

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 41/MP/2024

- Subject : Petition under Section 79 of the Electricity Act, 2003, read with Articles 11, 12 and 16 of the Transmission Services Agreement dated 14.03.2016, seeking extension of Scheduled Commercial Date of Operation of North Karanpura- Chandwa (Jharkhand) 400 kV D/c transmission line, 400/220 kV, 2x500 MVA substation at Dhanbad and LILO of both circuits of Ranchi-Maithon RB 400 kV D/c line at Dhanbad and compensation on account of occurrence of Force Majeure, Change in Law and Change in Scope events, and other consequential reliefs.
- Petitioner : North Karanpura Transco Limited (NKTL)
- Respondents : Jharkhand Bijli Vitran Nigam Limited and Ors.
- Date of Hearing : **18.10.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
- Parties Present : Shri Saurav Roy, Advocate, NKTL
Shri Harshit Singh, Advocate, NKTL
Shri Lakshyaji Singh, Advocate, NKTL
Shri Nishant Kumar, Advocate, NKTL
Shri Pawan Singh, Advocate, NKTL
Shri Arun Lal, Advocate, NKTL
Ms. Pallavi Saigal, Advocate, CTUIL
Ms. Tanya Singh, Advocate, CTUIL
Shri Alok Mishra, ERLDC
Shri Saurav Sahay, ERLDC
Shri Ranjeet Rajput, CTUIL
Ms. Kavya Bhardwaj, CTUIL

Record of Proceedings

At the outset, learned counsel for the Petitioner pointed out that despite having been given repeated opportunities, none of the Respondents have filed any reply in the matter so far. However, if the Commission deems fit, the Respondents may be given one last opportunity to file their reply, if any, failing which the Commission may proceed with the matter.

2. Learned counsel for CTUIL and the representative of ERLDC submitted that they have already filed the details/information as called for by the Commission vide Record of Proceeding dated 20.8.2024.

3. Considering the submissions made by the learned counsel for the Petitioner, the Commission deemed it proper to permit the Respondents a last opportunity to file their

reply, if any, within two weeks with a copy to the Petitioner, who may file its rejoinder(s), within a week thereafter.

4. The Petitioner was also directed to file the following details/information on an affidavit within three weeks:

- (i) Amount of IDC and IEDC (provide separate numbers) factored in by the Petitioner while quoting the bid with supporting documents.
- (ii) Amount of IDC and IEDC actually incurred up to SCOD on each project element.
- (iii) Detailed calculations of IDC and IEDC amounting to Rs.32.68 Crores and Rs. 5.30 Crores, respectively, as claimed by the Petitioner. Whether this IDC and IEDC is towards additional expenditure on claimed Change in Law event or on total capital expenditure?
- (iv) Details of the loan infusion dates, amount infused, and rate of interest thereof.
- (v) The details of Change in Law events which have affected the execution of the each of the elements of the transmission scheme covered under the present Petition as under:

Sl. No.	Name of Transmission Element	Detail of Change in Law event	Date of occurrence of Change in Law event	Amount of compensation claimed on account of Change in Law (in INR)	Additional IDC (in INR)	Additional IEDC (in INR)	Time extension, if any, sought by the Petitioner against such Change in Law events under its claim of Force Majeure.
1.							
2.							

- (vi) Detailed calculations of claim in respect to 'Cost Overrun in terms of cost escalation in hard cost' and its actual impact on each element. Petitioner to provide copies of relevant Contracts and Purchase Orders supporting its claim.

5. In terms of the order dated 20.03.2019 in Petition 194/MP/2017 (North Karanpura Transco Ltd. v. Jharkhand Bijli Vitran Nigam Ltd. and Ors.), the change in the scope of work the Project was required to be determined by CEA after the execution of the Project and the Petitioner was granted a liberty to approach the Commission thereafter. Accordingly, CEA is requested to determine the change of scope with respect to commissioned elements of the project, viz. North Karanpura-Chandwa (Jharkhand) 400kV D/c transmission line within three weeks. For the above purpose, the Petitioner shall approach the CEA and provide all the requisite details/information as may be required by the CEA.

6. The Petition will be listed for hearing on **12.12.2024**.

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