

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 159/MP/2019

Coram:

Shri P.K. Pujari, Chairperson

Dr. M. K. Iyer, Member

Shri I. S. Jha, Member

Date of Order: 07.01.2020

In the matter of

Petition under Section 79 (1) (c) of the Electricity Act, 2003 read with Regulations 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 seeking time extension for 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.

And in the matter of

Toramba Renewable Energy Private Limited
1102 (3), 11th Floor, Fortune Terrace,
New Link Road, Andheri West,
Mumbai-400053

...Petitioner

Vs.

Powergrid Corporation of India Limited
(Central Transmission Utility)
'Saudimini', Plot-2,
Sector 29, Gurgaon – 122001

...Respondent

Parties Present:

Shri M.G. Ramachandran, Sr. Advocate, TREPL

Shri Shubham Arya, Advocate, TREPL

Ms. Tanya Sareen, Advocate, TREPL

Ms. Anushree Bardhan, Advocate, TREPL

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

ORDER

The Petitioner, Toramba Renewable Energy Private Limited has filed the present Petition under Section 79 (1) of the Electricity Act, 2003 read with Regulations 27 and 33A of the Central Electricity Regulatory Commission (Grant of Connectivity, Long Term and Medium Terms 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.

2. The Petitioner has made the following prayers :

- a) Grant to the Petitioner the extension of time by 9 months to procure the balance land and to achieve financial closure as provided under the Connectivity Regulations read with the Detailed Procedure and the timeline specified under Clause 9.3.2 of the Detailed Procedure and consequently the extension in achieving timelines as mentioned in Annexure 3 to the Transmission Agreement by 9 months; and
- b) Restrain the Respondent from invoking the Bank Guarantee dated 27.9.2018 furnished by the Petitioner till the decision of this Hon'ble Commission in the present petition.

Submissions of the Petitioner

3. The Petitioner is developing 300 MW wind generation project at Horti, Osmanabad, Maharashtra. The Petitioner applied for Stage-I Connectivity on 20.7.2018 pertaining to its project and PGCIL vide its letter dated 24.8.2018 was granted the same to an already existing Solapur (PG) Pooling Station owned, operated and maintained by PGCIL and being part of the Inter State Transmission System.

4. The Petitioner vide its letter dated 21.07.2018 applied for Stage II Connectivity. In compliance with the conditions specified in the Detailed Procedure, the Petitioner

submitted the following documents to PGCIL along with the application for grant of Stage II Connectivity:

- a) Ownership or lease rights or land use rights for 50% of the land required for the capacity of Stage-II; and
- b) Release of 10% of the funds towards execution of the Wind Farm Projects supported by requisite Auditor's Certificate regarding such release of funds through equity.

5. PGCIL vide its letter dated 24.8.2018 granted Stage II Connectivity to the Petitioner. Subsequently the Petitioner, vide its letter dated 31.8.2018 requested PGCIL to modify certain requirements provided in the Stage II connectivity granted vide letter dated 24.8.2018. PGCIL vide its letter dated 19.9.2018 accepted the request of the Petitioner and accordingly revised the earlier intimation for grant of Stage I and Stage II connectivity. Further, among other conditions, PGCIL specified that the Petitioner is now required to develop the 400/33kV Pooling Station near Toramba. Subsequently, the Petitioner and the Respondent executed the Transmission Agreement for Connectivity on 28.9.2018. The petitioner also furnished a Bank Guarantee of ₹ 5 crore to PGCIL on 18.10.2018.

6. The petitioner vide its letter dated 30.1.2019 informed PGCIL that the dedicated 400kV S/C transmission line on D/C tower Petitioner will be constructed by the Petitioner. Further, on 1.2.2019, PGCIL accepted the request of the Petitioner for another modification in the conditions of Stage II Connectivity and revised the earlier intimation for grant of Stage II connectivity.

7. The Petitioner has taken the following substantial steps for its Project :

- a) The Petitioner has acquired 50 Foot Prints (50% of the required land location) required and necessary for setting up the Project.
- b) The Petitioner has invested 10% equity.

c) The Petitioner has received the No-Objection Certificate from the Geology and Mining Department of Government of Maharashtra for construction at the respective sites allotted to the Petitioner.

d) The Central Electricity Authority, vide its letter dated 22.2.2019 has issued approval under Section 68 (1) of the Electricity Act, 2003 for the transmission scheme "Connectivity system to Toramba Renewable Energy Private Limited for its project i.e. for construction of 400kV S/C dedicated transmission line on D/C tower with minimum capacity of at least 900 MW at nominal voltage from Toramba Pooling Station to Solapur Powergrid (Existing) sub-station.

e) The Petitioner has received the No-Objection Certificate from the Airports Authority of India on 25.3.2019 for construction at the respective sites allotted to the Petitioner.

8. The Petitioner has not been able to achieve the financial closure within the time frame specified in the Detailed Procedure due to the delay in issuance/ notification of the policy framework by Government of Maharashtra for Inter State Transmission System (ISTS) connected wind power project in the State of Maharashtra. Due to non-issuance of the above policy, acquiring further land required for development of the project has been onerous, particularly, when the developer has to acquire land as per the criterion prescribed under the micro-siting guidelines dated 22.10.2016 (hereinafter referred as Micro-siting Guidelines) prescribed by Ministry of New and Renewable Energy, Government of India (hereinafter referred to as MNRE).

9. The installation of wind power projects in the State of Maharashtra is based on Government of Maharashtra Policy on Grid connected Power Projects based on New and Renewable (Non-conventional) Energy Sources 2015 dated 20.7.2015 (hereinafter referred as Maharashtra RE Policy). As per the provisions of the Maharashtra RE Policy, Maharashtra Energy Development Agency (hereinafter referred as MEDA) has been appointed as nodal agency.

10. Subsequently, Government of Maharashtra vide its Government Resolution dated 9.9.2015 issued a methodology to implement the Maharashtra RE Policy. As per Clause 7 of the Methodology, wind power projects to be set up under Maharashtra RE Policy are required to be registered with MEDA. The said methodology only covers the projects which are being developed with State Transmission Utility (STU) connectivity and to sell power to the distribution licensee or Captive users or Open Access users within the State of Maharashtra. However, the Maharashtra RE Policy and subsequent Methodology do not deal with the projects intending to sell power through ISTS connectivity. Till date, there is no other policy framework for development of a wind power project in the State of Maharashtra. Further, the provisions of Methodology only refer to the State owned agencies of Maharashtra, namely Maharashtra State Electricity Distribution Company Limited (MSEDCL) and MEDA. None of the provision of the existing Maharashtra RE Policy along with subsequent amendments or the Methodology deals with a project intending to sell power through ISTS connectivity granted under the Detailed Procedure.

11. As per the prevailing policy framework, MEDA looks after the entire development pertaining to wind power projects established in the State of Maharashtra and therefore only MEDA can ensure that no two wind power projects fall into same area, particularly in terms of Micrositing Guidelines of MNRE. This provides security to the project developers and ensures an economical and holistic development of projects in the State of Maharashtra.

12. The Petitioner has submitted that even before applying for Stage I connectivity with PGCIL, the Petitioner had sought clarification from MEDA vide its letter dated 26.4.2018, through its group company M/s Vish Wind Infrastructure LLP, which is registered as a Wind power developer with MEDA. The clarification sought was as to whether wind power projects which would be developed as ISTS connected projects for SECI are required to be registered with MEDA. It was communicated by MEDA to various Wind power

developers intending to establish projects with the ISTS connectivity that the issues raised by the Wind Power Developers will be duly attended to. On such an assurance by MEDA, the Petitioner initiated the exercise of acquiring land as per the findings of micro-siting study conducted by the Petitioner.

13. MNRE vide its office memorandum dated 12.6.2018 issued clarification that in case of RE projects being implemented by SECI, NTPC, NVVN or any other agency on behalf of MNRE, the mandatory registration with State Nodal agency would not be required. Consequently, MEDA stopped registering wind power projects intending to sell power through ISTS connectivity and only registered projects which were successful bid winners of the MSEDCL Bid and applied for MEDA registration under the Maharashtra RE Policy and Methodology.

14. Post registration with MEDA, the successful MSEDCL Bid winners started acquiring land which in many cases was in conflict with the locations identified by the Petitioner in terms of the 2D x 3D criterion laid down under Micro-siting Guidelines of MNRE. However, due to the absence of MEDA registration for project intending to sell power through ISTS connectivity, the Petitioner could not get exclusive rights over locations identified by it under the micro-siting study conducted as per the Micro-siting Guidelines of MNRE and consequently, lost some of its already acquired and developed locations. The Petitioner thereafter has found it difficult to procure further land on its other identified locations.

15. In the meanwhile, in order to secure the locations being purchased by the Petitioner pertaining to the land required for the installation of Wind Turbine Generators of the Petitioner's 300 MW wind farm project for the proposed ISTS connected wind power project, the Petitioner, vide its letter dated 22.6.2018 through its group company M/s Vish Wind Infrastructure LLP, had sought clarity about the stand of MEDA on MNRE letter dated 12.6.2018. The Petitioner had also approached Government of Maharashtra and

MEDA to provide clarity or to develop a policy framework for the ISTS connected wind power projects intending to sell power through the ISTS connectivity granted under the Detailed Procedure.

16. The Petitioner has kept informed PGCIL about the project status in the Joint Coordination Committee Meetings conducted by PGCIL and has also been submitting the quarterly reports of the development in the establishment of the Wind Farm Project to PGCIL on a regular basis.

17. The Petitioner has not been able to adhere to the time frame specified in Clause 9.3.2 of the Detailed Procedure in regard to the achieving financial closure within the period of 9 months from the grant of Stage-II Connectivity and consequently with the timelines for completing the wind power project as indicated in Annexure of the Transmission Agreement due to the reasons beyond its control. The Petitioner requires an additional period of 6 (six) months i.e. till December 2019 to complete the acquisition of the balance land required for the wind power project and an additional 3 (three) months to achieve financial closure i.e. by March 2020. The Detailed Procedure notified by the Commission being a procedural nature, does not prohibit the Commission to exercise powers to extend the time for completion of the conditions required under the said Procedure.

18. The Detailed Procedure has been evolved by the Commission itself for implementation of the Connectivity Regulations. The Commission has the inherent powers to consider and grant extension of time for fulfilling any condition, if the circumstances of the case so warrants. The timeline specified under Clause 9.3.2 of the Detailed Procedure can, therefore, be extended by the Commission in the present case where the Petitioner has been affected by the events which were beyond any control of the Petitioner and the Petitioner is not in any manner acted contrary to the Regulations. Regulation 33A

of the Connectivity Regulations, 2009 empowers the Commission to remove the hardship to an affected party arising out of force majeure and change in law events and to address the unforeseen impact.

Submissions of PGCIL

19. The Detailed Procedure, 2018 was notified by the Commission to obviate any sub-optimal utilization in future of the connectivity granted to various applicants and to ensure that the renewable projects whose development was delayed over a long period of time, did not continue with the connectivity '*ad infinitum*'. This inter-relation between the granted connectivity and project development was the fundamental premise on which the Detailed Procedure, 2018 was notified. Any relaxation, for any reason whatsoever, in the prescribed timelines with regard to achieving of the required milestones for a granted connectivity would result in restoring the status quo ante which had existed prior to the passing of detailed directions the Commission in Petition No.145/MP/2018 and notification of the Detailed Procedure, 2018. The Detailed Procedure, 2018 neither contemplates nor permits any relaxation of its provisions in so far as compliance of prescribed timelines qua connectivity grant to renewable projects is concerned.

20. The Appellate Tribunal in vide Order dated 20.4.2015 passed in O.P. Nos.1, 2 and 4/2013 and IA No.291 and 420/2013 has categorically held that the provision of power to relax must not be used in a manner that would defeat the intent and purpose of any Regulation. The power to relax vested in this Hon'ble Commission under Regulation 33A is not available for its exercise so as to relieve the renewable power projects from the "rigours" of timeline compliances pertaining to connectivity grant under the Detailed Procedure, 2018.

21. Despite having full knowledge of the mandatory requirements under the Detailed Procedure, 2018 and lack of clarity regarding Government of Maharashtra or MEDA's stand on wind power projects with ISTS connectivity, the Petitioner took the risk of

applying for connectivity under the detailed Procedure. Thus, the said event does not qualify to be a 'supervening event'. Having taken a commercial risk, the contention of the Petitioner that it could not adhere to the timeframe specified in clause 9.3.2 of the detailed procedure owing to the supervening event of delay in formulation of wind power policy for ISTS connected wind power projects is not sustainable and is liable to be rejected.

22. The Petitioner's contention that it initiated the exercise of acquiring land based on an assurance given by MEDA on a clarification sought by it is not sustainable as the Petitioner had sought clarification as to whether wind power projects which would be developed as ISTS connected projects for SECI were required to be registered with MEDA. The query sought by the Petitioner has no relevance in the present case as Petitioner was never a participant in the SECI bid or any other bid. Thus, having taken a business decision to acquire land even before applying for Stage-I connectivity with the Respondent, and that too, on the basis of a clarification which did not pertain to its case, the Petitioner cannot now use the same as grounds for seeking any relaxation from the Detailed Procedure, 2018.

23. The contention of the Petitioner that post registration with MEDA, the successful MSEDCL Bid Winners started acquiring land which in many cases was in conflict with the locations identified by the petitioner in terms of the 2D x 3D criterion laid down under Micrositing Guidelines of MNRE is of no relevance, as the same is a privity inter-se conflict and in no manner can relieve the Petitioner from the rigours of the Detailed Procedure, 2018.

24. If, the Petitioner is allowed to retain its Stage-II connectivity despite not having complied with the mandatory requirements of the Detailed Procedure, 2018, it may impede or impinge upon the rights of other entities who are ready to fulfill the procedural requirements and claim priority in terms of bay allocation. In view of the strict timelines

under Clause 9.3.2 of the Detailed Procedure, 2018 and the settled principles of law, if the power to relax is exercised by this Commission, then it will lead to the same issue of mismatch which existed prior to the framing of the Detailed Procedure, 2018 and was the underlying reason for the framing of the said Detailed Procedure, 2018.

25. Thus, no extension of time as prayed by the Petitioner for achieving the milestones prescribed for a Stage-II connectivity grantee under the Detailed Procedure, 2018 may be permitted by this Commission. The present Petition may be dismissed and the PGCIL may be permitted to revoke the Stage-II connectivity of the Petitioner in accordance with the Detailed Procedure, 2018.

Information sought from the parties during the hearing

26. The Commission, in its hearing dated 9.7.2019, directed the parties to furnish the following information :

Information from the Petitioner:

- a) Reason why the Petitioner has not applied for all foot prints of land at the time of allocation of those land which have been allocated to it; and
- b) Detailed plan for achieving timeline in case its request for grant of time extension is permitted.

Information from PGCIL:

- a) Whether any expenditure has been incurred by it based upon the connectivity granted to the Petitioner;
- b) Details of applicants seeking stage-II Connectivity at the same location; and
- c) How many cases are there where State-II grantees have not submitted documents as per clauses 9.3.1 or 9.3.2 of the Detailed Procedure made under Connectivity Regulations within nine months from the date of grant of Stage-II Connectivity

27. The Petitioner, vide its affidavit dated 25.7.2019, has submitted as under :

- a) **Reason why the Petitioner has not applied for all foot prints of land at the time of allocation of those land which have been allocated to it:**

Applying for Stage-II Connectivity required land ownership or lease rights or land use rights for only 50% of the land for the project and the balance land was to be arranged after grant of Stage-II Connectivity.

b) Detailed plan for achieving timeline in case its request for grant of time extension is permitted:

Subsequent to filing of the instant Petition, SECI has invited bids under Tranche-VIII for 1800MW Wind Power dated 26.6.2019 where it is stipulated that the delivery points for the projects shall be chosen by the bidder only out of the specified ISTS substations restricting freedom of Bidders to choose appropriate sub-stations. The Sub-stations presently specified do not include the Solapur Pooling Sub-station where the Petitioner holds connectivity. This development is preventing the Petitioner from participating in the SECI Bid Tranche-VIII. Therefore, the Petitioner had sought for revocation of Stage-II connectivity and return of its Bank Guarantee. The Petitioner's efforts to acquire the balance 50% of the land for the Project were not successful due to the following reasons:

- i. MEDA has been registering projects of the successful bid winners of the MSEDCL Bid only.
- ii. In the state of Maharashtra there is presently no declared policy for Wind Power Projects intending to sell power through ISTS Connectivity.
- iii. MSEDCL Bid winners started acquiring land with the help of MEDA registration which in many cases was in conflict with the locations identified by the Petitioner in terms of the 2D x 3D criterion laid down under Micrositing Guidelines of MNRE.

28. PGCIL, vide its affidavit dated 31.7.2019, has submitted as under :

a) Whether any expenditure has been incurred by it based upon the connectivity granted to the Petitioner:

The bay is being implemented under RTM (Regulated Tariff method/ Cost plus Method). The investment approval is yet to be received. However, tendering processes have been undertaken.

b) Details of applicants seeking stage-II Connectivity at the same location:

At present, there are no pending applications for grant of Stage-II connectivity at Solapur (WR) where connectivity to the Petitioner's project has been granted. Therefore, vacation of bays by the Petitioner may not immediately result in

allocation of the bay to any entity. The vacated bays will be available for the allocation to the new Stage-II connectivity applicant in the ordinary course.

c) How many cases are there where State-II grantees have not submitted documents as per clauses 9.3.1 or 9.3.2 of the Detailed Procedure made under Connectivity Regulations within nine months from the date of grant of Stage-II Connectivity:

The Petitioner has furnished the list of 57 applicants, out of which 2 applicants are Deemed Stage-II grantee and were required to submit documents within 9 months of the Detailed Procedure dated 15.5.2018, 45 applicants are required to fulfill the eligibility contained in Para 9.3.1. Remaining 10 applicants are required to fulfill the eligibility contained in Para 9.3.2.

Analysis and Decision

29. The Petitioner has submitted that the petitioner has taken substantial steps for establishing its project and has already acquired 50% of the land required for the project and has not been able to achieve the financial closure, within the time framed under Detailed Procedure due to delay in issuance of notification of the policy framework by Government of Maharashtra for Inter State Transmission System (ISTS) connected wind power project in the State of Maharashtra. Maharashtra RE Policy and methodology therein only covers the projects which are being developed with State Transmission Utility (STU) connectivity and to sell power to the distribution licensee or Captive users or Open Access users within the State of Maharashtra. Till date, there is no other policy framework for development of wind power projects in the State of Maharashtra. Further, MNRE, vide its notification dated 12.6.2018, issued clarification that in case of RE projects being implemented by SECI, NTPC, NVVN or any other agency on behalf of MNRE, the mandatory registration with State Nodal agency would not be required and thereafter, MEDA stopped registering wind power projects intending to sell power through ISTS connectivity. Further, due to the absence of MEDA registration for project intending to sell power through ISTS connectivity, the Petitioner could not get exclusive rights over locations identified by it through the micro-siting study conducted as per the Micro-siting

Guidelines of MNRE. Consequently, the Petitioner lost some of its already acquired and developed locations. The Petitioner thereafter has found it difficult to procure further land in other identified locations.

30. In reply, PGCIL has submitted that reasoning given by the Petitioner to justify delay in achieving timelines in clause 9.3.2 of the Detailed Procedure, 2018 and seeking an extension by 9 months for compliance, is not sustainable as despite having full knowledge of mandatory requirements under the Detailed Procedure, 2018 and lack of clarity regarding Government of Maharashtra or MEDA's stand on wind power projects with ISTS connectivity, the Petitioner chose to take the commercial risk of applying for connectivity under the detailed Procedure. Thus, having taken a business risk and being completely aware of the uncertainties involved, the Petitioner cannot now contend that the delay in formulation of the policy for the ISTS connected wind power projects is a supervening event, which was beyond the control of the Petitioner. Therefore, the contention of the Petitioner that it could not adhere to the timeframe specified in clause 9.3.2 of the detailed procedure owing to the supervening event of delay in formulization of wind power policy for ISTS connected wind power projects is not sustainable.

31. We have considered the submissions of the parties and perused the documents available on record. It is observed that the installation of wind power projects in the State of Maharashtra is based on Government of Maharashtra Policy on Grid Connected Power Projects based on New and Renewable (Non-conventional) Energy Sources, 2015 dated 20.7.2015 and Methodology to implement Maharashtra RE Policy issued by Govt. of Maharashtra vide Resolution dated 9.9.2015. The relevant portion of the said Methodology is reproduced as under :

“

3. *The following guidelines will be available for issuance of grid connectivity consent/ permission to wind power projects.*

“ 3.1 It will be necessary for the project developer to submit application for grid connectivity in the prescribed format to MEDA. The application should include, along with other details about the project capacity, project site location details of nearest MSEDCL/ MSETCL sub-station etc.

.....

3.6 After getting grid connectivity permission, the project developer will be required to set up the evacuation arrangement within the time limit given by MSETCL/MSEDCL. The project developer /project holders shall set up evacuation arrangement according to the technical specifications of MSETCL/ MSEDCL and as per their approval and supervision. No supervision charges will be taken by MSETCL/MSEDCL for this purpose. MSETCL/ MSEDCL shall refund the commitment fee (without interest) to those project developers/ project holders who will complete and commission their evacuation arrangement within the given time limit.”

As per above, the project developer has to submit application for grid connectivity in the prescribed format along with details of nearest MSEDCL/MSETCL sub-station.

32. We observe that Maharashtra RE Policy dated 20.7.2015 and subsequent Methodology dated 9.9.2015 was in existence as on the date when the petitioner applied for Stage II Connectivity. We observe that petitioner should have taken cognizance of these existing state policies.

33. The Petitioner has, in its Petition, made a prayer for extension of time of 9 months to complete balance activities. However, during the hearing on 5.9.2019, the Petitioner submitted that it is not able to implement the Projects and it has no other option but to surrender the connectivity and has prayed for return of Bank Guarantee furnished by the Petitioner. The Commission, during the hearing dated 9.7.2019, had queried PGCIL as to whether any expenditure has been incurred by PGCIL based upon the connectivity granted to the Petitioner. In reply, PGCIL vide affidavit dated 31.7.2019, has stated that the associated bay is being implemented under RTM (Regulated Tariff method/ Cost) plus Method and investment approval is yet to be received. However, tendering process have been undertaken.

34. The bank guarantee at the stage of connectivity application was brought in to ensure that the connectivity assets built by CTU do not remain unutilized or stranded. It is

evident from PGCIL's submissions that no connectivity assets associated with Petitioner's Connectivity has been built by CTU which could remain unutilized or stranded. Clause 10.11 of the Detailed Procedure dated 15.5.2018 deals with discharge of connectivity bank guarantee after six months of commencement of evacuation of power from the renewable project. There is no provision for discharging of bank guarantee before the commencement of evacuation of power from the renewable project.

35. The Petitioner has prayed to exercise Power to Relax to address the unforeseen impact being faced by the Petitioner. Regulation 33A of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 deals with Power to Relax and it reads as under :

"33 A. Power to Relax: The Commission, for reasons to be recorded in writing, may relax any of the provisions of these regulations on its own motion or on an application made before it by an affected person to remove the hardship arising out of the operation of Regulation, applicable to a class of persons."

36. Keeping in view the hardships faced by the Petitioner and the fact that PGCIL has not incurred any expenditure towards Connectivity granted to the Petitioner, we exercise our powers to invoke "Power to relax" under Regulation 33A Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 to relax the provision 10.11 of Detailed Procedure dated 15.5.2018 issued under the said Regulations and allow discharge of Connectivity Bank Guarantee furnished by the Petitioner.

37. CTU is directed to revoke Stage-II grant of the Petitioner and return the bank guarantee to the Petitioner within 10 days of issue of this Order.

38. Petition No. 159/MP/2019 is disposed of in terms of the above.

Sd/-
(I. S .Jha)
Member

Sd/
(Dr. M. K. Iyer)
Member

Sd/-
(P. K. Pujari)
Chairperson