

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 171/TL/2022**

**Coram:**

**Shri I. S. Jha, Member**

**Shri Arun Goyal, Member**

**Shri P. K. Singh, Member**

**Date of order: 2<sup>nd</sup> August, 2022**

**In the matter of**

Application under Section 14 of the Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission License and other related matters) Regulations, 2009 with respect to grant of transmission licence to Rajgarh Transmission Limited.

**And**

**In the matter of**

**Rajgarh Transmission Limited (RTL),**

2nd Floor, Novus Tower,

Plot No. 18, Sector-18,

Gurugram, Haryana-122015

.....Petitioner

**Vs.**

**1. Rewa Ultra Mega Solar Limited,**

Urja Bhawan, Shivaji Nagar,

Link Road No. 2,

Bhopal, Madhya Pradesh – 462016

**2. REC Power Development and Consultancy Limited,**

Core-4, Scope Complex,

7, Lodhi Road, New Delhi- 110003

**3. Central Transmission Utility of India Limited,**

Ministry of Power Govt. of India,

Shram Shakti Bhawan,

Rafi Marg, New Delhi-110001

**Parties present:**

Shri Hemant Singh, Advocate, RTL

Ms. Ankita Bafnal, Advocate, RTL

Shri Lavanya Panwar, Advocate, RTL

Shri P. Das, CTUIL

Shri Ajay Upadhyay, CTUIL  
 Shri Bhaskar Wagh, CTUIL  
 Shri Pratyush Singh, CTUIL  
 Shri Swapnil Verma, CTUIL  
 Shri Siddharth Sharma, CTUIL  
 Shri Ranjeet Singh Rajput, CTUIL  
 Ms. Priyansi Jadiya, CTUIL  
 Shri P.S.Hariharan, RECPDCL

**ORDER**

The Petitioner, Rajgarh Transmission Limited, has filed the present Petition for grant of transmission licence under Section 14 of the Electricity Act, 2003 (hereinafter referred to as “the Act”) readwith the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission Licence and other related matters) Regulations, 2009 (hereinafter referred to as “Transmission Licence Regulations”) to establish “Transmission System for Evacuation of Power from RE Projects in Rajgarh (2500 MW) SEZ in Madhya Pradesh (hereinafter referred to as “Project”) on Build, Own, Operate and Maintain (BOOM) basis comprising of the following elements:

<b>S. No.</b>	<b>Name of Transmission Element</b>	<b>Scheduled COD in months from Effective Date</b>
1.	<p><i>Establishment of 400/220 kV, 3x500 MVA at Pachora SEZ PP with 420 kV (125 MVAR) bus reactor</i></p> <p><i>400/220 kV, 500 MVA ICT – 3 nos.</i>  <i>400 kV ICT bays – 3 nos.</i>  <i>220 kV ICT bays – 3 nos.</i>  <i>400 kV line bays – 2 nos.</i>  <i>220 kV line bays – 6 nos.</i>  <i>(4 nos. for Agar &amp; Shajapur solar park interconnection &amp; 2 nos. for other RE projects)</i></p> <p><i>125 MVAR, 420 kV reactor-1 no.</i>  <i>420 kV reactor bay – 1 no.</i>  <i>220kV Bus coupler bay- 1 no.</i>  <i>220kV Transfer Bus Coupler (TBC)bay - 1 no.</i></p> <p><i>Future provisions:</i>  <i>Space for</i>  <i>400/220kV ICTs along with bays: 6 nos.</i></p>	18 Months

	<p>400kV line bays: 8 nos.  220kV line bays: 9 nos  420kV bus reactor along with bays: 1 no  220kV Bus sectionalizer bay: 2 nos.  (One no. bay for each Main Bus)</p>	
2.	<p>Pachora SEZ PP -Bhopal (Sterlite) 400 kV D/c line (Quad/HTLS) (with minimum capacity of 2100 MVA/ckt at nominal voltage) along with 80MVAr switchable line reactors with 400 ohms NGR on each circuit at Pachora end</p> <p>Switchable line Reactors (at Pachora end) –420 kV, 2x80MVAr Line reactor bays (at Pachora) – 2 nos.</p>	
3.	<p>2 no. of 400 kV line bays at Bhopal (Sterlite) for Pachora SEZ PP-Bhopal (Sterlite) 400 kV D/c line (Quad/HTLS) (with minimum capacity of 2100 MVA/ckt at nominal voltage)</p>	

Note:

(i) M/s BDTCL (Bhopal Dhule Transmission Company Limited) to provide space for 2 no. of 400 kV line bays at Bhopal (Sterlite) for termination of Pachora SEZ PP - Bhopal (Sterlite) 400 kV D/c line.

(ii) Space for future provisions for 400 kV line bays to be kept including the space for switchable line reactors.

(iii) The implementation of the scheme to be taken up only after grant of LTA at Pachora P.S.

(iv) The schedule of implementation of the scheme would be matching with schedule of RE developers or 18 months from the date of transfer of SPV whichever is later.”

2. The Petitioner has made the following prayers:

“(a) Issue the Transmission License to the Applicant/ Petitioner for establishing, operating and maintaining the Transmission System of “Transmission System for Evacuation of Power from RE Projects in Rajgarh (2500 Mw) SEZ in Madhya Pradesh”, comprising of assets elements as detailed in the present petition, in terms of the provisions of RFP and Transmission Service Agreement read with Section 14, 15 and 79 (1) (e) of the Electricity Act;

(b) Allow the Transmission System, as detailed in the present Petition/ Application to be part of the Inter-State Transmission System and direct that the recovery of transmission charges shall be in accordance with the terms of the Central Electricity Regulatory Commission (Sharing of Inter-state Transmission Charges and losses 2020);

*(c) Condone any inadvertent errors omissions/ errors / shortcomings and permit the Applicant to add/change/modify/alter these pleadings and make further submissions as may be required at a future date; and*

*(d) Pass any such other order / orders, as may be deemed fit and proper in the facts and circumstances of the case.”*

### **Hearing dated 29.7.2022**

3. The matter was called out for virtual hearing on 29.7.2022 after notice to the Respondents. No reply has been filed by the Respondents. None was present on behalf of the LTTC. During the course of hearing, learned counsel for the Petitioner submitted that the Petitioner has complied with the provisions of the Transmission Licence Regulations and prayed to grant transmission licence to the Petitioner.

4. The Petitioner has submitted that in accordance with the “Guidelines for Encouraging Competition in Development of Transmission Projects” and “Tariff Based Competitive Bidding Guidelines for Transmission Service” (hereinafter referred to as “the Guidelines”) issued by Ministry of Power, Government of India, under Section 63 of the Act, REC Power Development and Consultancy Limited (erstwhile REC Transmission Projects Company Limited) (hereinafter referred to as “RECPDCL”) was notified by Ministry of Power, Government of India vide Notification No. 2669 dated 19.7.2021 as the Bid Process Coordinator (hereinafter referred to as “BPC”) for the purpose of selection of bidder as Transmission Service Provider (hereinafter referred to as “TSP”) to establish “Transmission System for Evacuation of Power from RE Projects in Rajgarh (2500 MW) SEZ in Madhya Pradesh” through tariff based competitive bidding process on BOOM basis.

5. RECPDCL in its capacity as the BPC initiated the bid process on 9.9.2021 and completed the same on 30.5.2022 in accordance with the Guidelines. GR

Infraprojects Limited was selected as the successful bidder having quoted the lowest levelized transmission charges of Rs. 408.19 million in order to provide transmission service to the identified Long-Term Transmission Customers (LTTC) of the Project, namely, Rewa Ultra Mega Solar Limited, as specified in the TSA.

6. At RfP (non-financial) stage, ten bidders, namely, Adani Transmission Limited, Power Grid Corporation of India Limited, Torrent Power Limited, DBL Transmission Private Limited, Megha Engineering & Infrastructures Limited, Sterlite Grid 23 Limited, GR Infraprojects Limited, Apraava Energy Praise Limited (formerly known as CLP India Private Limited, The Tata Power Company Limited and Montecarlo Limited submitted their offers which were evaluated by the Consultant, namely PARY & Co. Chartered Accountants in consortium with M/s Legacy Law Offices (Consultant) appointed by RECPDCL. The RfP (Non-Financial) bids of the ten bidders were opened in the presence of representatives of the bidders on 3.1.2022 and all ten bidders qualified at RfP (non-financial) stage. Based on the recommendation of the Bid Evaluation Committee (BEC), the RfP (Financial) Bids-Initial Price Offer of the ten bidders were opened on 9.3.2022. Lowest Initial Price Offer discovered (Best Deal) at MSTC portal was Rs. 481.78 million. Based on the recommendation of BEC, five bidders, namely, Power Grid Corporation of India Limited, Torrent Power Limited, DBPL Transmission Private Limited, GR Infraprojects Limited and Adani Transmission Limited, were qualified to participate in the e-reverse auction stage. E-reverse auction was carried out at MSTC portal on 10.3.2022 and the following levelised transmission tariff for five bidders (in ascending order) emerged:

Sl. No..	Name of Bidder	Levelised Transmission Charges from the Final Offer (Rs.in Million)	Rank
1.	G R Infraprojects Limited	408.19	L-1
2.	Adani Transmission Limited	409.26	L-2
3.	Power Grid Corporation of India Limited	436.88	L-3
4.	Torrent Power Limited	No offer in e-RA	L-4*
5.	DBL Transmission Private Limited	No offer in E-RA	L-5*

- Ranking considering initial offer of the bid.

7. As per the Bid Evaluation Report dated 14.3.2022 G R Infraprojects Limited emerged as the successful bidder with the lowest levelised transmission charges of Rs. 408.19 million. BEC vide its certificate dated 14.3.2022 has certified that entire bid process has been carried out in accordance with the Guidelines issued by the Ministry of Power under Section 63 of the Act. BEC has further confirmed that the levelised tariff has been computed based on the estimated cost as communicated by cost committee constituted by CEA and as per prevailing CERC norms. Therefore, the levelised tariff discovered through e-reverse auction is acceptable.

8. Consequent to its selection as the lowest bidder, Letter of Intent (LoI) was issued to G R Infraprojects Limited by the BPC on 31.3.2022 which was accepted by G R Infraprojects Limited. Under the terms of Request for Proposal (RfP) and the Letter of Intent, the successful bidder is obligated to accomplish the following tasks:

- Provide Contract Performance Guarantee in favour of Long-Term Transmission Customers (LTTC);
- Execute Share Purchase Agreement and all other RfP documents;
- Acquire, for the Acquisition Price, 100% share equity share holding of Rajgarh Transmission Limited from RECDPCL along with all its related assets and liabilities;

(d) Make an application to this Commission for adoption of transmission charges, as required under Section 63 of the Act; and

(e) Apply to this Commission for grant of transmission licence;

9. The Petitioner has furnished the Contract Performance Guarantee (CPG) for an aggregate value of Rs. 15.15 crore on 21.5.2022 and has acquired hundred percent equity holding in Rajgarh Transmission Limited on 21.5.2022. Accordingly, the Transmission Service Agreement (TSA) dated 2.12.2021 executed between the TSP and the LTTCs became effective from 21.5.2022.

10. Section 14 of the Act provides that the Appropriate Commission may, on an application made under Section 15 of the Act, grant a licence to any person to transmit electricity as a transmission licensee in any area as may be specified in the licence. The word "person" has been defined in Section 2(49) of the Act to include any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person. The Petitioner has been incorporated under the Companies Act, 2013. The main object of the Petitioner Company is as under:

*"To plan, promote and develop an integrated and efficient power transmission system network in all its aspects including planning, investigation, research, design and engineering, preparation of preliminary, feasibility and definite project reports, construction, operation and maintenance of transmission lines, sub-stations, load dispatch stations and communication facilities and appurtenant works, coordination of integrated operation of regional and national grid system, execution of turn-key jobs for other utilities/organizations, wheeling of power in accordance with the policies, guidelines and objectives laid down by the Central Government from time to time".*

11. Section 15 (1) of the Act provides that every application under Section 14 of the Act shall be made in such manner and in such form as may be specified by the

Appropriate Commission and shall be accompanied by such fees as may be prescribed. The Central Commission has specified Transmission Licence Regulations in this regard. Regulation 3 of the Transmission Licence Regulations provides that the Empowered Committee shall identify the Projects included in the transmission plan to be developed under the Guidelines issued under Section 63 of the Act. Regulation 4 of the Transmission Licence Regulations provides that in case of projects identified by the Empowered Committee for development under the Guidelines for competitive bidding, selection of the project developer shall be made in accordance with the procedure laid down in the Guidelines. The Project under consideration has been identified by the Empowered Committee. Central Electricity Authority, vide its letter No. CEA-PS-11-23(20)/1/2018-PSPA-I Division dated 2.12.2021 had issued prior approval to the Project under Section 68 of the Act. The selection of the project developer, Rajgarh Transmission Limited, has been made in accordance with the Guidelines for competitive bidding.

12. Regulation 7 of the Transmission Licence Regulations read with order dated 22.1.2022 passed in Petition No.1/SM/2022 [whereby the Commission, in the exercise of "Power to Relax" under Regulation 24 of the Transmission Licence Regulations, modified/amended Clauses (4), (7), (9) and (12) and dispensed with Clause (10) of Regulation 7] provide for the procedure for grant of transmission licence as under:

*"(1) The application for grant of licence shall be made to the Commission in Form-I appended to these regulations and shall be accompanied by such fees as may be prescribed by the Central Government from time to time.*

*(2) In case of the person selected for implementation of the project in accordance with the guidelines for competitive bidding, the application shall also contain such additional information, as may be required under these guidelines.*

*(3) The application shall be supported by affidavit of the person acquainted with the facts stated therein.*

*(4) Before making an application, the applicant shall submit the original application*



*in electronic form along with annexures and enclosures on the e-filing portal of the Commission so that the same is served electronically on all the long-term customers of the project registered on the e-filing portal of the Commission. Also, a copy of the same be served through e-mail on the long-term customers of the project not registered on the e-filing portal of the Commission. Further, the applicant shall also post the complete application along with annexures and enclosures in English and in the vernacular language, on its website.*

*(5) The application shall be kept on the website till such time the licence is issued or the application is rejected by the Commission.*

*(6) Immediately on making the application, the applicant shall forward a copy of the application to the Central Transmission Utility.*

*(7) The applicant shall, within 7 days after filing the application, post the application on the e-filing portal of the Commission and on its website in Form-II attached to these regulations in English language and in Vernacular language of the State or Union Territory where an element of the project or a long-term customer is situated, inviting comments from the general public*

*(8) As far as possible, within 7 days of receipt of the application the Secretariat of the Commission shall convey defects, if any, if noticed on preliminary scrutiny of the application for rectification and the defects conveyed shall be rectified by the applicant in such time as may be indicated in the letter conveying the defects.*

*(9) In the notice published on the e-filing portal of the Commission and on the applicant's website under clause (7) it shall be indicated that the suggestions and objections, if any, on the application, may be filed before the Secretary, Central Electricity Regulatory Commission, Third Floor, Chanderlok Building, Janpath, New Delhi-110001 (or the address where the office of the Commission is situated), with a copy to the applicant, by any person, including the long-term customers, within 30 days of publication of the notice*

*(10).....*

*(11) The Central Transmission Utility shall send its recommendations, if any, to the Commission on the proposal made in the application within a period of thirty days from the date of receipt of application by it:*

*Provided that copy of the recommendations, if any, made by the Central Transmission Utility shall always be forwarded to the applicant:*

*Provided further that these recommendations of the Central Transmission Utility shall not be binding on the Commission.*

*(12) The applicant may file its comments, duly supported by an affidavit, on the recommendations made by the Central Transmission Utility and the suggestions and objections, if any, received in response to the notice posted on the e-filing portal of the Commission and on the applicant's website by him, within 45 days of service of copy of the application on the Central Transmission Utility or publication of notice posted on the e-filing portal of the Commission and on the applicant's website, with an advance copy to the Central Transmission Utility or the person who has filed the suggestions and objections on the proposal made in the application, as the case may be.*

*(13) The Commission after considering the suggestions and objections received in response to the public notice published by the applicant and the recommendations, if any, of the Central Transmission Utility may, propose to grant transmission licence or for reasons to be recorded in writing, reject the application.”*

13. The Petitioner has approached the Commission by a separate application for adoption of transmission charges in respect of the transmission system which is presently under consideration of the Commission and order in that Petition will be issued separately. The Petitioner has filed the present Application for grant of transmission licence in accordance with the Transmission Licence Regulations. The Petitioner has submitted proof of service of the copies of the application on the LTTCs and Central Transmission Utility of India Limited (CTUIL) and proof of web posting of the complete application. The Petitioner has further undertaken to pay the applicable licence fee upon the grant of Transmission Licence in terms of Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012 as amended from time to time. The Petitioner has prayed for grant of transmission licence to Rajgarh Transmission Limited with respect to the Project as per details given in para 1 above.

14. The Petitioner has made the Application as per Form-I and has paid fee of Rs. one lakh prescribed by the Central Government. On perusal of the Application, it is noted that the Petitioner has served copy of the Application on the LTTC for the Project. The levelised tariff charges quoted by the Petitioner which have been recommended by the Bid Evaluation Committee for acceptance, is Rs. 408.19 million. The Petitioner has also enclosed copies of the recommendations of the Bid Evaluation Committee and proof of making the evaluation report public by the BPC as per the Guidelines.

15. The Petitioner has published the notices on the e-filing portal of the Commission and on its website in Form-II in English language and in Hindi (Vernacular) language. No objection has been received from the general public in the notices.

16. The Petitioner has served the copy of the Application on the CTUIL as required under Section 15(3) of the Act and Regulation 7(6) of the Transmission Licence Regulations. CTUIL in its letter dated 20.6.2022 has recommended for grant of transmission licence to the Petitioner. Relevant portion of the said letter dated 20.6.2022 is extracted as under:

*This has reference to the letter dated 7.6.2022 vide which M/s Rajgarh Transmission Ltd. (RTL) has requested CTU for issuance of its recommendation for grant of Transmission License for subject transmission scheme against the application/petition already filed before CERC. In this regard, the following is submitted:*

*1. M/s Rajgarh Transmission Ltd. has filed an application/petition under Section 14, 15 and 79 (1) (e) of the Electricity Act, 2003 and CERC (Procedure, Terms and Conditions for grant of Transmission Licensee and other related matters) Regulations, 2009 for grant of transmission license to establish "Transmission system for Evacuation of Power from RE Projects in Rajgarh (2500 MW) SEZ in Madhya Pradesh" project on Build, Own, Operate and Maintain (BOOM) basis as ISTS.*

*2. As per Section 15(3) of the Electricity Act, 2003 copy of the application for grant of transmission license, for the above transmission system has been received on 7.6.2022 for recommendation required under Section 15 (4) of the Electricity Act, 2003.*

*3. In reference to the Transmission Scheme "Transmission System for Evacuation of Power from RE Projects in Rajgarh (2500 MW) SEZ in Madhya Pradesh", the following is submitted:*

*i) The government of India has set a target for establishing 175 GW renewable capacity by 2022, which also includes 2.5 GW RE potential in Rajgarh area of Madhya Pradesh under ISTS. The subject transmission scheme involves implementation of Phase-I of the scheme which shall enable the evacuation of 1.5 GW RE from Rajgarh area through establishment of 400/220 kV Pachora SEZ PP and its interconnection with the ISTS grid.*

- ii) *The transmission scheme was agreed in the 2<sup>nd</sup> WRSCT and 2<sup>nd</sup> WRPC(TP) meetings held on 21.5.2019 and 4.9.2020 respectively.*
- iii) *The transmission system was discussed and agreed on in the 4<sup>th</sup> NCT (re-constituted vide MOP office order 13.4.2018) meeting held on 31.7.2019 & 4<sup>th</sup> NCT (re-constituted vide MOP office order 4.11.2019) meeting held on 20.1.2021 & 28.1.2021.*
- iv) *The Transmission System was agreed upon in the 38<sup>th</sup> & 40<sup>th</sup> WRPC meetings held on 28.6.2019 & 7.6.2021 respectively.*
- v) *Ministry of Power, GOI vide Gazette notification dated 24.1.2020 had appointed REC Transmission Project Company Ltd. [subsequently, amalgamated with REC Power Distribution Company Ltd. and renamed as REC Power Development and Consultancy Ltd.] as the Bid Process Coordinator (BPC) for selection of Bidder as Transmission Service Provider (TSP) to establish the subject transmission scheme through Tariff Based Competitive Bidding (TBCB) process. Subsequently, MoP vide gazette notification dated 19.7.2021 had modified the scope of the subject transmission scheme after examining the recommendations of the 4<sup>th</sup> NCT meeting (held on 20.1.2020 & 28.1.2020) and CEA such that the scope covered only the Transmission System for evacuation of power from RE projects in Rajgarh (1500 MW) SEZ in Madhya Pradesh under Phase-I.*
- vi) *Hon'ble Commission has also granted Regulatory Approval for the subject transmission scheme, vide order dated 10.10.2019 in Petition No. 197/MP/2019 and vide order dated 8.11.2021 in Petition No. 616/MP/2020.*

4. *Pursuant to the process of competitive bidding conducted by the BPC, M/s GR Infraprojects Ltd. emerged as the successful bidder after the conclusion of the e-reverse auction. Thereafter, the BPC issued a Letter of Intent in favour of M/s GR Infraprojects Ltd. on 31.3.2022. Subsequently, M/s GR Infraprojects Ltd. has acquired 100% equity shareholding of M/s RTL on 30.5.2022, upon execution of the Share Purchase Agreement (SPA) and after completion of all procedural requirements as specified in the bid documents. The scheduled COD for the proposed ISTS scheme is 18 months from the effective date (i.e. date of acquisition on SPV) which is 30.11.2023.*

5. *In line with Section 15(4) of the Electricity Act, 2003, based on details furnished by M/s Rajgarh Transmission Ltd., CTU recommends the grant of transmission license to M/s Rajgarh Transmission Ltd. for executing the transmission scheme as mentioned in Para-1 above."*

17. We have considered the submissions of the Petitioner, BPC and CTUIL. The proviso to Clause 2.4 of the RfP provides that *"if for any reason attributable to the BPC, the said activities are not completed by the selected bidder within the above period often (10) days as mentioned in this clause, such period of 10 days shall be extended, on a day to day basis till the end of the Bid validity period"*. Though Lol was issued on 31.3.2022, BPC, vide its letter dated 2.6.2022, in terms of Clauses 2.4, 2.5 and 2.6 of RfP extended the date upto 8.6.2022 for completion of all activities by the successful bidder. The selected bidder furnished the Contract Performance Guarantee to the Long-Term Transmission Customers of the Project for an amount of Rs. 15.15 crore and has acquired hundred percent equity-holding in the applicant company on 30.5.2022 after execution of the Share Purchase Agreement. The TSP on behalf of the selected bidder filed the Application through e-filing for grant of transmission licence and adoption of tariff on 4.6.2022. Considering the material on record, we are *prima-facie* of the view that the Petitioner satisfies the conditions for grant of inter-State transmission licence under Section 15 of the Act read with Transmission Licence Regulations for construction, operation and maintenance of the transmission system as described in para 1 of this order. We therefore, direct that a public notice under clause (a) of sub-section (5) of Section 15 of the Act be published to invite suggestions or objections to grant of transmission licence aforesaid. The objections or suggestions, if any, be filed by any person before the Commission, by 15.8.2022.

18. It is expected that while carrying out the survey, the Petitioner has complied with the provisions of clause 2.5.7.3, clause 2.5.7.4 and clause 2.5.7.5 of the RfP. The Petitioner will comply with the provisions of bidding documents and TSA for

commissioning of the Project within the SCOD.

19. In order to ensure that the Project is implemented within the time schedule as provided in the TSA, the licensee should not approach the Commission for extension of time for execution of the Project or for increase in the transmission charges over and above what is permissible under the provisions of the TSA. Accordingly, the Petitioner is directed to file an affidavit by 15.8.2022 to the effect that the execution of the Project shall not be delayed due to time taken in obtaining statutory clearances required under the RfP and/ or adjudication of any claim of the Petitioner arising under the TSA.

20. It is observed that as per Article 5.1.1 of the TSA, the TSP at its own cost and expense, shall be responsible for designing, constructing, erecting, completing and commissioning each element of the Project by scheduled COD in accordance with the various regulations of the Central Electricity Authority regarding Technical Standards and Grid Standards, Prudent Utility Practices and other applicable laws. Further, Article 5.4 of the TSA provides that the TSP shall ensure that the Project is designed, built and completed in a good workman like manner using sound engineering and construction practices and using only materials and equipment that are new and of international utility grade quality such that the useful life of the Project will be till the expiry date. Further, the design, construction and testing of all equipment, facilities, components and systems of the Project shall be in accordance with Indian Standards and Codes issued by Bureau of India Standards. Accordingly, the Petitioner is directed to submit the information by 15.8.2022 with regard to quality control mechanism available or to be put in place by to ensure the compliance of the requirements stipulated in Article 5.1.1 and Article 5.4 of the TSA.

21. The Petition shall be listed for hearing in due course for which separate notice will be issued.

Sd/-  
**(P. K. Singh)**  
**Member**

Sd/-  
**(Arun Goyal)**  
**Member**

Sd/-  
**(I.S. Jha)**  
**Member**