

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 194/MP/2017
Along with IA Nos. 24/2018 and 25/2018**

Subject : Petition under Sections 61, 63, 79(1)(c) and 79(1)(f) of the Electricity Act, 2003 read with Article 16 of TSA and the tariff based competitive bidding guidelines for transmission service, for claiming relief under TSA dated 14.3.2016 relating to implementation of the transmission Project Elements.

Date of Hearing : 26.7.2018

Coram : Shri P.K. Pujari, Chairperson
Shri A.K. Singhal, Member
Dr. M.K. Iyer, Member

Petitioner : North Karanpura Transco Limited (NKTL)

Respondents : Jharkhand Bijli Vitran Nigam Limited and Others

Parties present : Shri Sanjay Sen, Senior Advocate, NKTL
Shri Hemant Singh, Advocate, NKTL
Shri Tushar Srivastava, Advocate, NKTL
Shri Shourya Malhotra, Advocate, NKTL
Ms. Ankita Bafna, Advocate, NKTL
Shri Bhavesh Kundalia, NKTL
Shri Vivek Singla, NKTL
Shri Sameer Ganju, NKTL
Shri Jagdeep Dhankar, Senior Advocate, CCL and MoC
Shri Anshuman, Advocate, CCL and MoC
Ms. Molshree Bhatnagar, Advocate, RECTPCL
Ms. Samykya Mukku, Advocate, RECTPCL
Shri B.S. Bairwa, CEA
Shri U.M. Rao, CEA

Record of Proceedings

At the outset, learned senior counsel for the Ministry of Coal (MoC) and Central Coalfields Ltd. (CCL) submitted that pursuant to the Commission's directions vide RoP dated 31.5.2018, MoC convened a meeting on 29.6.2018 with all the stakeholders namely, Ministry of Power, CEA, RECTPCL, NTPC, CMPDI, CIL and CCL for amicable resolution of the issue. Learned senior counsel further submitted as under:

- (a) All the stakeholders have agreed "in-principle" to the routes suggested by CCL and CMPDI. During the meeting, it was observed that the implementing agency may chose either of two options suggested by CCL/CMPDI i.e. through the area earmarked for infrastructure of Magadh OCP [Tandwa NTPC to Chandwa 36 kms. approx.] and bypassing Magadh OCP [Tandwa NTPC to Chandwa 38 kms approx.]. Accordingly, after selection of the routes, implementing agency may

approach CCL for approval. CCL will then send the agreed proposal by Board to MoC for consideration and NoC.

(b) Since, the Petitioner has terminated the TSA, it needs to be decided if it is willing to execute the project or not.

2. Learned senior counsel for the Petitioner submitted that the Petitioner being an implementing agency, would need time to conduct survey to evaluate the feasibility of the proposed routes as per the minutes of meeting dated 29.6.2018. However, the preliminary observation of the Petitioner on the proposed routes is that the proposed NKSTPP- Gaya route avoids CCL command area but there is no clarity beyond the CCL boundary as the coal block of M/s Usha Martin is located thereafter. Learned senior counsel requested the Commission to direct CPMDI to share the coordinates of the proposed routes and the exact co-ordinations of the boundaries of coal blocks of CCL and private companies along the proposed routes for transmission lines for completion of the survey at the earliest.

3. The representative of CEA submitted that feasibility of construction of the transmission line has to be examined and the Petitioner has to undertake the survey on the routes proposed by CCL/ CPMDI.

4. After hearing the learned senior counsels for the Petitioner, MoC and CCL and the representative of CEA, the Commission directed CPMDI to share the coordinates with the Petitioner. The Commission directed the Petitioner to conduct a survey of the proposed routes within six weeks and submit the report of the survey to the CEA.

5. The Commission directed CEA to coordinate and facilitate survey work and submit its recommendation within two weeks thereafter.

6. The Commission directed the LTTCs not to take any coercive measure till the next date of hearing.

7. The petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**