

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 325/MP/2024 along with IA Nos. 78/2024 and 105/2024

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 (CTUIL) and Ors.

Date of Hearing : **30.12.2024**

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

Parties Present : Ms. Abiha Zaidi, Advocate, KRTL
Shri Anuj Manoj Bhawe, Advocate, KRTL
Shri Alok Shankar, Advocate, CTUIL

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 the 400 kV Khandukhal (Srinagar)-Rampura (Kashipur) D/c line ('the Project') under the Tariff Based Competitive Bidding route. Learned counsel added that 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. Learned counsel further submitted that the handover of the sub-station sites is still pending from the Power Transmission Corporation of Uttarakhand Limited ('PTCUL') and vide Record of Proceedings for the hearing dated 7.10.2024; the Respondents were directed to file a reply within two weeks. However, no reply has been filed by the Respondents so far. Learned counsel further submitted that pursuant to the liberty granted by the Commission vide Record of Proceedings for the hearing dated 7.10.2024, the Petitioner has moved an IA No. 105/2024 seeking interim protection/relief, i.e., direction to the Respondent, CTUIL, to not invoke the Contract Performance Guarantee dated 7.10.2022 amounting to Rs. 11,70,00,000/- during the pendency of the proceedings. Learned counsel also added that since the stand of PTCUL on the aspect of instrument for land usage at sub-station sites is crucial, it may again be directed to file its reply on the said aspect.

2. Learned counsel and the representative of the Respondent, CTUIL, submitted that its reply is ready, and CTUIL may be permitted to file/upload the same. The representative of CTUIL also fairly stated that CTUIL will not proceed to take any coercive/ precipitative

action against the Petitioner regarding the Contract Performance Guarantee dated 7.10.2022.

3. Considering the submissions made by the learned counsels for the parties, the Commission permitted the Respondent, CTUIL to file its reply within a week. At the request of the Petitioner, the Commission also directed the Respondent, PTCUL to file its reply, if any, within two weeks with a copy to the Petitioner, who may file its rejoinder(s), if any, within two weeks thereafter.

4. The Petition, along with IAs, will be listed for the hearing on **13.2.2025**.

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