CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

Petition No. 237/MP/2026

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

Date of Order: 01.11.2026

In the matter of:

Petition under Section 79 (1) (c) and (f) of the Electricity Act, 2003 read with Regulations 41 and 42 of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022.

And in the matter of:

1. **Rajasthan Solarpark Development Company Limited (RSDCL)**
   E-166, Yudhisthir Marg, C-Scheme, Jaipur-302001

……Petitioner

Versus

1. **Central Transmission Utility of India Limited,**
   Ircon International Tower, Tower No. 01, Plot No. 16 Sector-32,
   Gurugram - 122001, Haryana.

……Respondent

Parties Present: Shri Aditya Singh, Advocate, RSDCL
Shri Shubham Arya, Advocate, CTUIL
Ms. Pallavi Saigal, Advocate, CTUIL

ORDER

The Petitioner, Rajasthan Solarpark Development Company Limited (RSDCL), has filed the present Petition under Section 79 (1) (c) and (f) of the Electricity Act, 2003 (hereinafter referred to as 'the Act') read with Regulations 41 and 42 of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-

State Transmission System) Regulations, 2022 (in short, 'the GNA Regulations') along with the following prayers:

a. *Admit the present Petition;*
b. *Exercise its powers under Regulation 41 and Regulation 42 of the GNA Regulations, 2022, and take on record the Affidavit filed by the petitioner or in the alternative permit the petitioner to upload fresh Affidavit in terms of the Detailed Procedure approved by this Hon'ble Commission under the GNA Regulations, 2022;*
c. *Direct CTUIL to accept the Affidavit filed by the Petitioner and re-open the Application for Connectivity being 2200003364;*
d. *Direct CTUIL to withdraw its Letter dated 15.04.2026 closing Application No. 2200003364;*
e. *Pass any such further order(s) as this Hon'ble Commission may deem fit and proper in facts and circumstances of the present case.*

Interim reliefs sought

In the interim, injunct CTUIL from revoking/ taking any coercive steps in form of releasing connectivity in favour of other developers during the pendency of the present Petition

Submissions of the Petitioner:

2. The Petitioner has mainly submitted as under:

(a) Rajasthan Solarpark Development Company Limited ("RSDCL/Petitioner") has developed a Nokh Solar Park of 925 MW capacity under the MNRE Scheme, namely "Development of Solar Parks Ultra Mega Solar Power Projects".

(b) The Petitioner/RSDCL achieved the commissioning of the 4 PPS, while CTUIL had operationalized the LTA on 08.03.2023. Subsequently, CTUIL in its written submission in Petition No. 104/MP/2022, has realigned the LTA for 190 MW, which would be operational from 31.03.2023 and for the balance 735 MW from 01.11.2023. The commissioning of Solar Projects was in a phased manner; the actual date of commissioning of Solar Power Projects vis-à-vis charging of PPS is as under:

Readiness of RSDCL Park Pooling Stations	**Solar Project Developers**	**Commissioning date of Solar Projects**
PPS-4 Charged **on 20.10.2023**	M/s Rising Sun Energy (K) Pvt. Ltd. 190 MW Solar Project (Plot#4)	03.11.2023 (164 MW) 03.04.2024 (26 MW)
PPS-2 Charged **on 14.02.2025**	NTPC's associated Solar Project 245 MW capacity (Plot#2)	26.03.2025
PPS-3 Charged **on 05.05.2025**	NTPC's associated Solar Project 245 MW capacity (Plot#3)	09.06.2025 (193 MW) 22.06.2025 (52 MW)

PPS-1 Charged **on 18.07.2025**	NTPC's associated Solar Project 245 MW capacity (Plot#1)	26.09.2025 (167 MW) 18.12.2025 (78 MW)

(c) On 13.07.2023, in terms of the procedure issued under the GNA Regulations, CTUIL had prepared the Format of the Affidavit and has uploaded the same on its website. In terms of the said Affidavit, *"the prescribed text shall be printed on a Non-Judicial Stamp Paper of minimum value of Rs. 10/- purchased in name of the applicant."*

(d) On 01.11.2024, the CTUIL uploaded the list of deficiencies in Connectivity/ GNA applications and associated documents categorising them as Minor Deficiencies and Major Deficiencies. As per the said document, "*Special adhesive stamp/ revenue stamp on plain paper, has been used instead of non-judicial stamp paper in the affidavit*" has been categorized as a Major Deficiency.

(e) On 21.02.2026, the Petitioner applied under Regulation 5.2 of the GNA Regulations for addition of generation capacity including ESS within the quantum of the Connectivity granted (FORMAT-CONN-APP-2) vide Application ID 2200003364.

(f) The Petitioner submitted its Notarised Affidavit dated 25.03.2026 and submitted the same to CTUIL.

(g) On 15.04.2026, without affording any opportunity to rectify the error in the Affidavit, which was a curable defect, CTUIL issued a letter to the Petitioner regarding closure of the application for addition of generation capacity (2200003364) of the Petitioner.

(h) The CTUIL has closed Application No. 2200003364 for seeking non-solar hours connectivity in addition to existing 925 MW capacity connectivity at Nokh Solar Park for supply of power through BESS without providing an opportunity for rectification to the applicant on the ground of submission of affidavit on Special Adhesive Stamp Paper, which has been treated as a major deficiency.

(i) On 21.04.2026, the Petitioner issued a letter to CTUIL for re-opening application No. 2200003364. The Petitioner has invoked this Commission's Power to Relax and Power to Remove Difficulties under the GNA Regulations, 2022 and for consequent directions upon CTUIL to accept the modified Affidavit on Rs. 10 Stamp Paper towards fulfilment of condition as specified by it for Application for Connectivity.

(j) Further, in view of the Commission's Order dated 08.12.2025 in Petition No. 14/SM/2025, in case the Petitioner loses its Right of Refusal, in that case the

Connectivity will be released to the other developers who may have applied along with the Petitioner. However, in the Petitioner's interest, the Right of First Refusal needs to be protected.

(k) The Commission may direct a stay on releasing the said connectivity to any other developer and to maintain RSDCL's first right of refusal and to re-open the application for grant of non-solar hours connectivity.

(l) Since the closing of the Application for Connectivity would have a cascading effect on the project, in the overall interest of the project and the development of the renewable sector, the Commission may take a considered view and grant the relief as sought for in the present Petition.

Hearing dated 06.05.2026

3. The Petition was admitted, and notice was issued to the parties to file reply and rejoinder. The Petitioner was directed to submit a copy of the CTUIL communication dated 20.03.2026 mentioned in CTUIL's letter dated 15.04.2026, vide which the Petitioner's application was reverted for rectification. The extracts of the RoP for the hearing dated 06.05.2026 are attached as under:

> *"Learned counsel for the Petitioner, RSDCL, submitted that the Petitioner is a Renewable Power Park Developer (RPPD) and has developed a 925 MW Nokh Solar Park under the MNRE Scheme, which achieved COD on 18.12.2025. Learned counsel further submitted that the Petitioner had, on 21.2.2026, applied for addition of generation capacity including ESS within the aforesaid 925 MW capacity, however, Respondent, CTUIL, vide letter dated 15.4.2026, closed the said application on the ground that the affidavit had been submitted on a special adhesive stamp instead of non-judicial stamp paper, treating the same as a major deficiency in terms of the list of deficiencies published by CTUIL on 1.11.2024. Learned counsel submitted that no opportunity was afforded to the Petitioner to rectify the defect in the affidavit and, therefore, the present Petition has been filed, inter alia, seeking taking on record of the affidavit filed by the Petitioner or, in the alternative, permission to upload a fresh affidavit, and for a direction that the connectivity in question may not be released to any other developer till the pendency of the present Petition.*
>
> *2. Considering the submissions of the learned counsel for the Petitioner, the Commission directed as follows:*
>
> *a) Admit and issue notice to the Respondent.*
>
> *b) The Respondent to file its reply to the Petition, if any, within three weeks with a copy to the Petitioner, who may file its rejoinder, if any, within a week thereafter.*
>
> *c) The Petitioner to submit a copy of the CTUIL communication dated 20.03.2026 mentioned in CTUIL's letter dated 15.04.2026, vide which the Petitioner's application was reverted for rectification.*
>
> *d) In the interregnum, CTUIL shall not allocate the capacity corresponding to the non-solar hour access connectivity as concerned in this Petition to any third parties, till the next date of hearing.*

e) IA No. 290/2026 filed for an urgent listing, having served its purpose, stands disposed of."

Petitioner's Submission in compliance with the RoP:

4. The Petitioner, vide affidavit dated 19.05.2026, has placed on record a copy of the CTUIL`s communication dated 20.03.2026 mentioned in CTUIL's letter dated 15.04.2026, vide which the Petitioner's application was reverted for rectification. The reason for reverting mentioned in the communication was as under:

(a) Share the details about maximum injection, maximum drawal, time duration for injection cycle (in hours) and time duration for drawal cycle (in hours).

(b) Submit the documents regarding the Shareholding pattern and promoter details & tentative generation profile for the capacity for which Connectivity has been sought in line with Regulation 5.8(xii) of CERC GNA Regulations, 2022.

(c) Total land required for 100% of the project in the land undertaking is mentioned as 60 acres instead of 120 acres (@3 acre/100 MWh). Please rectify the Land undertaking.

(d) You have submitted copy of 84.68 acres lease deeds. However, at Para 5 of land undertaking, "ownership" and "land use rights" are also mentioned as 84.68 acres. Please mention "Nil" against these rows.

(e) The date of BR mentioned at Para 1 of affidavit is not matching with actual date of Board Resolution. Please rectify.

Submissions of Respondent CTUIL:

5. The Respondent, CTUIL, vide affidavit dated 26.05.2026, has mainly submitted as under:

(a) On 21.02.2026, the Petitioner applied under Regulation 5.2 of the GNA Regulations for addition of 925 MW BESS capacity within the already granted connectivity quantum of 925 MW for the Petitioner's project.

(b) The said Application, being Application No. 2200003364, was made in the context of the framework introduced under Regulation 5.11 of the GNA Regulations dealing with entities with solar-hour access and non-solar hour access. Regulation 5.11(a) deals with eligibility for non-solar-hour access for wind-based REGS with or without ESS and ESS, for a quantum of 50 MW and above

(c) An existing solar-based RHGS/RPPD is first given a transition window to apply for

the additional capacity under Regulation 5.2 or Regulation 5.11(a), and CTUIL is required to consider such application while converting the entity into solar-hour access. The non-solar-hour capacity is not immediately open for third parties; it is first subjected to the original Connectivity Grantee's opportunity to retain/utilise it under the Right of First Refusal (ROFR) framework.

(d) The Third Amendment to the GNA Regulations was notified on 31.08.2025 and came into effect on 09.09.2025. The Commission, vide order dated 08.12.2025 in Petition No. 14/SM/2025 clarified that a combined reading of Regulation 5.11(b), Regulation 5.11(a), Clause (4) of Annexure-IV and Regulation 5.2 makes RPPD eligible to apply to install capacity for availing non-solar-hour access under ROFR, and under ROFR only, and not as a general Regulation 5.11(a) applicant outside that limited ROFR context.

(e) The Application submitted on 21.02.2026 was scrutinised in terms of the applicable provisions of the GNA Regulations, the Detailed Procedure, and the CTUIL Advisory(s). After scrutiny of the Application, if deficiencies are found, CTUIL is required to proceed in accordance with Regulation 3.5 of the GNA Regulations read with the detailed list of Minor and Major Deficiencies published by CTUIL on its website.

(f) Upon scrutiny of the Application made by the Petitioner under Regulation 5.2, certain deficiencies falling under minor deficiencies as prescribed by CTUIL were noticed, and the application was reverted to the Petitioner for rectification on 20.03.2026. Thereafter, the Petitioner submitted the revised application on 30.03.2026.

(g) Upon further scrutiny of the revised Application submitted by the Petitioner on 30.03.2026, it was observed that the Affidavit submitted was on Special Adhesive Stamp Paper, whereas the prescribed requirement was submission of the affidavit on Non-Judicial Stamp Paper. The above deficiency is listed as a major deficiency in terms of the list of major and minor deficiencies published by CTUIL on its website on 21.07.2024.

(h) Accordingly, CTUIL, vide its letter dated 15.04.2026, informed the Petitioner that 'upon scrutiny of the revised application dated 30.03.2026, it was found that the Affidavit submitted along with the Application was on Special Adhesive Stamp Paper', which constitutes a major deficiency as per the list of major and minor deficiencies

available on the CTU website. In view thereof, the application of the Petitioner was closed, and the Petitioner was further informed that 80% of the application fee would be refunded in terms of Regulation 3.5 of the GNA Regulations.

(i) CTUIL, being a statutory authority constituted under Section 38 of the Act, 2003, is tasked with processing applications for connectivity and general network access strictly in accordance with the GNA Regulations and the Detailed Procedure issued thereunder. Its role in scrutinising applications, identifying deficiencies, and closing applications bearing major deficiencies is entirely regulatory in character, and any relaxation, waiver, or modification of the prescribed application requirements, including the format of the supporting affidavit, is to be sought under and granted through the express powers vested in this Commission under the applicable regulations.

(j) The closure of Application No. 2200003364 on account of the affidavit having been submitted on Special Adhesive Stamp Paper, which is categorised as a Major Deficiency (quoted above) under the published list of deficiencies, was carried out in due compliance with the second proviso to Regulation 3.5 of the GNA Regulations.

(k) The Power to Relax (Regulation 41) and the Power to Remove Difficulty (Regulation 42) are powers exclusively vested in this Commission. CTUIL, as the Nodal Agency, cannot usurp these judicial/ regulatory powers to grant the reliefs sought by the Petitioner. CTUIL has accordingly acted in due compliance with the regulatory framework and, without prejudice to the same, the question of whether the prescribed affidavit format requirement merits relaxation in the facts and circumstances of the present case, so as to permit re-opening of the Application, requires directions from this Commission.

Hearing dated 11.06.2026

6. The extracts of the RoP for the hearing dated 11.06.2026 is attached as under:

"The learned counsel for the Petitioner submitted that the present Petition has been filed, inter alia, seeking taking on record the affidavit filed by the Petitioner or, in the alternative, permission to upload a fresh affidavit, and for a direction that the connectivity, may not be released to any other developer till the pendency of the present Petition. The learned counsel submitted that the Respondent, CTUIL, vide its letter dated 15.4.2026 closed the connectivity application of the Petitioner due to a major deficiency i.e. non-submission of the connectivity application on a non-judicial stamp paper. The learned counsel further submitted that pursuant to the direction of the Commission vide Record of Proceedings dated 6.5.2026, the Petitioner has filed its compliance affidavit dated 22.5.2026. The learned counsel also submitted that the Respondent, CTUIL, in

its reply, has not specifically opposed the reliefs sought by the Petitioner and the omission on the part of the Petitioner was inadvertent and occurred due to an oversight. In view of the above, the learned counsel prayed that the present case of the Petitioner is a fit case for the exercise of the Commission's Powers to Relax and Remove Difficulties.

2. While not specifically opposing the submissions made by the learned counsel for the Petitioner, the learned counsel for the Respondent, CTUIL, submitted that CTUIL has acted in due compliance with the regulatory framework.

3. Considering the submissions of the learned counsel for the Parties, the Commission reserved the matter for order."

Analysis and Decision:

7. We have perused the submissions made by the Petitioner as well as the Respondent, CTUIL. The following issues arise for our consideration:

Issue No. 1: Whether the instant Petition is a fit case for this Commission to exercise its Power to Relax and Power to Remove Difficulties in terms of the GNA Regulations, 2022?

Issue No. 2: Whether the Petitioner should be permitted to upload a fresh Affidavit in terms of the GNA Regulations and the Detailed Procedure issued therein?

Both the issues are being dealt with together.

8. The Petitioner, Rajasthan Solarpark Development Company Limited, has developed Nokh Solar Park of 925 MW capacity connected at Bhadla-II Pooling Station and for which LTA was operationalized for the complete quantum of 925 MW by CTUIL on 08.03.2023. However, the 925 MW capacity was commissioned by the Petitioner in a staggered manner from 03.11.2023 to 18.12.2025. The Petitioner has submitted that on 21.02.2026, it applied for addition of 925 MW BESS capacity for utilization of the non-solar hour capacity within the already granted connectivity quantum of 925 MW under the Right of First Refusal (ROFR) framework under Regulation 5.2 of the GNA Regulations.

9. CTUIL has submitted that it has scrutinised the application submitted by the Petitioner in terms of the applicable provisions of the GNA Regulations, the Detailed Procedure made thereunder, and the CTUIL's Advisory(ies) and after scrutiny, CTUIL observed that the Affidavit submitted was on Special Adhesive Stamp Paper, whereas the prescribed requirement was submission of the affidavit on Non-Judicial Stamp Paper. This specific deficiency is listed as a major deficiency in terms of the list of major and minor deficiencies published by CTUIL on its website on 21.07.2024. Accordingly, CTUIL, vide its letter dated 15.04.2026, informed the Petitioner that upon scrutiny of the revised application dated 30.03.2026, the Petitioner's Application was being closed.

The snapshot of CTUIL's Letter dated 15.04.2026 is as under:

सेंट्रल ट्रांसमिशन यूटिलिटी ऑफ इंडिया लिमिटेड
(पावर ग्रिड कारपोरेशन ऑफ इण्डिया लिमिटेड के स्वामित्व में)
(भारत सरकार का उद्यम)
CENTRAL TRANSMISSION UTILITY OF INDIA LTD.
(A wholly Owned Subsidiary of Power Grid Corporation of India Limited)
(A Government of India Enterprise)

Ref no. C/CTU/N/05/2200003364 **Date:** 15/04/2026

To,
Sh. Yogendra Mathur
Director
Rajasthan Solarpark Development Company Limited
E-166 Yudhisthir Marg C-Scheme,
Ashok Nagar, Jaipur- 302001

Sub: Closure of application for addition of generation capacity (2200003364) of M/s Rajasthan Solarpark Development Company Limited (RSDCL)

Dear Sir,

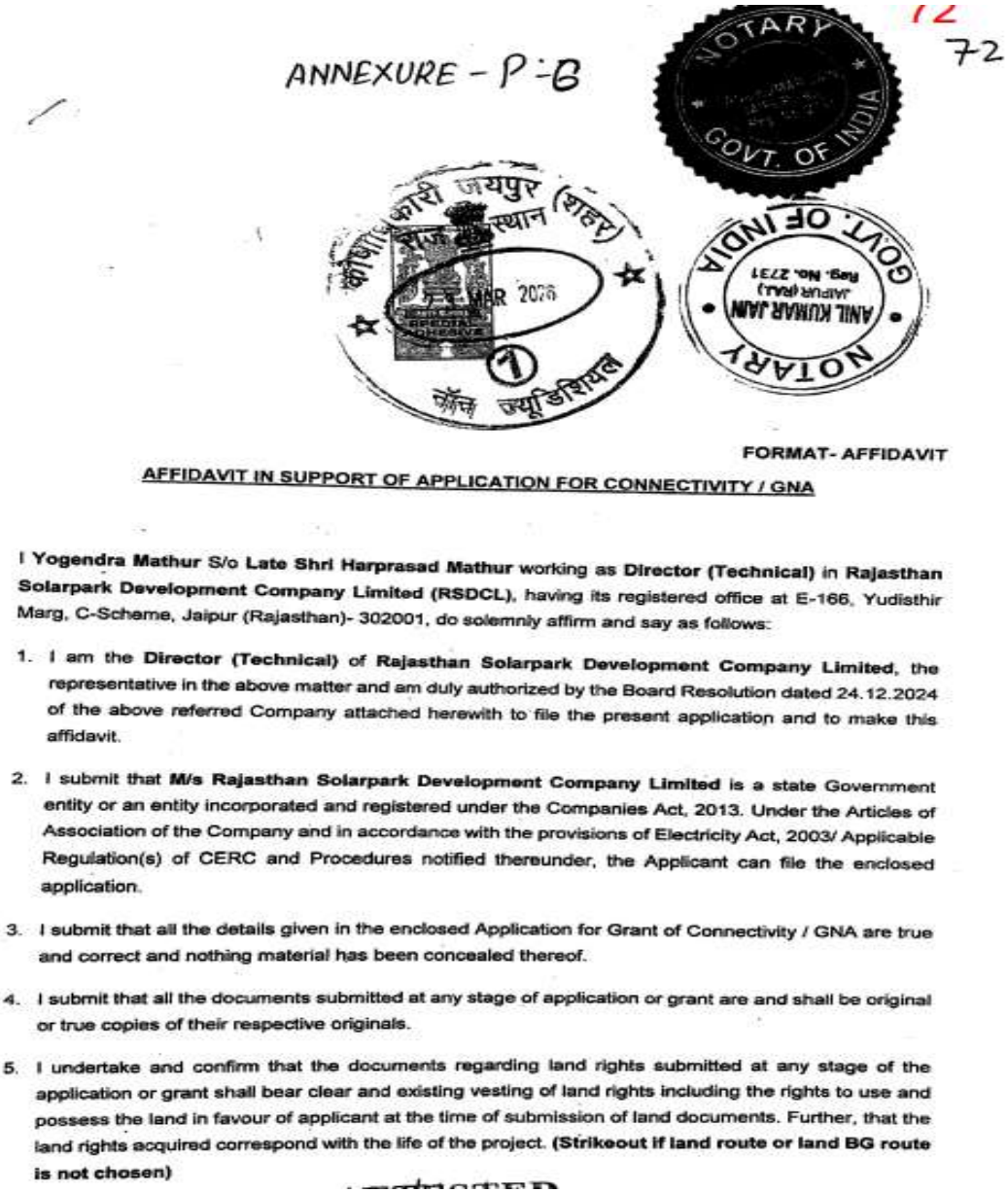
This is with reference to application no. 2200003364 dated 21.02.2026 for addition of 925 MW BESS capacity within the quantum of connectivity granted (925 MW) for proposed project at Phalodi, Rajasthan.
The application was scrutinized as per CERC Regulations / Procedure / CTU Advisory, and it was reverted for rectification on 20.03.2026. M/s RSDCL has submitted revised application on 30.03.2026 in which following deficiency was found:

- Applicant submitted the affidavit on Special Adhesive stamp paper which is Major Deficiency as per list of Major and Minor deficiency available on CTU website. (Point no. 2.ii. of Major Deficiency list at CTU website)

In view of this, application no. 2200003364 of M/s Rajasthan Solarpark Development Company Limited is hereby closed. Further, 80% of application fees shall be refunded as per the provisions of Regulation 3.5 of CERC Connectivity & GNA Regulations.

Thanking you,

10. The snapshot of Petitioner's Notarised Affidavit dated 25.03.2026 is as under:



ANNEXURE - P:B

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NOTARY GOVT. OF INDIA

ANIL KUMAR JAIN
Reg. No. 2731
JAIPUR (RAJ.)

FORMAT- AFFIDAVIT

AFFIDAVIT IN SUPPORT OF APPLICATION FOR CONNECTIVITY / GNA

I **Yogendra Mathur** S/o **Late Shri Harprasad Mathur** working as **Director (Technical)** in **Rajasthan Solarpark Development Company Limited (RSDCL)**, having its registered office at E-166, Yudisthir Marg, C-Scheme, Jaipur (Rajasthan)- 302001, do solemnly affirm and say as follows:

1. I am the **Director (Technical)** of **Rajasthan Solarpark Development Company Limited**, the representative in the above matter and am duly authorized by the Board Resolution dated 24.12.2024 of the above referred Company attached herewith to file the present application and to make this affidavit.
2. I submit that **M/s Rajasthan Solarpark Development Company Limited** is a state Government entity or an entity incorporated and registered under the Companies Act, 2013. Under the Articles of Association of the Company and in accordance with the provisions of Electricity Act, 2003/ Applicable Regulation(s) of CERC and Procedures notified thereunder, the Applicant can file the enclosed application.
3. I submit that all the details given in the enclosed Application for Grant of Connectivity / GNA are true and correct and nothing material has been concealed thereof.
4. I submit that all the documents submitted at any stage of application or grant are and shall be original or true copies of their respective originals.
5. I undertake and confirm that the documents regarding land rights submitted at any stage of the application or grant shall bear clear and existing vesting of land rights including the rights to use and possess the land in favour of applicant at the time of submission of land documents. Further, that the land rights acquired correspond with the life of the project. **(Strikeout if land route or land BG route is not chosen)**

We observe that pursuant to the notification of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (Third Amendment) Regulations, 2025, the provision regarding solar and non-solar access was introduced. The Petitioner applied under Regulation 5.2 for addition of 925 MW BESS capacity for utilization of the non-solar hour capacity within the already granted connectivity quantum of 925 MW under the Right of First Refusal (ROFR) framework.

11. Regulation 3.5 of the GNA Regulations provides as under:

"3.5 After scrutiny, the Nodal Agency shall intimate the deficiencies, if any, in the application for grant of Connectivity or grant of GNA, to the Applicant within Ten (10) working days of the receipt of application, in order of date and time of receipt of application. The Applicant shall rectify the deficiency within seven (7) working days thereafter, failing which the

application shall be closed and 20% of the application fee shall be forfeited. Balance 80% of the application fee shall be refunded by the Nodal Agency to the Applicant within 15 days of closure of the application:

Provided that date and time stamp of the application shall not be changed due to rectification of deficiency(ies) within the stipulated time:

Provided further that CTU shall publish a list of minor deficiencies and update it from time to time, as required. Any application having deficiencies other than the listed minor deficiencies shall be treated as incomplete and shall be rejected."

As per the above, any application having deficiencies other than the minor deficiencies listed in the CTUIL list of minor deficiencies shall be treated as incomplete and shall be rejected.

12. The snapshot of the list of deficiencies notified by CTUIL on its website is as under:

List of deficiencies in Connectivity/GNA applications and associated documents

[Rev- 0, W.e.f. 15/07/2024]

Document Type	Minor Deficiencies for which application will be reverted	Major Deficiencies for which application will be closed without revert and 20% application fee shall be forfeited as per regulation
1. Application Form	i. Incorrect "Nature of applicant" has been opted in the application. ii. Breakup of energy source is not mentioned in application form. iii. Opting "Yes" in the field "Whether generating station is already connected to or intending to connect to intra-state transmission system?" in the application even if same is not applicable. iv. In case of entity connected to or intending to connect to intra-state transmission system, the copy of the application already made to STU or Intimation of Grant issued by STU to establish the quantum of Connectivity granted/sought to Intra-State transmission system is not submitted. v. Applying for connectivity to ISTS for the same capacity which is already connected to Intra-State Transmission System without submitting application/letter to STU or NoC of STU regarding surrendering of the STU connectivity on getting connected to ISTS. vi. Opting "Yes" in both the fields "Whether applied under Regulation 5.6 (sharing of terminal bay or the switchyard and the dedicated transmission lines, if any)" or "Whether connectivity applied under Regulation 5.7 (Two or more applicant sharing the common Dedicated Transmission Lines and terminal bay(s))" in the application. vii. For hybrid project where connectivity sought is less than installed capacity or application submitted under regulation 5.2 but undertaking regarding grid code compliance is not submitted with application- viii. Latitude and Longitude mentioned in application form does not correspond to the project location mentioned in application form. ix. Breakup of Solar/Wind/ESS components of the project is not mentioned in the application in case of Hybrid Projects. x. Mismatch in the details mentioned in the application vis-a-vis actual documents xi. Incomplete documents or missing pages in the documents submitted with application including land documents.	i. Digital signature of the applicant is not mapped with the applicant company ii. Digital Signature is not Class 3 in nature. iii. Application submitted by a person not authorized through Board Resolution iv. Non-submission of following mandatory documents (as applicable): a. Board Resolution, in case of company (as per Regulation 5.8(v)) b. Affidavit (as per Regulation 5.8) c. LoA/PPA as applicable (as per Regulation 5.8(xi)(a)) d. Land Documents (as per Regulation 5.8(vii)(b) & 5.8(xi)(b)), Title Report or Land Undertaking (as per Para 3.2.2 of advisory) e. Land BG (as per Regulation 5.8(vii)(c) & 5.8(xi)(c)) f. RPPD Authorization Certificate (as per Regulation 5.8(vii)(a)) g. Sharing agreement (Format- CONN-SHARE as per Regulation 5.6 and 5.7), or Lead Generator agreement (Format- CONN-LEAD as per Regulation 4.1) h. NoC from STU in case of Intra state connected entity (not seeking Connectivity to ISTS) (as per Para 4.2 of advisory) i. CEA Unique Registration certificate (as per Regulation 5.8(vii))
2. Affidavit	i. Stamp paper is not purchased in the name of applicant company/signatory person. ii. Affidavit is not as per FORMAT-AFFIDAVIT available on CTU website. iii. Affidavit has not been notarized.	i. Affidavit has already been used in a previous application. ii. Special adhesive stamp / revenue stamp on plain paper, has been used instead of non-judicial stamp paper in the affidavit. iii. Affidavit has not been signed or has been submitted by a different person other than that who has digitally signed the application.

13. As per the above, Special adhesive stamp/ revenue stamp on plain paper, instead of non-judicial stamp paper in the affidavit, is listed as a major deficiency.

14. Accordingly, the action of CTUIL in closing the Petitioner's application on the above ground cannot be faulted. However, the Petitioner has submitted that closure of the application would result in the Petitioner losing its Right of First Refusal (RoFR) and may result in allocation of the released Connectivity to other developers who may have applied for Connectivity along with the Petitioner.

15. Considering that ROFR for non-solar hours access was a one-time dispensation through the third amendment to the GNA Regulations, we are of the view that the instant case may be considered as a one-time exception for protecting the Right of First Refusal of the Petitioner, subject to payment of compensation. It is also noticed that under the subsequent revision to the list of deficiencies in Connectivity/ GNA Applications (Rev-2, w.e.f. 1.8.2026), CTUIL has now itself reclassified the deficiency of using Special Adhesive Stamp/ Revenue Stamp on plain paper-instead of Non-Judicial Stamp paper, as a "Minor Deficiency" for which the application is to be reverted for rectification, instead of closure.

16. In light of the above discussions, we find it appropriate to exercise our powers conferred under Regulations 41 and 42 of the GNA Regulations and set aside the CTUIL's closure letter dated 15.04.2026, further directing it not to treat the Petitioner's Application (No. 2200003364) as closed on the ground of use of a Special Adhesive Stamp instead of Non-Judicial Stamp Paper, subject to the levy of a cost of 20% of the application fees (i.e. Rs. 1,00,000/-), which has already been retained by CTUIL while returning the balance 80% of application fees. Consequently, the Petitioner shall deposit the entire application fee afresh within ten days from the date of this order, following which CTUIL will process the Petitioner's Application in accordance with the GNA Regulations.

17. Petition No. 237/MP/2026 stands disposed of in terms of the above. The order has been passed in view of the peculiar facts of the case and shall not be treated as a precedent.

Sd/	**Sd/**	**Sd/**	**Sd/**
(Ravinder Singh Dhillon)	**(Harish Dudani)**	**(Ramesh Babu V)**	**(Jishnu Barua)**
Member	**Member**	**Member**	**Chairperson**

CERC Website S. No. 548/2026