of India except the State of Jammu and Kashmir. Shri Goyal, representative of the applicant submitted that the applicant had complied with the requirements specified in the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) Regulations, 2004 (hereinafter referred to as "the regulations") and requested that the case may be processed further for grant of licence.

2. The applicant was directed to submit the final audited financial reports for the year 2007-08. In response, Shri Goyal submitted that accounts for the year 2007-08 were being audited and the audited financial statements would be available only by the end of September 2008. The Commission allowed time for submission of the audited financial reports by 30.9.2008.

3. As per the regulations, the applicant was required to publish notices of its application in all the editions of two national daily newspapers including one economic daily newspaper. It was pointed out that the notices were published only in five editions each of Financial Express and Amar Ujala, and as such the requirement of the regulations had not been met. The representative of the applicant sought to explain that as per the regulations notices were to be published in two newspapers simultaneously published from New Delhi and more than three other States or Union Territories. He urged that this minimum requirement had been complied with by the applicant.

4. It was clarified that the applicant's perception was based on definition of national newspaper as contained in the Explanation under clause (4) of Regulation 4 of the regulations. However, it was pointed out, the mandate of clause (4) was that the notices were to be published in all editions of the newspapers. While both Financial Express and Amar Ujala qualify to be categorized as the national newspapers, the requirement of publishing notices in all the editions of these newspapers as specified in clause (4) of Regulation 4 of the regulations could not be dispensed with. The applicant is, therefore, required to publish the notices in all the left out editions of Financial Express. As regards Amar Ujala, it was clarified that the details of the places from where it was being published were not available. Therefore the applicant was directed to file, under an affidavit, a letter from the publishers of this newspaper indicating all the places from where the newspaper was being published and to publish the notice in the left out editions of the newspaper, if any.

5. The Commission directed that the petition be listed after the applicant had complied with the above requirements as per paras 2 and 4.

(K. S. Dhingra)  
Chief(Legal)