

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 19/MP/2013

Sub: Petition under section 79 (1) (c) read with section 19 of the Electricity Act, 2003 for revocation of license and for vesting of the project in Central Transmission Utility.

Petitioner : Power Grid Corporation of India Limited.

Respondents : North Karanpura Transmission Company Ltd. and others.

Petition No. 20/MP/2013

Sub: Petition under section 79 (1) (c) read with section 19 of the Electricity Act, 2003 for revocation of license and for vesting of the project in Central Transmission Utility.

Petitioner : Power Grid Corporation of India Limited.

Respondents : Talcher-II Transmission Company Ltd. and others.

Date of hearing : 27.5.2014

Coram : Shri Gireesh B. Pradhan, Chairperson
Shri M. Deena Dayalan, Member
Shri A.K. Singhal, Member
Ms. Neerja Mathur, Member (Ex-officio)

Parties present : Ms. Anushree Bardhan, Advocate, PGCIL
Ms. Poorva Saigal, Advocate, PGCIL
Shri A.M. Pavgi, PGCIL
Shri Buddi Rangrajan, Advocate, Advocate, NKTCL and TTCL
Shri L.N. Mishra, NKTCL and TTCL
Shri Hasan Murtaza, NKTCL and TTCL
Shri Aditya Panda, NKTCL and TTCL
Shri Naveen Nagpal, NKTCL and TTCL
Shri Rupin Rawat, RPTL
Shri Alok Shankar, Advocate, TPDDL
Shri Padamjit Singh, PSPCL
Shri S.Vallinayagam, Advocate, TANGEDCO

Record of Proceedings

Learned counsel for NKTCL and TTCL submitted that in the absence of Section 68 approval, NKTCL and TTCL are not able to commence the work. He further submitted that the Ministry of Power, Government of India, vide its letter dated 8.12.2008, had accorded approval to the project under Section 68 of the Electricity Act, 2003 which was valid only till 7.12.2011. Learned counsel submitted that request has already been made by NKTCL and TTCL for renewal of section 68 approval which is still pending. Learned counsel submitted that since the banks have withdrawn their sanction on 8.9.2011 due to delay in implementation of the project, NKTCL and TTCL are facing difficulties to achieve financial closure. He submitted that after the judgment of Appellate Tribunal of Electricity treating the delay in Section 164 as force majeure, the petitioner approached LTTCs for extension of the time for execution of the projects and enhancement in the tariff of the transmission system. However, the LTTCs have rejected the proposal of NKTCL and TTCL.

2. In response to Commission's query regarding present status of implementation of the projects, the representative of CEA submitted that the respondents NKTCL and TTCL are yet to start construction work. She submitted that a detailed report on the status of the projects would be filed shortly.

3. Learned counsel for TPDDL submitted that there has been no progress for the last four years and it appears that the respondents are not interested to implement the project.

4. The representative of PSPCL submitted that there is no progress in the implementation of the project and in the present situation, it is difficult to say that the project would ever be implemented. Moreover, there is ROW problem in the stretch of line passing through Gurgaon.

5. Learned counsel for TANGEDCO submitted that there is no issue with regard to the extension of time for execution of the project. However, as regards the cost, the LTTCs are not agreeable.

6. The Commission directed NKTCL and TTCL to hold a meeting with the LTTCs within a period of three weeks to resolve the issues and file the outcome of the meeting before 26.6.2014.

7. The Commission directed NKTCL and TTCL to submit the following on affidavit by 25.6.2014 with an advance copy to the petitioner and LTTCs:

- (a) Exact status of the implementation of the projects at the ground level.
- (b) Concrete steps taken for execution of the projects.
- (c) Clear and unambiguous roadmap for future implementation of the projects along with clear time lines.
- (c) Revised cost of the projects.

8. The Commission directed the Central Electricity Authority to submit by 13.6.2014 a detailed report and present status of the projects of NKTCL and TTCL.

9. The petitions shall be listed for hearing on 22.7.2014.

10. The Commission directed CEA to depute an officer well acquainted with the facts of the case on the next date of hearing to assist the Commission.

By order of the Commission
Sd/-

(T. Rout)
Chief (Law)