

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 809/MP/2025 along with IA No. 85/2025

Subject : Petition under Section 79(1)(f) of the Electricity Act 2003 read with Regulations 11A, 41 and 42 of the Central Electricity Regulatory Commission (General Network Access) Regulations 2022 (as amended from time to time), inter-alia seeking for quashing/ setting aside of the letter dated 03.09.2025 issued by the Central Transmission Utility of India Limited thereby revoking the 175 MW connectivity granted to the Petitioner under Regulation 11B(1) of the CERC (General Network Access) (First Amendment) Regulations 2023.

Petitioner : Airpower Windfarms Private Limited (AWPL)

Respondent : Central Transmission Utility of India Limited (CTUIL)

Date of Hearing : **10.9.2025**

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

Parties Present : Shri Basava Prabhu Patil, Sr. Advocate, AWPL
Ms. Divya Chaturvedi, Advocate, AWPL
Shri Saransh Shaw, Advocate, AWPL
Shri Jai Dhanani, Advocate, AWPL
Shri Shubham Arya, Advocate, CTUIL
Ms. Reeha Singh, Advocate, CTUIL
Ms. Shirin Gupta, Advocate, CTUIL
Mr. Swapnil Verma, CTUIL
Mr. Ranjeet Singh Rajput, CTUIL

Record of Proceedings

Learned senior counsel for the Petitioner submitted that the present Petition has been filed *inter alia* seeking setting aside of the Respondent, CTUIL's letter dated 3.9.2025, by way of which CTUIL has revoked the 175 MW Connectivity granted to the Petitioner's Wind Energy Project at Jam Khambhaliya, Gujarat on the erroneous ground that the Petitioner has failed to comply with the provisions laid down in Regulation 11(A) of the GNA Regulations, i.e. submissions of land related documents pertaining to the Petitioner's Project. Learned senior counsel further submitted as under:

(a) The Petitioner had duly complied with the conditions stated in Regulation 11A(1) of the GNA Regulations and had submitted all the land-related documents as required on 8.5.2025 itself, i.e. within the prescribed timelines.

(b) Owing to technical issues faced by CTUIL in accessing the documents submitted by the Petitioner, the Petitioner again shared the documents on 3.6.2025 and between 6.6.2025 to 11.6.2025 through separate emails. Subsequently,



CTUIL, vide its letter dated 27.6.2025, pointed out certain deficiencies in the documents submitted by the Petitioner.

(c) In compliance thereof, the Petitioner submitted the revised documents on 14.7.2025 (12.7.2025 & 13.7.2025 being non-working days) itself. Further, in response to the additional queries, the Petitioner also submitted the balance documents on 19.7.2025 and 23.7.2025.

(d) However, CTUIL, by its letter dated 3.9.2025, erroneously stated that no rectified documents had been submitted by the due date of 12.7.2025 and proceeded to revoke the connectivity without considering the documents filed on 14.7.2025, 19.7.2025 and 23.7.2025. Such a revocation is arbitrary, violative of the principles of natural justice, and contrary to the doctrine of substantial compliance.

(e) The Petitioner is willing to engage its official with CTUIL for clarifying and fulfilling the requirements in respect of land documents submitted on 14.7.2025, 19.7.2025 and 23.7.2025.

2. Learned counsel for the Respondent, CTUIL, submitted that in terms of the final connectivity grant dated 6.11.2024, the Petitioner was required to submit land documents by 5.6.2025 in accordance with Regulation 11A(1) of the GNA Regulations. A notice to this effect was also issued by CTUIL on 8.5.2025. The Petitioner furnished the land documents by e-mails dated 3.6.2025, 6.6.2025, 10.6.2025, and 11.6.2025. However, since these documents contained certain discrepancies, they were returned by CTUIL, vide e-mail dated 27.6.2025. Learned counsel further submitted that in terms of the Advisory dated 3.2.2025, the Petitioner was required to rectify these deficiencies within 15 days, i.e., by 12.7.2025, and although certain documents were sent on 14.7.2025, further/ balance documents were submitted only on 19.7.2025 and 23.7.2025, which were beyond the prescribed period. Learned counsel further added that there is no violation of the principle of natural justice, and issuance of a show cause notice, in such cases, would be a mere formality since CTUIL has no discretion to condone delay. Learned counsel, accordingly, emphasized that the revocation vide letter dated 3.9.2025 has been done strictly in accordance with the GNA Regulations and the Advisory dated 3.2.2025.

3. In response to the specific query of the Commission as to whether the revised land documents submitted by the Petitioner meet the requirements specified, the learned counsel for the Respondent, CTUIL, fairly submitted that CTUIL has not examined the revised land documents submitted by the Petitioner beyond the due date.

4. After hearing the learned senior counsel and learned counsel for the parties, the Commission directed as under:

(a) Without prejudice to its rights & contentions, CTUIL, along with the representatives of the Petitioner, if required, shall examine the revised/ rectified land documents submitted by the Petitioner, within two weeks and shall file its response, along with a reply to the Petition, if any, within two weeks thereafter. The Petitioner may also file its rejoinder, if any, within a week thereafter. The Petitioner and CTUIL shall try to resolve the issues within a given time.

(b) In the meantime, the parties shall maintain the *status quo* in regard to the Petitioner's 175 MW connectivity until further order(s).

5. The Petition will be listed for hearing on **16.10.2025**.

By order of the Commission

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

