

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition (Diary) No. 377/2026 along with IA (Diary) No. 380/2026

Subject : Petition under Sections 79(1)(c), 79(1)(f) and 79(1)(k) 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 Regulation 65 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 on account of unforeseeable and uncontrollable events.

Petitioner : Sprng Energy Private Limited (SEPL) & Ors.

Respondent : Central Transmission Utility of India Limited (CTUIL)

Date of Hearing : **3.6.2026**

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, SEPL & Ors.
Shri Aniket Prasoon, Advocate, SEPL & Ors.
Shri Md. Aman Sheikh, Advocate, SEPL & Ors.
Shri Sarthak Sareen, Advocate, SEPL & Ors.
Ms. Tanya Bajaj, Advocate, SEPL & Ors.
Shri Geet Rajan Ahuja, Advocate, SEPL & Ors.
Shri Swapnil Verma, CTUIL

Record of Proceedings

The learned senior counsel for the Petitioners submitted that the present Petition has been filed seeking appropriate relief in the form of an extension of the deadline prescribed under Regulation 11A(1) of the GNA Regulations, 2022, for submission of land-related documents, due to an uncontrollable and unforeseen event, akin to Force Majeure, at its project site located in Bidar District, Karnataka. The learned senior counsel mainly submitted as under:

(a) Petitioner No.1/SEPL, Petitioner No.2/SGEPL and Petitioner No.3/SVKPL are renewable energy project developers holding ISTS connectivity of 100 MW, 100 MW and 200 MW, respectively, at the Bidar PS, Karnataka. These Connectivity grants were originally for Wind Projects under the land BG route. However, due to certain circumstances beyond their control, the Petitioners were constrained to seek the change of source from Wind to Solar.

(b) Petitioner No.1/SEPL and Petitioner No.3/SVKPL applied for the change of source by their communications dated 12.6.2025 and 2.7.2025. However, CTUIL



approved the change of source only on 30.1.2026, thereby materially compressing the time available to SEPL and SVKPL for solar-specific land identification, aggregation, title diligence, execution and documentation.

(c) In the case of Petitioner No.2/SGEPL, the originally envisaged wind project was rendered impossible to execute on account of the refusal of NOC by the Ministry of Defence at the proposed locations in Bidar. This refusal was communicated through an OM dated 17.3.20226, which was received by SGEPL on 24.3.2026. Thereafter, SGEPL promptly submitted the change of source application to CTUIL on 14.4.2026. However, CTUIL has not processed SGEPL's application to date.

(d) In terms of Regulation 9.3.2 of the GNA Regulations (as introduced by the Third Amendment), CTUIL was required to approve or reject the change of source application within 30 days of the application. However, in cases of SEPL and SVKPL, CTUIL approved the change of source application with a delay of approximately 6-1/2 months. Even after reckoning the time from 9.9.2025, i.e., the date on which the Third Amendment came into effect, there is a delay of approximately 3-1/2 months on the part of CTUIL. Similarly, in the case of SGEPL, the period of thirty days has already lapsed, and CTUIL is yet to decide on its application for change of source.

(e) Despite the substantial delay on the part of CTUIL, SEPL and SVKPL have acted diligently towards the development of their projects. SEPL and SVKPL required about 150 acres and 300 acres, respectively, to comply with 50% land requirement stipulation under Regulation 11A(1). Against this, SEPL has entered into an Agreement to Lease (ATL) for 137.9 acres and, upon receiving the NA orders, has entered into the Registered Lease Deeds for 9.375 acres. Whereas, SVKPL has entered into ATLs for 307.405 acres and, upon receiving the NA orders, has entered into RLDs for the 155.65 acres. There has also been an inordinate delay in receiving the NA orders from the concerned Govt. Authorities.

(f) The imminent land-document submission deadlines under Regulation 11 A(1) of the GNA Regulations, 2022 are 4.6.2026 for SEPL's 100 MW Connectivity, 5.6.2026 for SGEPL's 100 MW Connectivity and SVKPL's 200 MW Connectivity.

(g) CTUIL, vide final notice dated 1.6.2026, has called upon the Petitioners to submit the requisite land documents for compliance with the timelines stipulated under Regulation 11A(1) of the GNA Regulations i.e. 4.6.2026 for Petitioner No.1 and 5.6.2026 for Petitioner No.2. The said notice further stipulates that, in the event of non-submission of the requisite land documents within the prescribed timelines, CTUIL would proceed to revoke the Petitioners' Connectivity and encash the Bank Guarantees furnished by the Petitioners, under Regulation 11B of the GNA Regulations.

(h) In the above circumstances and given that CTUIL has already indicated to initiate the coercive action against the Petitioners in relation to the connectivity(ies) granted, the Petitioners have filed IA (Diary) No. 380/2026, and are pressing for an interim direction for maintaining the *status quo*. Similar directions have also been given by the Commission in several similarly placed cases, as indicated by the

Petitioners in their IA, and the similar dispensation should also be extended to the Petitioners herein.

(i) Recently, the Commission *vide* order dated 15.4.2026 in Petition No.5/MP/2026 has also issued a Proposal for establishment of Procedure for levying compensation charges for permitting the additional time to achieve milestones under the GNA Regulations and the Petitioners agree to comply with the compensatory charges proposal, as finalised by the Commission, and make payment of the applicable charges/ Milestone Extension Charges pertaining to the extension necessary to give effect to the Connectivity(ies) granted to the Petitioners.

2. In response to the specific observation of the Commission regarding the Petitioners having combined three distinct causes of action – one for each Petitioner into a single Petition, the learned senior counsel submitted that Petitioner No.2/SGEPL and Petitioner No. 3/SVKPL are subsidiaries of Petitioner No.1/SEPL and as their connectivity is also at a common PS, i.e., Bidar PS, they have filed a common Petition. The learned senior counsel further pointed out that even the notices issued by CTUIL have been issued to all three Petitioners commonly, and in any case, the rigours of the CPC do not strictly apply to this Commission. The learned senior counsel also added that they are also willing to pay the requisite court fees for the other two Petitioners if the Commission so directs.

3. In response, the representative of the Respondent, CTUIL, submitted that a final notice was issued to the Petitioners on 6.5.2026, requiring submission of the requisite land documents for compliance with the condition subsequent stipulated under Regulation 11A(1) of the GNA Regulations, 2022 and the due date for the submission of land documents was specifically mentioned therein. The representative further submitted that by e-mail dated 1.6.2026, the Petitioners were only given the option to make an online payment of an amount equivalent to their BGs in lieu of encashment of such BGs as per Regulation 3.8 of the GNA Regulations. He submitted that, as regards the various ROPs relied upon by the Petitioners, the Commission exercised its discretion in the said cases in view of the specific facts of each case and cannot be relied upon mechanically for seeking a similar dispensation. The representative also sought liberty to file a reply in the matter.

4. Considering the submissions of the learned counsel for the Parties, the Commission directed as follows:

(a) Admit.

(b) The Respondent to file its reply to the Petition, if any, within a week, with a copy to the Petitioner, who may file its rejoinder, if any, within two days thereafter.

(c) As regards interim directions, the Commission declined to issue any direction restraining CTUIL from proceeding with the revocation of Connectivity(ies) in accordance with GNA Regulations at this stage. However, the Commission deemed it appropriate to grant two days to the Petitioners to deposit the amount equivalent to the concerned BGs with CTUIL in lieu of encashment of such BGs, failing which CTUIL shall be at liberty to encash the concerned BGs. Also, the

quantum corresponding to the connectivity(ies) of the Petitioners at Bidar PS shall not be re-allocated to any third parties until further directions.

5. The Petition will be listed for the hearing on **16.6.2026**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)