

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 868/TD/2025

Coram:

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

Date of Order: 23rd February, 2026

In the matter of

Application under Section 14 of the Electricity Act, 2003 read with Regulation 6 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading license and other related matters), Regulations, 2020 for grant of an inter-state trading licence.

And

In the matter of

K.P. Energy Limited,
KP House, Near KP Circle, Opp.
Ishwar Farm Junction BRTS,
Canal Road, Bhatar,
Surat - 395017, Gujarat

...Petitioner

Parties present:

Shri Aditya K Singh, Advocate, KPEL
Shri Vineet Gupta, Advocate, KPEL
Shri Divyansh Singh, Advocate, KPEL

ORDER

The Petitioner, K.P. Energy Limited (hereinafter referred to as ‘the Petitioner’), incorporated under the Companies Act, 2013, has made the present application under Sections 14 of the Electricity Act, 2013 (hereinafter referred to as ‘the Act’) read with Regulation 6(1) of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for the Grant of Trading Licence and other related matters) Regulations, 2020 (hereinafter referred to as ‘the Trading Licence

Regulations”), amended from time to time, has filed the present Petition for the grant of a Category ‘V’ trading licence for inter-State trading in electricity in the whole of India.

2. In accordance with sub-Section (2) of Section 15 of the Act read with Clause (4) of Regulation 6 of the Trading Licence Regulations, notices were published by the Petitioner on 6.12.2025 in the ‘Business Standard’ (Chandigarh, Ahmedabad, Jaipur, Mumbai, Pune, Bangalore, Bhubaneshwar, Chennai, Kochi, Kolkata, Delhi, Lucknow, Guwahati and Bhopal editions) and in “The Financial Express” (Hyderabad, Bengaluru, Chennai, Chandigarh, Kolkata, Mumbai, Pune, Ahmedabad (including Gujarati language), Delhi and Lucknow editions). The Petitioner has submitted that no objections have been received in response to the public notices.

3. In accordance with Regulation 3(3) of the Trading Licence Regulations, a person applying for a Category 'V' trading licence should have a net worth of Rs. Two crores and should have maintained a minimum current ratio and liquidity ratio of 1:1 as on the date of the Audited Special Balance Sheet accompanying the application. As per the Audited Balance Sheet submitted by the Petitioner as on 31.8.2025, the Petitioner possesses the required net worth and current ratio for the grant of a Category 'V' trading licence. The Commission, vide its order dated 31.1.2026, concluded that the Petitioner is prima facie qualified for the grant of a Category “V” licence for inter-State trading in electricity.

4. On the above consideration, the Commission, vide its order dated 31.1.2026, had proposed to grant a Category 'V' inter-State trading licence to the Petitioner. The relevant portions of the said order dated 31.1.2026 are extracted as under:

“21. In accordance with Clause (2) of Regulation 3 of the Trading Licence Regulations, the Petitioner should have at least one full-time professional possessing qualifications and experience in power system operation and the commercial aspects of power transfer, including finance, commerce and accounts. With regard to full-time professionals, the Petitioner vide its affidavit dated 31.12.2025 has submitted that Dr N Karunamoorthy, as the Director of the Company, has 30 years of experience in onshore wind power technology and Ms. Shabana Bajari, as Chief Financial Officer in the Accounts and Finance Department, has 27 years of experience in financial management, auditing, and strategic planning. Accordingly, as per the information submitted by the Petitioner, it fulfils the requirements of Clause (2) of Regulation 3 of the Trading Licence Regulations.

22. The Memorandum of Association authorises the Petitioner company to engage in the transmission of electricity. The Petitioner, vide its affidavit dated 15.12.2025, has submitted that it will not carry out the transmission business without surrendering the trading licence, if granted by the Commission.

23. On consideration of the above facts, after a preliminary examination, we find that the Petitioner meets the requirements as specified in the Trading Licence Regulations for the grant of a Category 'V' trading licence. In view thereof, the Commission proposes to grant a Category 'V' trading licence to the Petitioner. We direct that a notice under Clause (a) of Sub-section (5) of Section 15 of the Act be issued inviting further suggestions or objections to the proposal of the Commission.”

5. In line with the above-mentioned order dated 31.1.2026, notice under Clause (a) of sub-Section (5) of Section 15 of the Act was published in all editions of the Hindustan Times (English) and Amar Ujala (Hindi) on 6.2.2026. No suggestions or objections have been received in response to the Commission’s notice.

6. The case was called out for the hearing on 19.2.2026. During the course of the hearing, the learned counsel for the Petitioner submitted that no objection had been received in response to the public notice published by the Commission under sub-Section (5) of Section 15 of the Act. He further submitted that the Petitioner’s company would comply with the requirements specified in the Trading Licence Regulations during the subsistence of the trading licence, i.e., till 25 years, if granted.

7. Clause (9) of Regulation 6 of the Trading Licence Regulations provides as under:

“(9) On consideration of further objections or suggestions received and the reply of the applicant thereto, if any, the Commission may grant the licence or reject the application, for reasons to be recorded in writing if the application does not confirm to the provisions of the Act, the rules or regulations or provisions of any other law for the time being in force:

Provided that no application shall be rejected, unless the applicant has been given an opportunity of being heard.”

8. On consideration of the materials on record, we are satisfied that the Petitioner company meets the requirements of the Act and the Trading Licence Regulations for the grant of an inter-State trading licence for a Category 'V'.

9. The grant of the trading licence to the Petitioner (hereinafter referred to as “the licensee”) is subject to the fulfilment of the following conditions throughout the period of subsistence of the licence:

(a) The licensee shall comply with the provisions of the Act, the Rules, and the Regulations, particularly Trading Licence Regulations, orders, and directions issued by the Commission, from time to time, and any other law in force;

(b) The licensee shall comply with orders and directions issued by the Commission from time to time;

(c) The licensee shall not engage in the business of transmission of electricity during the period of subsistence of the trading licence, i.e., till 25 years;

(d) The licensee shall charge trading margin strictly in accordance with the

Trading Licence Regulations, as amended from time to time;

- (e) The licensee shall maintain the net worth as mentioned in the order dated 31.8.2025, and current & liquidity ratio, as prescribed in the Trading Licence Regulations, at all times.
- (f) The licensee shall continue to be governed by the qualifications and disqualifications specified in Chapter 2 of the Trading Licence Regulations during the subsistence of the licence;
- (g) The licensee shall continue to abide by the terms and conditions of the licence specified in Chapter V of the Trading Licence Regulations, as amended from time to time;
- (h) The licensee shall regularly pay the annual licence fee in accordance with the provisions of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012, as amended from time to time or any subsequent enactment thereof;
- (i) Non-compliance with the provisions of the Act, Rules, Regulations, and the provisions of the Trading Licence Regulations shall make the licence of the Petitioner liable for revocation;
- (j) If the licensee fails to undertake trading in electricity within a year from the date of the licence, the licence shall be liable for revocation in accordance with the provisions of the Act and the Trading Licence Regulations; and
- (k) The licensee shall submit all such reports or information as may be required

under Trading Licence Regulations or any other regulations of the Commission or as per the directions of the Commission as may be issued from time to time.

10. An extract of a copy of this order be sent to the Central Government (the Ministry of Power) and the Central Electricity Authority in terms of sub-Section (7) of Section 15 of the Act for their information and record.

11. Petition No. 868/TD/2025 is allowed in terms of the above.

Sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson