

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 325/MP/2024 along with IA No.78/2024**

- Subject : Petition under Sections 79(1)(f) read with Section 79(1)(k) of the Electricity Act, 2003 along with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking appropriate reliefs with regard to extension of scheduled commission date and stay of any coercive measures.
- Petitioner : Khandukhal Rampura Transmission Limited (KRTL)
- Respondents : Central Transmission Utility of India Limited and Ors.
- Date of Hearing : **7.10.2024**
- Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member
- Parties Present : Ms. Abiha Zaidi, Advocate, KRTL  
Shri Anuj Bhawe, Advocate, KRTL  
Ms. Suriti Chowdhary, Advocate, KRTL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present Petition had been filed *inter alia* seeking extension of Scheduled Commercial Operation Date (SCOD) provided in the Transmission Service Agreement (TSA) dated 7.10.2022 signed with CTUIL for development and operation of 400 kV Khandukhal (Srinagar)-Rampura (Kashipur) D/c line ('the Project') under the Tariff Based Competitive Bidding route. Learned counsel mainly submitted as under:

- (a) As per the TSA, the SCOD of the Project was 30.9.2024. However, the implementation of the Project has suffered inordinate delays owing to (i) delay in the handover of substation lands at Khandukhal and Rampura, and (ii) continuing delay in securing the Forest Clearances.
- (b) The handover of the sub-station sites is still pending from the Power Transmission Corporation of Uttarakhand Limited (PTCUL). Only after an inordinate delay did PTCUL send a draft MoU for the land required for bay extension works at Khandukhal on 9.2.2024, and the said draft MoU granted the right of ingress and egress over the said property only until 1.7.2038.
- (c) The said MoU did not include any provision as stated in the TSA regarding the transfer of assets to CTUIL with 0% liability. Clause 2.2.2 of the TSA mandates the Petitioner to transfer the assets of the Project to CTUIL or its nominee after the end of the O&M Period at zero cost free from any encumbrances and without any liability. Also, the Project Assets specifically includes 'right over the Site for substations.'
- (d) Accordingly, the Petitioner has also moved IA No. 78/2024, seeking the necessary directions of the Commission on the above aspect(s).

(e) Additionally, the Petitioner is also pressing for ad-interim protection from any coercive measure(s) against the Petitioner owing to the delay in achieving the SCOD of the Project on account of the above-stated grounds.

2. Considering the submissions made by the learned counsel for the Petitioner, the Commission ordered as under:

- (a) Admit and issue notice to the Respondents, subject to just exceptions;
- (b) The Respondents are to file their reply to Petition as well as IA, if any, within two weeks with a copy to the Petitioner, who may file its rejoinder within two weeks thereafter.
- (c) Keeping in view that no coercive step(s) has been initiated by the CTUIL so far, the Commission declined to issue any interim direction(s) at this stage. However, considering the request of the learned counsel for the Petitioner, the Commission permitted the Petitioner to move an appropriate IA for interim protection(s) / relief(s) if so required.

3. The Petition, along with IA, will be listed for hearing on **12.11.2024**.

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