

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 56/MP/2019**

- Subject : Petition under Section 79(1)(c) of the Electricity Act, 2003 read with Regulation 27 and 33A of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 for time extension of achieving financial closure as provided under Clause 9.3.2 of the Detailed Procedure issued by the Central Commission for 'Grant of Connectivity to projects based on Renewable sources to the inter-State Transmission System' dated 15.5.2018.
- Petitioner : Vaayu Renewable Energy (Sirnoj) Private Limited
- Respondent : Power Grid Corporation of India Limited (PGCIL)

**Petition No. 57/MP/2019**

- Subject : Petition under Section 79(1)(c) of the Electricity Act, 2003 read with Regulation 27 and 33A of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 for time extension of achieving financial closure as provided under Clause 9.3.2 of the Detailed Procedure issued by the Central Commission for 'Grant of Connectivity to projects based on Renewable sources to the inter-State Transmission System' dated 15.5.2018.
- Petitioner : Vaayu Renewable Energy (Kaveri) Private Limited
- Respondent : Power Grid Corporation of India Limited (PGCIL)

**Petition No. 58/MP/2019**

- Subject : Petition under Section 79(1)(c) of the Electricity Act, 2003 read with Regulation 27 and 33A of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 for time extension of achieving financial closure as provided under Clause 9.3.2 of the Detailed Procedure issued by the Central Commission for 'Grant of Connectivity to projects based on Renewable sources to the inter-State Transmission System' dated 15.5.2018.
- Petitioner : Vaayu Renewable Energy (Krishan) Private Limited



Respondent : Power Grid Corporation of India Limited (PGCIL)

**Petition No. 159/MP/2019**

Subject : Petition under Section 79(1)(c) of the Electricity Act, 2003 read with Regulation 27 and 33A of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 for time extension of achieving financial closure as provided under Clause 9.3.2 of the Detailed Procedure issued by the Central Commission for 'Grant of Connectivity to projects based on Renewable sources to the inter-State Transmission System' dated 15.5.2018.

Petitioner : Toramba Renewable Energy Private Limited

Respondent : Power Grid Corporation of India Limited (PGCIL)

Date of Hearing : 5.9.2019

Coram : Shri P. K. Pujari, Chairperson  
Dr. M. K. Iyer, Member  
Shri I. S. Jha, Member

Parties Present : Shri M.G. Ramachandran, Sr. Advocate for the Petitioners  
Shri Shubham Arya, Advocate for the Petitioners  
Ms. Tanya Sareen, Advocate for the Petitioners  
Ms. Anushree Bardhan, Advocate for the Petitioners  
Ms. Suparna Srivastav, Advocate, PGCIL  
Ms. Sanjana Dua, Advocate, PGCIL  
Ms. Jyoti Prasad, PGCIL  
Shri Ranjeet Rajput, PGCIL  
Shri Swapnil Verma, PGCIL  
Dr. V. N. Paranjape, PGCIL  
Shri Siddharth Sharma, PGCIL  
Shri S. M. Fahad, PGCIL

**Record of Proceedings**

At the outset, learned senior counsel for the Petitioners submitted that Government of Gujarat, vide its letter dated 8.3.2019 addressed to the District Collectors, has allowed the allotment of revenue land only to those applicants who have either won bids invited by GUVNL or SECI or any other agency of the Government of India and to those applicants which are Wind Turbine Manufacturers, its subsidiaries and their associate companies. Consequently, the Petitioner has not been made eligible for allocation of revenue land and has been placed in an impossible position of not getting revenue land because of categorisation and



condition imposed subsequently. Learned senior counsel submitted that on account of substantial extent of revenue land being allocated to the other developers in vicinity where the Petitioner was in process of finalising private lands at considerable high cost, it has also become unviable to set up the project even in the private lands in view of the other developers being allotted the revenue land in the same vicinity. On account of these supervening circumstances, the Petitioner is not being able to implement the Projects and it has no other option but to surrender the connectivity altogether and to pray for return of Bank Guarantee furnished by the Petitioner.

3. Learned counsel for the Respondent, PGCIL submitted that the Clause 9.3.3 of the Detailed Procedure provides that in the event of failure to achieve the milestones as listed in Clause 9.3.1 or 9.3.2 as applicable, Stage II connectivity shall be revoked by CTU. Learned counsel submitted that since there is no specific clause with regard to action to be taken against the Bank Guarantee submitted by the Petitioner, the direction from the Commission is required in this regard.

4. The Commission directed that interim directions dated 4.4.2019 and 12.6.2019 shall be continued till the disposal of the Petitions.

5. After hearing the learned senior counsel for the Petitioners and learned counsel for the Respondent, PGCIL, the Commission reserved order in the Petitions.

**By order of the Commission**

**Sd/-  
(T.D.Pant)  
Deputy Chief (Law)**

