

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 157/MP/2021**

- Subject** : Petitioner under Section 79(1)(f), (c) and (k) and other applicable provisions of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 along with Regulation 12 read with Regulation 32 and Regulation 33A of Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open access in inter-state Transmission and related matters) Regulations, 2009, against the arbitrary acts and omissions of Power Grid Corporation of India Limited, Respondent inter-alia towards cancellation of the Agreement for Long Term Access dated 31.7.2020 and the encashment of Application Bank Guarantee No. 0479119BG0000167 dated 30.5.2019 of ₹2.8 crore furnished by Petitioner to the Respondent.
- Date of Hearing** : 28.6.2023
- Coram** : Shri Jishnu Barua, Chairperson  
Shri I.S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner** : Nuclear Power Corporation of India Ltd. (NPCIL)
- Respondent** : Power Grid Corporation of India Limited (PGCIL) & Anr.
- Parties present** : Ms. Suparna Srivastava, Advocate, CTUIL  
Shri Tushar Maathur, Advocate, CTUIL  
Ms. Diya Sharma, Advocate, CTUIL  
Shri Ranjeet Singh Rajput, CTUIL  
Shri Lalit Sharma, CTUIL

**Record of Proceedings**

The Petitioner is developing 4X700 MW GHAVP (Gorakhpur Haryana Anu Vidyut Pariyojana) nuclear project at Fatehabad, Haryana in NR (Northern Region) and was granted LTA to ISTS on 29.4.2020. There has been a delay in execution of LTA agreement and submission of Construction Bank Guarantee (CBG), because of Covid-19 situation. LTA Agreement was signed on 31.07.2020 but CBG was submitted on 28.1.2021. However, PGCIL vide letter dated 22.01.2021 cancelled the LTA Agreement



and encashed the Application Bank Guarantee amounting to Rs. 2.8 Crore on 22.10.2021. Aggrieved with the above, the Petitioner is seeking restoration of LTA Agreement dated 31.07.2020 and direction to PGCIL/CTUIL to return ABG along with 18% interest.

2. The matter was kept on hold for sometime by the Commission as no one made appearance on behalf of the Petitioner. On resumption of the hearing, the counsel for the CTUIL submitted that though the connectivity has been granted to the Petitioner and LTA agreement signed on 31.7.2020 but the Petitioner did not submit the BG in spite of repeated reminders.

3. The Commission observed that in compliance of the directions passed vide RoP dated 18.11.2021, the Petitioner has filed the additional information vide affidavit dated 6.12.2021.

4. In response to a query of the Commission regarding present status of the generation project, the learned counsel for CTUIL informed that the generation may commence from December, 2028. After hearing the learned counsel for the CTUIL, the Commission adjourned the matter.

5. The matter be listed on 07.2.2024 for final hearing.

**By order of the Commission**

Sd/-  
(V. Sreenivas)  
Joint Chief (Law)

