

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 456/MP/2026 along with IA No. 153/2026

Subject : Petition under section 79 (1)(c), (f) and (k) of the Electricity Act, 2003, read with Regulations 41 and 42 of the CERC (Connectivity and General Network Access to the Inter-State Transmission System) Regulations, 2022 and Regulation 65 of the CERC (Conduct of Business) Regulations, 2023.

Petitioner : CGE Renewables Private Limited (CGERPL)

Respondent : Central Transmission Utility of India Limited (CTUIL)

Date of Hearing : **08.10.2026**

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

Parties Present : Shri Parinay Deep Shah, Advocate, CGERPL
Ms. Shikha Ohri, Advocate, CGERPL
Shri Kartik Sharma, Advocate, CGERPL
Shri Harsh Dev Singh, Advocate, CGERPL
Ms. Nishita Choudhary, Advocate, CGERPL
Shri Shubham Arya, Advocate, CTUIL
Ms. Pallavi Saigal, Advocate, CTUIL
Shri Naman Aggarwal, Advocate, CTUIL

Record of Proceedings

At the outset, the learned counsel for the Respondent/CTUIL sought a week's extension to file a reply. Learned counsel further stated that CTUIL revoked the Petitioner's connectivity yesterday due to failure to achieve the Financial Closure (FC) within the prescribed period.

2. In response, the learned counsel for the Petitioner strongly objected to the conduct of the Respondent/CTUIL and submitted that, vide Record of Proceedings dated 3.9.2026, CTUIL was also directed to file an affidavit within two weeks indicating the status of the Petitioner's connectivity and whether the FC documents submitted by the Petitioner on 20.8.2026 were in order. Learned counsel submitted that these directions were issued in light of CTUIL's submissions that it had already revoked the Petitioner's connectivity, and the subsequent reduction in the prescribed minimum project cost did not apply to the Petitioner. However, instead of complying with the Commission's directions and filing its compliance affidavit, CTUIL revoked the Petitioner's connectivity yesterday, which constitutes highly unfair conduct. Learned counsel further submitted that CTUIL introduced the minimum project cost requirement for the first time by the Revised Detailed Procedure w.e.f. 10.4.2026, i.e., merely two months before the Petitioner's due date to achieve FC. Further, even in its inquiry letter issued after the Petitioner submitted the requisite FC documents on 17.6.2026, CTUIL



did not specify the minimum project cost or the extent of shortfall. However, shortly after CTUIL's letter dated 14.08.2026, which intimated that the Petitioner's connectivity was liable to be revoked and bank guarantees encashed, the Petitioner, without prejudice, submitted the revised FC documents on 20.8.2026 reflecting total project cost of Rs. 550 crores, thereby satisfying the deficiency raised by CTUIL. The Petitioner also made payment of Rs. 2.3 crore to CTUIL in lieu of encashment of the bank guarantees. While emphasising that the Petitioner's conduct had all along been *bona fide*, the learned counsel prayed for interim directions to stay the operation of CTUIL's revocation letter and to restrain CTUIL from allocating the capacity corresponding to the Petitioner's connectivity to any third parties.

3. In response to the specific observation regarding the requirement of amending the present Petition in light of subsequent events, the learned counsel for the Petitioner submitted that, while the Petitioner is willing to amend the Petition, if so directed, it ought not to come in the way of consideration or grant of interim relief as prayed. Learned counsel further submitted that adopting a contrary approach would allow CTUIL to render numerous such Petitions infructuous by unilaterally revoking the connectivity during their pendency.

4. The learned counsel for the Respondent/CTUIL submitted that no interim protection was granted vide Record of Proceedings dated 3.9.2026, and that CTUIL's action of revocation was in terms of the GNA Regulations. Learned counsel submitted that CTUIL had previously submitted that the Petitioner's connectivity was liable to be revoked as FC documents submitted by the Petitioner did not meet the then prevailing minimum project cost stipulated under the Detailed Procedure and that the subsequent revision in the prescribed minimum project cost, as per CTUIL, does not apply retrospectively to the Petitioner's case. The learned counsel submitted that the Petitioner's submissions to the extent they claim it was unaware of the prescribed minimum project cost are factually incorrect. The learned counsel further submitted that the revocation letter issued by CTUIL was only in furtherance of its earlier letters/communications, wherein the Petitioner was intimated that its connectivity was liable to be revoked, while being provided an option to pay the amount equivalent to the bank guarantee through online mode in lieu of its encashment.

5. After hearing the learned counsel for the parties, the Chairperson expressed strong displeasure over the manner in which CTUIL had acted in this case, particularly its failure to comply with directions issued *vide* the Record of Proceedings dated 3.9.2026 within the prescribed timeline. However, the Commission deemed it appropriate to give CTUIL a week to file its reply and the compliance affidavit in terms of the previous Record of Proceedings. The Petitioner was also permitted to file its rejoinder, if any, within a week thereafter. In the meantime, the capacity corresponding to the Petitioner's connectivity (90 MW) at Bhuj-II PS shall not be allocated to any third party until further orders.

6. The Petition will be listed for hearing on **23.10.2026**.

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