

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 262/MP/2024**

Subject : Petition under Sections 63 and 79 of the Electricity Act, 2003 for relief under Force Majeure (Article 11) and Change in Law (Article 12) of Transmission Service Agreement dated 27.4.2017 related to NEW WR-NR 765 kV Inter-Regional Corridor.

Petitioner : POWERGRID Varanasi Transmission System Limited (PVTSL)

Respondent : Uttar Pradesh Power Corporation Limited and Ors.

Date of Hearing : **20.2.2025**

Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member

Parties Present : Shri Shubham Arya, Advocate, PVTSL  
Ms. Poorva Saigal, Advocate, PVTSL  
Ms. Reeha Singh, Advocate, PVTSL  
Ms. Shirin Gupta, Advocate, PVTSL  
Shri Rishabh Saxena, Advocate, PVTSL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present Petition had been filed seeking relief on account of Force Majeure and Change in Law events in terms of the Transmission Service Agreement dated 27.4.2017 executed between the Petitioner and Respondent Nos. 1 and 22, in regard to "NEW WR- NR 765 kV Inter-Regional Corridor". Learned counsel further circulated a note of arguments and made detailed submissions in the matter.

2. Since none was present on behalf of the Respondents, the Commission deemed it appropriate to permit the Respondents another opportunity to make oral submissions, if any, in the matter. Accordingly, the matter was adjourned.

3. The Commission also directed the Petitioner to furnish the following details/information on an affidavit within three weeks:

(i) English translation of Order No. 2643/24-P-3-2019 dated 19.11.2019 issued by the Chief Secretary, Govt. of U.P. regarding RoW compensation.

(ii) English translation of Order No. 2023/24-P-3-2018 dated 06.09.2018 issued by the Chief Secretary, Govt. of U.P. regarding RoW compensation.

(iii) According to the Petitioner, out of Rs 5.20 crores claimed towards RoW compensation, it has already paid Rs 3.79 crores, and the balance amount of Rs 1.61 crores is estimated to be paid during FY 2024-25 & 2025-26 (i.e., after COD). Clarify the reasons for the non-settlement of RoW compensation till date despite the fact that the Petitioner had achieved COD on 1.8.2021. Further, clarify how the Petitioner has achieved the completion of its Project without the settlement of compensation amount.

(iv) Clarify as to how the Petitioner is entitled to claim Rs. 1.61 crores towards RoW compensation, which is still unpaid.

(v) The manner in which the Bird Deflectors/Diverters were procured by the Petitioner and whether such procurement was done on a competitive bidding basis?

(vi) Whether any of the site inspection reports and/or specific recommendations of the DFO/CCF/Nodal Officer observe the existence of avian fauna/migratory birds in the vicinity of its 765 kV Vindhyachal PS-Varansi D/C line?

4. The matter remained part-heard and will be listed for hearing on **24.4.2025**.

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