

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.305/TD/2023

Subject : Petition 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 Licence and other related matters) Regulations, 2020 for grant of Category V licence for inter-state trading of electricity.

Date of Hearing : **28.11.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioner : Radiance Green Markets Private Limited (RGMPL)

Parties Present : Shri Avijeet Lala, Advocate, RGMPL
Shri Aryaman Singh, Advocate, RGMPL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed for the grant of a Category V inter-State trading licence as per the Trading Licence Regulations, 2020. Learned counsel also submitted that the Petitioner has complied with all the requirements as specified under the Trading Licence Regulations, 2020 for the grant of a Category V trading licence.

2. Considering the submissions made by the learned counsel for the Petitioner, the Commission directed the Petitioner to furnish the following details/information/clarification on affidavit within two weeks.

(a) The Memorandum of Association of the applicant company authorizes the Petitioner to undertake the business of transmission of electricity, in addition to pursuing the object of trading in electricity and other objects. However, under the third proviso to Section 41 of the Act, no transmission licensee can enter into any contract or otherwise engage in the business of trading in electricity. In other words, a person granted a licence for trading in electricity cannot undertake the business of transmission. The Petitioner is to submit an undertaking to the effect that it will not carry out the transmission business without surrendering the trading licence, if granted by the Commission.

(b) Audited Special balance sheet as on any date falling within 30 days immediately preceding the date of filing of the present petition.

3. Subject to the above, the Commission reserved the matter for order.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)