

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.261/MP/2020**

Subject : Petition seeking release of Bank Guarantee issued in favour of Respondent No.1 owing to frustration of the Long-Term Access Agreement dated 19.10.2012 between the Petitioner No.1 and Respondent No.1 in exercise of powers under Regulation 33A of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-Term Access and Medium-Term Open Access in Inter-State Transmission System and related matters) Regulations, 2009.

Petitioner : Dirang Energy Limited (DEL) and Anr.

Respondents : Power Grid Corporation of India Limited (PGCIL) and 2 Ors.

**Petition No.491/MP/2020**

Subject : Petition seeking release of Bank Guarantee issued in favour of Respondent No.1 owing to frustration of the Long-Term Access Agreement dated 1.11.2012 between the Petitioner No.1 and Respondent No.1 in exercise of powers under 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 read with Section 79(1)(c) of the Electricity Act, 2003.

Petitioner : SFW Nafra Power Corporation Ltd. (SNPCL) and Anr.

Respondents : Power Grid Corporation of India Limited (PGCIL) and Ors.

Date of Hearing : 22.12.2022

Coram : Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member

Parties Present : Shri Sayan Ray, Advocate, DEL & SNPCL  
Ms. Namrata Saraogi, Advocate, DEL & SNPCL  
Shro Samrat Sengupta, Advocate, DEL & SNPCL  
Ms. Suparna Srivastava, Advocate, CTUIL  
Ms. Aastha Jain, Advocate, CTUIL  
Ms. Shyam Sunder Goyal, CTUIL  
Shri Swapnil Verma, CTUIL  
Ms. Priyanshi Jadiya, CTUIL  
Shri Amit Kumar, CTUIL

## **Record of Proceedings**

At the outset, learned counsel for the Petitioners and the representative of the CTUIL submitted that pursuant to the direction of the Commission vide Record of Proceedings for the hearing dated 22.8.2022, a joint meeting was convened and the parties came to a consensus that since ISTS transmission system in question came to be de-notified by the Ministry of Power, Govt. of India on 1.2.2019, the Commission may direct CTUIL to return of the Construction Bank Guarantees to the Petitioners. It was also submitted that no expenditure had been incurred by either side.

2. Considering the submissions made by the parties, the Commission reserved the matters for order.

**By order of the Commission**

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