

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition (Diary) No. 405/2026 along with IA (Diary) No. 406/2026

Subject : Petition under Section 79 of the Electricity Act, 2003, seeking appropriate direction(s) to Central Transmission Utility of India Limited to set aside the impugned closure letters dated 3.3.2026 and allow the Petitioner's connectivity applications dated 24.1.2026 in accordance with Regulations 3.5 and 5.8(xi)(b) of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022, as amended (GNA Regulations), without any change in priority of the connectivity applications dated 24.1.2026.

Petitioner : Serentica Renewables India Private Limited (SRIPL)

Respondent : Central Transmission Utility of India Limited (CTUIL)

Petition (Diary) No. 425/2026 along with IA (Diary) No. 427/2026

Subject : Petition under Section 79 of the Electricity Act, 2003, seeking appropriate direction(s) to Central Transmission Utility of India Limited to set aside the impugned closure letters dated 3.3.2026 and to restore and process the Petitioner's connectivity applications dated 30.1.2026 in accordance with Regulations 3.5 and 5.8(xi)(b) of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022, as amended (GNA Regulations), without loss of priority.

Petitioner : Gamma Renewables India Project One Private Limited (GRIPOPL)

Respondent : Central Transmission Utility of India Limited (CTUIL)

Date of Hearing : **29.6.2026**

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, Senior Advocate, SRIPL & GRIPOPL
Shri Janmaili Manikala, Advocate, SRIPL & GRIPOPL
Shri Deepak Thakur, Advocate, SRIPL & GRIPOPL
Shri Shubham Arya, Advocate, CTUIL
Ms. Harsha Parakh, Advocate, CTUIL



Record of Proceedings

The learned senior counsel for the Petitioners submitted that the present Petitions have been filed seeking appropriate direction(s) to the Respondent/CTUIL to set aside the impugned closure letters dated 3.3.2026 and allow the Petitioners' connectivity applications dated 24.1.2026 and 30.1.2026, respectively, in accordance with Regulations 3.5 and 5.8(xi)(b) of the GNA Regulations, without loss of priority. The learned senior counsel submitted that by the impugned closure letters, CTUIL closed the Petitioners' applications for exercising their Right of First Refusal (ROFR) for seeking non-solar hours access, on the ground that the revised Lease Deeds had been executed after the date of the original applications and therefore, were not acceptable under the GNA Regulations or in terms of CTUIL's Advisory. The learned senior counsel, referring to the chronology of events in Petition (Diary) No. 405/2026, submitted that soon after CTUIL raised deficiencies in its applications on 6.2.2026 and 9.2.2026, noting that the submitted Deeds of Assignment were not acceptable land documents as per its Advisory, SRIPL proceeded to rectify the same and executed the fresh Lease Deeds directly in its own name, which were then submitted to CTUIL on 10.2.2026 and 12.2.2026. Thus, not only did SRIPL cure the defects within the prescribed timeline of seven working days, but its revised applications were also well before the Cut-off date of 22.2.2026 for exercise of ROFR. However, CTUIL arbitrarily closed both of SRIPL's connectivity applications on the ground that the revised Lease Deeds were executed after the date of the original application, and, moreover, only after the Cut-off date of 22.2.2026. Without prejudice, SRIPL also filed fresh connectivity applications on 6.3.2026 and thereafter made a representation to CTUIL on 12.3.2026 seeking reconsideration and rollback of the closure of its applications dated 24.1.2026, which remained unanswered. The learned senior counsel also submitted that there is an apprehension that the subject transmission capacity for non-solar hours will get allocated to third parties, thereby rendering these Petitions infructuous; therefore, the Petitioners are also pressing for an interim direction to CTUIL not to create any third-party rights or allocate the subject transmission capacity to any other entity during the pendency of the present Petitions.

2. In response, the learned counsel for the Respondent/CTUIL accepted the notice and pointed out that CTUIL had rejected the ROFR applications of the Petitioner in the first week of March 2026, and the Petitioners have approached this Commission, expressing urgency, only in June 2026. The learned counsel further submitted that Clause 3.2.2 of the CTUIL's Advisory, issued way back in September 2024, clearly stipulates that only the Title Deed, Lease Deed, and Land Use Right Agreement can be submitted as acceptable land documents with the application for Connectivity under the GNA Regulations, 2022. Clause 3.3.2.2(i) also clarifies that no other type of land documents, including Sub-lease Deed, Leave and Licence Agreement, Agreement to Lease, Agreement to Sale, Power of Attorney, and MoU, etc., shall be acceptable. Further, Clause 3.3.2.2(v) categorically stipulates that no land document shall have a reference to a future date towards possession of land, effective date of agreement/sale deed, etc., and all rights shall be enforceable as on the date of application. Accordingly, the fresh Lease Deeds executed by the Petitioners after the date of their original applications could not have been considered by CTUIL. The learned counsel further submitted that insofar as the fresh applications submitted by the Petitioners on 6.3.2026 are concerned, they have been filed after the expiry of the Cut-off date of 22.2.2026 for exercise of ROFR. The learned counsel also requested two weeks' time to file replies to the Petitions and submitted that any interim direction as prayed by the

Petitioners at this stage will hamper/halt the entire process of finalising the ROFR applications and issuing intimations to the concerned entities.

3. After hearing the learned senior counsel and learned counsel for the parties, the Commission admitted the matters. The Respondent/CTUIL was permitted to file its replies within two weeks with a copy to the Petitioners, who may file their rejoinder(s) within four days thereafter. Keeping in view that the Petitioners themselves have approached the Commission only after a lapse of three months from the rejection of their applications, and the parties have already concluded their respective arguments at length, the Commission deemed it proper not to issue any interim direction at this stage and instead to proceed with deciding upon the main Petitions on an expedited basis.

4. Subject to the above, the Commission reserved the matters for order.

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