

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.161/MP/2023

- Subject : Petition under Section 79 of the Electricity Act, 2003 read with Articles 11 and 12 of the Transmission Service Agreement dated 23.10.2019 executed between Lakadia Banaskantha Transco Limited and Powerica Limited seeking extension of SCOD due to various events of Force Majeure & Change in Law and compensation/ appropriate relief to offset the adverse effect of the Force Majeure and Change in Law events.
- Petitioner : Lakadia Banaskantha Transco Limited (LBTL)
- Respondents : Powerica Limited and 11 Ors.
- Date of Hearing : **12.2.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Parties Present : Shri Akshat Jain, Advocate, LBTL
Shri Aditya Dubey, Advocate, LBTL
Shri Venkatesh, Advocate, Powerica
Shri Ashutosh Srivastava, Advocate, Powerica
Shri Nihal Bhardwaj, Advocate, Powerica
Shri Kartikeya Trivedi, Advocate, Powerica
Shri Praveen Arora, Advocate, Powerica
Ms. Suruchi Kotoky, Advocate, Powerica
Shri Anup Jain, Advocate, MSEDCL
Shri Vyom Chaturvedi, Advocate, MSEDCL
Ms. Srishti Khindaria, Advocate, GUVNL
Ms. Kriti Soni, Advocate, GUVNL

Record of Proceedings

Learned counsel for the Petitioner submitted that pursuant to the direction of the Commission vide Record of Proceedings for the hearing dated 29.11.2023, the Petitioner has filed the additional information as called for by the Commission and has also impleaded WRSS21A Transco Ltd., WRLDC and the beneficiaries of the Western Region as a party to the Petition. Learned counsel submitted that by the said Record of Proceedings, the Commission also directed the beneficiaries of the Western Region to file their respective reply. However, except for Maharashtra State Electricity Distribution Company Limited, none of the other beneficiaries of the Western Region have filed a reply in the matter. Learned counsel pointed out that even CTUIL has not filed any reply in the matter.

2. Learned counsel for Respondent No.9, Gujarat Urja Vikas Nigam Limited sought three weeks' time to file a reply in the matter.

3. Considering the request of learned counsel for Respondent No.9, the Commission permitted one last opportunity for all the Respondents to file their respective replies, if any, within three weeks with a copy to the Petitioner, who may file its rejoinder within three weeks thereafter.

4. The Commission directed the Petitioner to submit on an affidavit within 3 weeks; (a) Mamlatdar (Bhuj) issued the letter dated 28.07.2020 to WRSS XXI(A) Transco Ltd. with respect to the crop compensation specifically for the construction works of transmission lines in the scope of WRSSXXI(A). How the Petitioner has claimed the same letter issued for specific line belonging to other transmission licensee, as a Change in Law for the Petitioner's transmission system? Further, how a recommendatory letter issued by Mamlatdar constitutes a law; and (b) A copy of english version of District magistrate orders dated 20.03.2020.

5. The Petition will be listed for the hearing on **10.4.2024**.

By order of the Commission

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