

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 102/TL/2024

- Subject : Application under Section 14, 15 and 79(1)(e) 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 License to Ishanagar Power Transmission Limited.
- Date of Hearing : **18.6.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri Ramesh Babu V., Member
- Petitioner : Ishanagar Power Transmission Limited (IPTL)
- Respondents : Central Transmission Utility of India Ltd. and Ors.
- Parties Present : Ms. Aparajita Upadhyay, Advocate, IPTL
Shri Ranjeet Singh Rajput, CTUIL
Shri Shashank Singh, RECPDCL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition had been filed seeking the grant of a transmission licence for the implementation of the “*Transmission System for Western Region Expansion Scheme XXXIII (WRESXXXIII): Part C*” (‘the Project’). Learned counsel further submitted that vide order dated 31.5.2024; the Commission has held that the Petitioner is eligible for the grant of a transmission licence and, consequently, directed to issue public notice under Section 15(5)(a) of the Electricity Act, 2003 inviting suggestion or objection. Learned counsel submitted that, in response thereof, no suggestion or objection has been received so far. Learned counsel further submitted that in the order dated 31.5.2024, the Commission, in paragraph 23, directed the Petitioner to submit the information by 11.6.2024 with regard to the quality control mechanism available or to be put in place to ensure compliance with the requirements stipulated in Article 5.1.1 and Article 5.4 of the TSA and the Petitioner be permitted time to furnish such information. Moreover, the Commission, in paragraph 22 of the said order, also directed the Petitioner to file an affidavit 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 arising under the TSA. Learned counsel, however, submitted that such an undertaking by the Petitioner, at this stage, would be prejudicial to its rights available under the TSA, whereunder the delay in receiving any statutory clearance has been held to be a force majeure event. Learned counsel, accordingly, submitted that the Petitioner be exempted from the requirement of furnishing such an undertaking as indicated in paragraph 23 of the order.

2. Considering the submissions made by the learned counsel for the Petitioner, the Commission permitted the Petitioner to file its affidavit/information in compliance with the direction issued under paragraph 22 of the order dated 31.5.2024 within two days.
3. Subject to the above, the Commissions reserved the matter for order.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)