

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 249/MP/2025

Coram:

**Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member**

Date of Order: 17th March, 2025

In the matter of

Application under Section 19 of the Electricity Act, 2003 read with Regulation 20(3) of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading license and other related matters), Regulations, 2020 for revocation of an inter-State trading licence.

And

In the matter of

EKI Power Trading Private Limited,
(Formerly, EKI Three Community Projects Pvt. Ltd.)
Plot No. 48, Scheme No. 78, Part-II, Vijay Nagar,
Indore-452 010

Parties Present:

Shri Tabrez Malawat, Advocate, EPTPL
Shri Syed Hamza, Advocate, EPTPL
Shri Sourajit Sarkar, Advocate, EPTPL

ORDER

The Petitioner, EKI Power Trading Private Limited, has filed the present Petition for revocation of the inter-State trading licence along with the following prayers:

“(a) Pass an appropriate order to allow the present Application of the Applicant for the revocation of the Category-IV trading licence of the Applicant w.e.f. 1.4.2025:

(b) Pass an order giving relaxation under Regulation 23 of the CERC (Procedure, Terms and Conditions for grant of trading licence and other related matters) Regulations, 2020 of paying annual fees applicable for 1.4.2025 to 31.3.2026.

(c) Pass any other order as the Commission deems fit in the facts and circumstance of the case.”

2. By order dated 11.12.2023, EKI Power Trading Private Limited was granted a Category ‘IV’ licence under the Central Electricity Regulatory Commission (Procedure, Terms, and Conditions of Trading Licence and other related matters) Regulations, 2020 for undertaking inter-State trading in electricity in the whole of India.

3. The Petitioner has submitted that it has not undertaken any trading activities since April 2022 and is not interested in continuing the trading business. Therefore, it is seeking to surrender its inter-State trading licence.

4. The Petitioner has mainly submitted as under:

(a) The revocation of the licence is necessitated by the substantial commercial burdens that have rendered the continued operation of the Petitioner`s financially unviable. Therefore, the Petitioner does not anticipate any future trading activity.

(b) Due to heightened competition, market fluctuations, and unpredictability in the power sector, the Petitioner was able to enter into only two commercial contracts from the date of grant of the licence and in that also, the Applicant was not able to do any significant power trading obligation and has to terminate all the signed contracts.

(c) The Petitioner does not have any undischarged liability against its inter-State trading licence, nor has any claim has been raised by any party for the past one year. There is no operative contract pending against the licensee.

Hearing dated 4.3.2025

5. During the course of the hearing, the learned counsel for the Petitioner submitted that there are no undischarged liabilities against the Petitioner, and no contracts for trading of electricity were in operation at the time of the filing of the instant Petition. The learned counsel for the Petitioner further submitted that the Petitioner has duly complied with all the requisites for revocation of the trading licence as per Regulation 20(3) of the Trading Licence Regulations, 2020. Learned counsel also added that inadvertently, the instant Petition has been filed as Miscellaneous Petition (MP) instead of the Trading Licence (TD) category, and hence, if the Commission so deems fit, it may be treated and considered under the TD category. However, the Commission rejected the request of the learned counsel in this regard.

6. We have considered the submissions of the Petitioner. Sub-Regulation (3) of Regulation 20 of the Trading Licence Regulations provides as under:

“(3) Where the licensee makes an application for revocation of licence, the application shall contain the following information and documents:

(a) Reasons for seeking revocation;

(b) an affidavit to the effect that the licensee has deposited the licence fee for the year in which revocation is sought, that there are no undischarged liabilities against the licensee, that there are no operation contracts for trading of electricity to which the applicant is party at the time of filing the said application;

(c) an affidavit to the effect that the applicant has posted the complete application on its website and shall keep the application uploaded on its website till its disposal by the Commission;

(d) documents showing that the licensee has published the notice about its application for revocation in two daily newspapers having circulation in each of the five regions in addition to those published from Delhi including one economic newspaper.”

7. The Petitioner has uploaded the application on its website. The Petitioner has published the notices regarding the revocation of the inter-State trading licence on 8.1.2025 in all editions of the 'Business Standards' (Ahmedabad, Bengaluru, Bhopal, Bhubaneswar, Chandigarh, Chennai, Delhi, Hyderabad, Kochi, Kolkata, Lucknow, Mumbai and Pune editions) 'Financial Express' (Ahmedabad, Bengaluru, Chandigarh, Chennai, Delhi, Hyderabad, Kochi, Kolkata, Lucknow, Mumbai and Pune editions). However, no comments/objections have been received from the general public.

8. We have considered the request of the licensee. The trading licensee has prayed for revocation of its licence due to heightened competition, market fluctuations, and unpredictability in the power sector. The licensee has submitted that it has not committed any breach of any of the provisions of the 2020 Trading Licence Regulations and has paid all applicable fees for the financial year 2024-25. In case of any liability, the Petitioner be liable to pay the same along with the interest to the concerned parties.

9. The Petitioner has prayed to relax Regulation 23 of the 2020 Trading Licence Regulations of paying annual fees applicable from 1.4.2025 to 31.3.2026. As per Regulation 7(4) of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012, fees specified in this Regulation are required to be paid by the licensees annually by 30th April of each year. Since the inter-State trading licence is being revoked from the month of March 2025, the Petitioner is not required to pay the annual licence fee for the year 2025-26.

10. Considering the licensee's prayer, the Commission hereby directs that the trading licence granted to EKI Power Trading Private Limited be revoked from the date of this order.

11. Let a copy of this order be sent to the Central Government in the Ministry of Power and the CEA for their information and record.

12. Petition No. 249/MP/2025 is disposed of in terms of the above.

Sd/-
(Ravinder Singh Dhillon)
Member

sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson