

CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi

Review Petition No. 16/RP/2025
in
9/TT/2023 along with I.A. No. 96/2025

Subject : Review Petition under Section 94 (1)(f) of The Electricity Act, 2003 read with Regulation 52 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 seeking review of the Order dated 13.6.2025 passed by this Commission in Petition No. 9/TT/2023.

Petitioner : Power Grid Corporation of India Limited (POWERGRID)

Respondents : Bihar State Power Holding Company Limited (BSPHCL) and 5 Others.

Date of Hearing : **15.1.2026**

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

Parties Present : Ms. Swapna Seshadri, Advocate, PGCIL
Ms. Rupinder Kaur, Advocate, PGCIL
Ms. Rohini Prasad, Advocate, BSPHCL
Ms. Ashika Ranjan, Advocate, BSPHCL
Shri Arjun Malhotra, PGCIL
Ms. Kirti, PGCIL

Record of Proceedings

At the outset, the learned counsel for the Review Petitioner submitted that the instant Petition has been filed to seek review of the Commission's order dated 13.6.2025 in Petition No. 9/TT/2023 to the limited extent of non-condonation of the time overrun for Asset-XI.

2. She further submitted that in the impugned order dated 13.6.2025 in Petition No. 9/TT/2023, the Commission held that, as per the Investment Approval dated 2.11.2017, the SCOD of the transmission assets was 1.5.2020. However, Asset-XI was put into commercial operation on 19.2.2022, resulting in a time overrun of 659 days. The Commission, relying on the terms of the MoP's letter dated 27.7.2020, considered the revised SCOD for Asset-XI as 1.10.2020 and accordingly, computed the time overrun as 506 days. Therefore, the Commission erred in dealing sequentially with the reasons for the time overrun, and merely took the revised SCOD of 1.10.2020, instead of examining the overlapping causes of delay which were required to be considered from the date of the IA, i.e., 2.11.2017.



3. The learned counsel for Respondent No.1 (BSPHCL), contested the submissions of the Review Petitioner and submitted that the aforementioned order was passed after considering the contentions of the Petitioner and the Commission rightly arrived at a conclusion regarding the revised SCOD of the project. Further, the Commission reasoned that since the SCOD of Asset-XI has already been revised as of 1.10.2020, and thus it proceeded to examine the reasons furnished by the Petitioner for the time overrun beyond the revised SCOD. As the SCOD of Asset-XI had already been revised by about 5 months, the Commission rightly decided to examine the reasons only beyond the revised SCOD. Hence, there is no error apparent on the face of the record. The learned counsel for the BSPHCL further submitted that in the instant Petition, the Review Petitioner itself has admitted that the reasoning of the Commission is incorrect. Therefore, the issue raised in the Review Petition is the subject matter of appeal.

4. After hearing both the learned counsels of the parties, the Commission directed the parties to file their respective written submissions, if any, within two weeks, with a copy to each other.

5. Subject to the above, the Commission reserved the matter for order.

By order of the Commission

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

