

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI.**

Petition No. 125/TL/2026 along with IA 34/2026

Coram:

Shri Jishnu Barua, Chairperson

Shri Ramesh Babu V., Member

Shri Harish Dudani, Member

Shri Ravinder Singh Dhillon, Member

Date of Order: 12th September, 2026

In the matter of

Application under Sections 14, 15, 79(1)(e) of the Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission License and other Related Matters) Regulation, 2024 and any other amendments thereon issued from time to time by this Commission for grant of Transmission Licence to TP Gopalpur Transmission Limited (earlier known as ERES-XXXIX Power Transmission Limited).

And

In the matter of

TP Gopalpur Transmission Limited,

(earlier known as ERES-XXXIX Power Transmission Limited)

104-B, First Floor, 191/A,

Kharavela Nagar, Unit- 3,

Bhubaneswar-751001, Odisha.

...Petitioner

Versus

1. Central Transmission Utility of India Limited,

Plot No. 2 Sector-29, Gurgaon – 122003,

Haryana.

2. REC Power Development and Consultancy Limited,

Core 4, SCOPE Complex 7,

Lodhi Road, New Delhi - 110003.

3. Bihar State Power Transmission Company Limited,

Vidyut Bhavan, 4th Floor, Bailey Road,

Patna – 800021.

4. Jharkhand Urja Sancharan Nigam Limited,

Engineering Building, HEC, Dhurwa

Ranchi – 834004.

5. Odisha Power Transmission Corporation Limited,

Bhoinagar Post Office, Janpath
Bhubaneshwar - 751022.

6. West Bengal State Electricity Transmission Company Limited,

Vidyut Bhavan, 8th Floor, A-Block
Salt Lake City, Kolkata-700091.

7. Power Department, Government of Sikkim,

Gangtok, Sikkim.

8. Damodar Valley Corporation,

DVC Towers, VIP Road,
Kolkata - 700054.

9. Power Grid Corporation of India Limited,

Saudamini, Plot No.2, Sector 29,
Gurgaon -122001, Haryana.

10. Avaada Green H2 Private Limited,

C-11, Sector 65 Gautam Buddha Nagar,
Gautam Buddha Nagar,
Nodia– 201301, Uttar Pradesh.

11. Acme Clean Energy Private Limited,

Plot No. 152, Sector 44- Gurugram – 122002, Haryana.

12. Ocior Energy Gopalpur One Private Limited,

A-43, Phase – II Extn., Hosiery Complex,
Noida – 201305, Uttar Pradesh.

Parties present:

Shri Anand Shrivastva, Advocate, TPGTL
Shri Shiavm Sinha, Advocate, TPGTL
Shri Ankit Bhandari, Advocate, TPGTL
Shri Ekshat Punwani, Advocate, TPGTL
Shri Abhishek Kumar, Advocate, AG2PL
Shri Nived Veerapaneni, Advocate, AG2PL
Shri Ankit Prasson, Advocate, ACEPL
Shri Adarsh Kumar Bhardwaj, Advocate, ACEPL
Shri Akshayvat Kislay, CTUIL

ORDER

The Petitioner, TP Gopalpur Transmission Limited (hereinafter referred to as “TPGTL”), has filed the present Petition for the grant of a transmission licence under Sections 14, 15, 79(1)(e) of the Electricity Act, 2003 (hereinafter referred to as “the

Act”) read with the Central Electricity Regulatory Commission (Procedure, Terms, and Conditions for grant of Transmission Licence and other related matters) Regulations, 2024 (hereinafter referred to as “the Transmission Licence Regulations”) to establish the “Transmission Licence to “Eastern Region Expansion Scheme- XXXIX Power Transmission Limited” (hereinafter referred to as “the Project”) on a Build, Own, Operate and Transfer Basis consisting of the following elements:

S. No.	Scope of the Transmission Scheme	Scheduled COD in months from Effective Date
1.	Establishment of new 765/400 kV, 2x1500 MVA GIS substation at Gopalpur in Odisha 765/400 kV, 1500 MVA ICTs: 2 nos. (7x500 MVA single phase units including one spare) 765 kV ICT bays: 2 nos. 400 kV ICT bays: 2 nos. 765 kV, 330 MVar Bus reactor: 2 nos. (7x110 MVar single phase units including one spare unit for both bus and line reactors) 765 kV Bus reactor bays: 2 nos. 420 kV, 125 MVar Bus reactor: 2 nos. 400 kV Bus reactor bays: 2 nos. 765 kV line bays: 2 nos. <i>[for termination of Angul (POWERGRID) – Gopalpur 765 kV D/c line along with 765 kV, 1x330 MVar switchable line reactor at Gopalpur end in both circuits]</i> 400 kV line bays: 2 nos. <i>[for termination of Gopalpur – Gopalpur (OPTCL) 400 kV D/c (Quad) line]</i> 765 kV, 330 MVar (3x110 MVar single phase units) switchable line reactor along with associated bay and 500 ohm NGR (with NGR bypass arrangement) <i>[at Gopalpur end in both circuits of Angul (POWERGRID) – Gopalpur 765 kV D/c line]</i>: 2 nos. Additional space for future expansion: 765/400 kV, 4x1500 MVA ICTs (12x500 MVA single phase units) along with associated ICT bays at both voltage levels 400/220 kV, 4x500 MVA ICTs along with associated ICT bays at both voltage levels 765 kV, 2x330 MVar (6x110 MVar single phase units) bus reactor along with associated bays	31-12-2027

	• 420 kV, 2x125 MVar bus reactor along with associated bays • 8 nos. of 765 kV line bays (along with space for switchable line reactor) for future lines • 10 nos. of 400 kV line bays (along with space for switchable line reactor) for future lines • 12 nos. of 220 kV line bays for future lines • 765 kV bus sectionaliser bay: 1 set • 400 kV bus sectionaliser bay: 1 set • 220 kV bus sectionaliser bay: 1 set • 220 kV bus coupler bay: 2 no.	
2.	Angul – Gopalpur 765 kV D/c line	
3.	Extension at 765 kV level at Angul (POWERGRID) S/s including bus extension in GIS • 765 kV AIS line bays (along with space for future switchable line reactor): 2 nos. [for termination of Angul (POWERGRID) – Gopalpur 765 kV D/c line] including bus extension in GIS of about 3000 m	
4.	Gopalpur – Gopalpur (OPTCL) 400 kV D/c (Quad) line@	
5.	Extension at 400 kV level at #Gopalpur (OPTCL) GIS S/s • 400 kV GIS line bays: 2 nos. [for termination of Gopalpur – Gopalpur (OPTCL) 400 kV D/c (Quad) line] + #2 nos. for diameter completion	

Note:

- @Gopalpur (OPTCL) is being taken up for implementation and is expected to be awarded by March 2024. As per OPTCL's input 20km line has been considered between 765/400 kV (ISTS) and 400/220 kV (Intra-state) substations at Gopalpur.*
- #The bus scheme of 400 kV level at Gopalpur (OPTCL) GIS S/s shall be one and half breaker scheme, 2 nos. full diameter i.e., 4 nos. of GIS bays needs to be implemented in the scheme for requirement of 2 nos. GIS Bays for termination of Gopalpur (OPTCL) – Gopalpur 400 kV D/c (Quad) line in two different diameters.*
- Utilisation of other 2 nos. GIS bays of these diameters shall be identified in future.*
- OPTCL shall provide space at under implementation Gopalpur (OPTCL) 400/200 kV GIS S/s for implementation of 2 nos. of 400 kV GIS line bays for termination of Gopalpur (ISTS) – Gopalpur (OPTCL) 400 kV D/C (Quad) line. 2 nos. full diameter i.e. 4 nos. GIS bays shall be established.*
- POWERGRID shall provide space at Angul (POWERGRID) 765/400 kV S/s for implementation of 2 nos. of 765 kV line bays (along with space for future switchable line reactor) along with bus extension in GIS for termination Angul (POWERGRID) – Gopalpur 765 kV D/c line.*

2. Based on the competitive bidding carried out by the REC Power Development and Consultancy Limited (RECPDCL), in its capacity as the Bid Process Coordinator (BPC), in accordance with the Guidelines issued by the Ministry of Power, Government of India under Section 63 of the Act, Tata Power Company Limited was declared a successful bidder with the lowest quoted annual transmission charges of Rs. 2897.29 million.

3. The Commission, after considering the application of the Petitioner in light of the provisions of the Act and the Transmission Licence Regulations, in its order dated 21.5.2026, *prima facie* proposed to grant a transmission licence to the Petitioner. The relevant extracts of the order dated 21.5.2026 are extracted as under:

*“8. Vide letter dated 8.4.2026, the Petitioner, TP Gopalpur Transmission Limited was directed to file a response to the objection submitted by Shri Sujita Kumar Jena. Despite being granted a reasonable time, the Petitioner has failed to submit any reply. **We take this non-compliance seriously and express our strong displeasure at the Petitioner's disregard for the Commission's communication.** However, in the interest of justice and to afford a fair opportunity, **we grant the Petitioner a final liberty to file its reply to the said objection within a period of 10 days of the issue of this Order.**”*

*29. As discussed above, **the instant scheme for transmission licence before the Commission also includes elements of “necessary augmentation for providing connection to the ISTS”**, i.e. ICTs and their associated bays, which are to be constructed and maintained by the entities covered under Regulation 17.1(iii), for which no transmission licence is required. However, the National Committee on Transmission (NCT) has recommended granting a transmission scheme, as an instant scheme is required for Green Hydrogen/ Ammonia projects, and there are GNA/ GNARE grantees to utilise the transmission system. Therefore, we are constrained to exercise Regulation 22 of 2024 Transmission Licence Regulations, i.e. power to remove difficulties, to propose the grant of a transmission licence to the Petitioner, with the directions that the entities covered under Regulation 17.1(iii) shall invariably deposit the cost of “necessary augmentation for providing connection to the ISTS” i.e. ICTs and their associated bays, in the following manner:*

(a) The GNA/ GNARE grantee entities or the applicants covered under Regulation 17.1(iii) shall deposit Rs. 16 Lakh/MW towards the cost corresponding to the ICTs, and their associated bays, in proportion to

their GNA/ GNARE.

(b) CTUIL is directed to intimate the cost to be deposited to the said GNA/ GNARE grantee entities or the applicants within 15 days from the date of this Order. The GNA/ GNARE grantee entities or applicants shall deposit the cost as intimated by CTUIL, within 30 days of such intimation. In case of failure, GNA/ GNARE grants to such entities shall be cancelled, and available BGs shall be treated in accordance with the extant 2022 GNA Regulations.

(c) CTUIL shall keep this amount in a separate account under an appropriate deposit scheme. Staff is directed to devise a mechanism for treating this amount and the charges for the Transformer component.

30. *In view of the above, **we are prima-facie** of the view that the Petitioner satisfies the conditions for the grant of an inter-State transmission licence under Section 15 of the Act read with the Transmission Licence Regulations for construction, operation, and maintenance of the transmission system as described in para 1 of this order. We, therefore, direct that a public notice in two daily digital newspapers and on the Commission's website under clause (a) of sub-section (5) of Section 15 of the Act be published to invite suggestions or objections to the grant of a transmission licence aforesaid. The objections or suggestions, if any, shall be filed by any person before the Commission by **5.6.2026**."*

4. The Petitioner, in compliance with the directions issued vide the Interim Order dated 21.5.2026, vide its affidavit dated 29.5.2026 in response to the Commission's letter dated 8.4.2026, has submitted as under:

- a) Upon receipt of the complaint from the Complainant, Mr Sujita Kumar Jena, an email dated 16.04.2026 was sent seeking information such as the plot number and khata number for verification of the crop damage alleged by the Complainant. However, no reply was received from the Complainant to the said email.
- b) In response to the objections raised by the Complainant, the Petitioner, vide its letter dated 21.4.2026, submitted its reply to the Commission and also sent the same to the Complainant by registered post and email dated 23.4.2026. However, the said letter was returned undelivered.

5. The Petitioner, vide its letter dated 21.4.2026, replied to the objections raised by the Complainant as under:

“3. At the outset, TPGTL expressly denies each and every allegation, claim, statement, contention and inference made or sought to be drawn by the Complainant in the Complaint, save and except those that are matters of record. Nothing contained in this reply shall be construed as an admission, express or implied, of any averment made in the Complaint. TPGTL further submits that the Complaint, in its present form, is vague, unsubstantiated and bereft of material particulars (as set out in the succeeding paragraphs), and TPGTL accordingly craves leave of the Hon'ble CERC to file a detailed and supplementary reply, including any additional documents, upon receipt of the requisite particulars from the Complainant and/or as may be directed by the Hon'ble CERC. All rights and contentions of TPGTL in this regard are expressly reserved. In this regard, the following may be considered:

- a. The Complainant has not specified the Plot Number(s) or Khata Number(s) of the affected agricultural land, making it extremely difficult for TPGTL to verify the alleged crop damage;*
- b. The Complainant has not provided any contact number;*
- c. The Complainant has failed to furnish any evidence along with the Complaint in support of the allegations of crop damage or unauthorized use of land.*

4. Apart from the above, it may be noted that TPGTL has undertaken a thorough examination of all land records in Village Jilunda, falling within the Right-of-Way ("RoW") of the Transmission Project. However, TPGTL has not found any land parcel owned by the Complainant within the area of the construction of Transmission Project. Further, in case the land in question is owned by any relatives of the Complainant, the relevant details for the same have not been provided. In the absence of such information, TPGTL is unable to establish any connection between the Complainant and the land purportedly affected.

5. Further, even though TPGTL did not have contact number of the Complainant, it has proactively attempted to communicate with the Complainant by way of an email dated 16.04.2026 issued to the email address sjena2022s@gmail.com (as provided in the Complaint), requesting necessary details. However, till date, TPGTL has not received any response from the Complainant to the said email.

6. Without prejudice to the submissions above, the allegations regarding the lack of approval for the implementation of the Transmission Project, and the allegation that TPGTL has failed to provide relevant details of the Transmission Project, as raised in the Complaint, are devoid of any merit. In regard to the same, the following may be considered:

- a. TPGTL was incorporated for the purpose of establishment of the*

Transmission Project, pursuant to a tariff based competitive bidding process ("TBCB") conducted under the guidelines issued by the Ministry of Power, Government of India ("MoP") under Section 63 of the Electricity Act, 2003 ("Act")

b. The MoP vide letter dated 17.05.2024 granted approval to TPGTL under Section 68 of the Act for laying overhead transmission lines

c. Further, TPGTL filed a petition seeking grant of transmission license for the implementation of the Transmission Project, in term of the provisions under the Act and the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission License and other related matters) Regulations, 2024 ("Transmission License Regulations 2024")

d. Pursuant to the above, in terms of Section 15(2) of the Act and Regulation 5(5) of the Transmission License Regulations, 2024, on 25.11.2024, TPGTL published the public notice of the above petition/application in leading daily digital newspapers, in English and in Odia (i.e., the official language of the State of Odisha, where the Transmission Project is situated), for inviting comments from general public

e. Notably, the above notice contained the specifications of the lines and substations proposed to be implemented by TPGTL along with the length, capacity, location, estimated cost of completion and scheduled commercial operation date of the Transmission Project.

7. Further without prejudice to the above and without admitting any of the allegations made in the Complaint, it is pertinent to note that TPGTL is prepared to pay compensation to the Complainant subject to verification of any crop damage. In fact, TPGTL has been paying land and crop compensation to the landowners/ farmers whose land parcels fall within the approach road or are used for material storage, and in respect of all locations where the transmission towers have been erected, in accordance with the guidelines approved by the MoP vide letter bearing No. F-No.3/3/2017/Trans- Part (1) dated 16.09.2022 and Resolution issued by the Government of Odisha bearing No. RDM-LRGEA-POLICY-0003-2022-43341/R&DM dated the 21.12.2022.

8. However, in the absence of any supporting particulars or documents in the Complaint, TPGTL is presently not in a position to verify the claims made therein, and consequently no compensation can be processed at this stage. Further, the request for the intervention of Hon'ble CERC for passing any directions against TPGTL is also devoid of any merit. Thus, in view of the above, the Complaint in its present form is liable to be dismissed."

6. Shri Sujita Kumar Jena, vide its letter in response to the reply submitted by the Petitioner, has submitted as under:

“...Clarification on Land Ownership:

- 2. In Para 4 of its Reply, TPGTL states that it examined all land records in Village Jilunda within the Right-of-Way ("RoW") of the Transmission Project and did not find any land parcel owned by the Complainant. While this statement may be technically true, it is deliberately misleading and has been made to create a false impression before the Commission.*
- 3. I wish to clarify. that the affected agricultural land in Village Jilunda, Tehsil Polasara, District Ganjam, Odisha, which has been used by TPGTL for construction of the transmission line and approach road, is registered in the name of my mother. I reside at the same premises and am the natural caretaker and active cultivator of the said agricultural land. The crops that were damaged are crops cultivated by me personally.*
- 4. I am fully willing to provide the Plot Number (534, 560) of the affected land parcel to the Commission or to any Inquiry Officer appointed by the Commission. I humbly request that the land records be independently verified through the Revenue Department of Odisha, rather than relying solely on representations made by TPGTL.*

Forced the Withdrawal of The Complaint:

- 5. I make the following serious and truthful submissions regarding the conduct of person(s) acting on behalf of TPGTL I Tata Power after the forwarding of my Complaint by the Commission:*
 - a. On 14th April 2026, I received a telephone call on the mobile phone number of one of my friends. My phone number had been obtained from my friend without my consent. The caller represented himself as an official of Tata Power/TPGTL and demanded that I withdraw the Complaint that I had filed before the Hon'ble Commission.*
 - b. I firmly refused to withdraw the Complaint, asserting my lawful right to seek remedy.*
 - c. Thereafter, call(s) were received from a different telephone number. When I answered and specifically asked the caller to explain what compensation would be paid, the caller was completely unable to provide any clear, specific, or satisfactory answer regarding the compensation.*
 - d. On 14th and 15th April 2026, I received numerous repeated telephone calls, all pressuring me to withdraw my Complaint. Feeling intimidated, I was compelled to stop answering calls altogether.*
- 6. I submit that the aforesaid conduct - obtaining my contact details without consent, impersonating a company official, calling from multiple numbers to evade identification, and persistently pressuring a citizen to withdraw a legitimate complaint filed before a statutory regulator - constitutes a grave act of intimidation, coercion, and interference with the due process of this*

Commission. This conduct is wholly unacceptable and warrants serious action.

7. I respectfully pray that the Commission direct TPGTL to file an Affidavit disclosing the names, designations, and contact numbers of all persons who communicated with me or my associates between 08.04.2026 to 17.04.2026, and that appropriate action be taken against those responsible for the coercive and impersonating conduct described above.

Inadequacy of The Email Dated 16.04.2026:

8. In Para 5 of its Reply, TPGTL states that it "proactively" sent me an email on 16.04.2026 requesting the necessary details, and that I did not respond. I confirm that I did receive this email. However, I submit that the said email was wholly inadequate and misleading in the following respects:

- a. No mode of submission was specified: The email did not state whether I was required to submit the documents physically (by post or personal visit to the office) or digitally (by email or through an online portal). I am a farmer residing in a rural area of Ganjam, Odisha. Without clear instructions, I had no way of knowing what was expected of me.
- b. No contact number provided: The email did not contain any helpline number who could guide me in the submission process for Land Compensation and Crop damage Compensation.
- c. Sent during a period of active harassment: This email was sent on 16.04.2026 the very day after I was forced to stop answering telephone calls due to repeated harassment and intimidation on 14th and 15th April. It is deeply troubling that TPGTL now relies on my non-response to this vague email as justification for withholding compensation. This is not acting in good faith.

Response to TPGTL'S Contentions:

- a) ...The land is owned by my mother. TPGTL had access to all land records in Village-Jilunda and could have Identified this parcel. Its claim that the absence of a Plot/ Khata number made verification "extremely difficult" is not credible given its own admission of a thorough land record examination.
- b) ...Absence of Contact Number: TPGTL acknowledges in Para 5 of its Reply that it had my email address from the Complaint itself. Furthermore, as stated above, unknown persons obtained my phone number and contacted me repeatedly. TPGTL's claim that it could not contact me is therefore false. I am willing to provide my contact number directly to the Hon'ble Commission.
- c) ...Absence of Evidence: I am a farmer without any legal representation. My original Complaint was filed in good faith with sufficient information to identify the project, location, and nature of the grievance. Evidence in the form of land records, photographs of crop damage, and local witness

testimony is available. I request the Commission to direct an independent inquiry, rather than placing the entire burden of proof on an individual farmer at the preliminary stage.

- d) ...Statutory Approvals for the Project: A transmission licence and a Section 68 approval for overhead lines do not authorize the company to use private agricultural land without prior notice to the landowner, without obtaining consent, and without offering compensation before or during construction, Statutory approvals for the project as a whole cannot override the individual property rights of affected citizens.*
- e) ...Public Notice in Digital Newspapers: TPGTL claims to have published a public notice in leading English and Odia digital newspapers on 25.11.2024. I submit that this is not effective or adequate notice for farmers in rural Ganjam, Odisha, most of whom do not access digital newspapers. Individual notice to affected landowners through the local revenue administration is the appropriate and fair course of action.*
- f) ...Compensation to Other Landowners: TPGTL's own Reply confirms that it has been actively paying land and crop compensation to other landowners and farmers in this very project area. If such a compensation mechanism exists and is functioning, there is no reasonable explanation for why our agricultural land -- which falls within or adjacent to the approach road and construction area was not proactively identified and included. This selective exclusion is deeply unfair and suggests a failure of due process.*
- g) ...I strongly oppose TPGTL's prayer that the Complaint be dismissed. A complaint by an ordinary rural citizen against a large infrastructure company cannot be dismissed on procedural grounds, especially when the citizen is without legal representation. The Commission is respectfully requested to adopt a citizen-friendly approach, as is consistent with its role as a public interest regulator.*

Prayers:

- ...
- a) Direct an independent inquiry into the unauthorized use of the agricultural land (Plot No: 534, 560) in Village: Jilunda, Tehsil: Polasara, District: Ganjam, Odisha, which falls within or adjacent to the approach road and construction area of TPGTL's Transmission Project,*
 - b) Direct TPGTL to file an affidavit disclosing the identity of all persons who communicated with me or my associates between 08.04.2026 to 17.04.2026, and take appropriate action for the acts of coercion, impersonation, and interference with the proceedings of this Commission;*
 - c) Request to Monitor the entire compensation process in this matter to ensure that I am not deprived of my lawful entitlement and am not subjected to further intimidation, or pressure;*
 - d) Direct TPGTL to clarify in writing whether the said land will be permanently acquired or used on a temporary basis, and to provide all relevant project*

details to all affected landowners in written Odia language, including duration of work, nature and extent of land use, and future plans;

e) Pass such other and further orders as the Commission may deem fit and just in the facts and circumstances of the present case.”

7. A public notice under Sub-section (5) of Section 15 of the Act was published in all editions of the Hindustan Times (English) and Dainik Jagran (Hindi) on 23.5.2026. No suggestions/ objections have been received from the members of the public in response to the public notice.

Reply by Respondent No. 10, Avaada Green H2 Private Limited

8. Avaada Green H2 Private Limited (hereinafter referred to as “AGH2PL”), vide its reply dated 9.6.2026, has submitted as under:

a) No objection to the prayers sought by TPGTL for grant of transmission licence and sharing and recovery of transmission charges.

b) However, the observations made by the Commission vide order dated 21.5.2026, whereby, in exercise of powers under Regulation 22 of the CERC (Procedure, Terms and Conditions for grant of Transmission License and other related matters) Regulations, 2024, proposed grant of transmission licence to TPGTL subject to certain directions. It was submitted that the Commission had directed that the entities covered under Regulation 17.1(iii) of the CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022, shall be required to pay Rs. 16 lakh/MW towards corresponding ICTs and associated bays in proportion to their GNARE. Further, CTUIL was directed to intimate the applicable cost within 15 days, and the concerned entities were required to make the deposit within 30 days of such intimation, failing which the GNARE would be liable to cancellation.

c) The directions issued by the Commission in the present proceeding is inaccurate as the identical directions issued by the Commission vide order dated 13.2.2026 in Petition No. 73/TL/2025 in the matter of *TP Paradeep Transmission Limited v. CTUIL & Ors.* have already been stayed by the Appellate Tribunal for Electricity (hereinafter referred to as “APTEL”) vide orders dated 18.3.2026 and 6.04.2026 in Appeal No. 114 of 2026 filed by *Avaada Green H2 Private Limited v. CERC & Ors.* It was further submitted that not only the invoices raised by CTUIL pursuant to the said order, but also the operation of the Commission’s order dated 13.2.2026 itself has been stayed by APTEL. Accordingly, it was contended that reiteration of similar directions in the present proceedings would not be sustainable.

d) In the present proceedings, neither TPGTL nor CTUIL raised the issue of deposit to be made by GNARE grantees under Regulation 17.1(iii) of the GNA Regulations 2022. Therefore, it is beyond the jurisdiction of this Commission to issue such directions *suo moto*, especially when an interim order issued by the APTEL is operating in AGH2PL's favour.

e) Pertinently, the scope of the present proceedings being limited, it is beyond the Commission's jurisdiction to virtually amend Regulation 12.5 of GNA Regulations 2022. Essentially, the Commission is attempting to legislate on the following aspects, which Regulation 12.5 of the GNA Regulations 2022 does not cover.

(a) *What would be deemed "necessary augmentation for providing connection to the ISTS" under Regulation 12.5 of the GNA Regulations 2022?*

(b) *What would be the methodology and rationale for determining the cost involved in construction of the "necessary augmentation for providing connection to the ISTS"?*

(c) *Who would choose the "licensee" referred to under Regulation 12.5 of the GNA Regulations 2022 for construction of the dedicated line and*

"necessary augmentation for providing connection to the ISTS" and on what parameters?

(d) Whether the "licensee" referred to under Regulation 12.5 of the GNA Regulations 2022 necessarily has to be CTUIL or do the developers get any choice to optimize their costs?

(e) What would be the timeline for CTUIL to communicate the "necessary augmentation for providing connection to the ISTS" to the bulk consumers and distribution licensees to enable them to arrange their affairs such as funding, etc.?

(f) Once the cost of the dedicated transmission line and "necessary augmentation for providing connection to the ISTS" is intimated to a bulk consumer or distribution licensee, what would be the mode for depositing such amount?

(g) Once the cost of the dedicated transmission line and "necessary augmentation for providing connection to the ISTS" is intimated to a bulk consumer or distribution licensee, what would be timeline for depositing such amount?

(h) What would be the consequence for failure by the bulk consumer/distribution licensee to deposit such amount in a timely manner?

(i) Whether the timeline for depositing such amount can be extended and on what counts and till when?

(f) The Commission is attempting to lay down an arbitrary figure of Rs. 16 lakh/MW as the applicable uniform norm for deposit of costs by all bulk consumers including AGH2PL. There is also an assumption that the expression "a licensee" employed by Regulation 12.5 of the GNA Regulations 2022 perforce means CTUIL, and the bulk consumers have no say or choice in the manner of appointing a licensee for constructing the dedicated transmission line and carrying out *"necessary augmentation for providing connection to the ISTS"*. This is contrary to even CTUIL's stated stand before the APTEL. Simply because the Commission has many powers, it cannot be said that, while exercising one power, it oversteps its limits in that power and assumes another jurisdiction.

f) The directions issued by the Commission are legislative in nature and amount to supplementing and effectively amending Regulation 12.5 of the GNA Regulations 2022. It is settled law that whenever the Commission seeks to

create norms of general application affecting a class of regulated entities, such exercise must be undertaken through its regulation-making power and not through an adjudicatory or licensing order.

g) Such prescription also runs contrary to Section 178(3) of the Act and Previous Publication Rules, 2005. Section 178(3) of the Act provides that all regulations made by the Commission are subject to the condition of previous publication. In exercise of the powers conferred by subsection (1) and clause (z) of sub-section (2) of Section 176 of the Act, the Previous Publication Rules came into force on their publication in the Official Gazette on 09.06.2005. Rule 3 of the Previous Publication Rules 2005 prescribes the procedure of previous publication and stipulates that, for the purpose of previous publication of the Regulations under sub-section (3) of Section 177, sub-section (3) of Section 178 and sub-section (3) of Section 181 of the Act, the following procedure shall apply:

(1) The Authority or the Appropriate Commission shall, before making regulations, publish a draft of the regulations for the information of persons likely to be affected thereby;

(2) The publication shall be made in such manner as the Authority or the Appropriate Commission deems to be sufficient;

(3) There shall be published, with the draft regulations, a notice specifying a date on or after which the draft regulations will be taken into consideration; and

(4) The Authority or the Appropriate Commission, having powers to make regulations, shall consider any objection or suggestion which may be received by the Authority or the Appropriate Commission from any person with respect to the draft before the date so specified. The requirement of previous publication, inviting objections and suggestions, is not an empty formality, but is with an intention to enable persons likely to be affected to be informed, so that they may put forth their objections/suggestions thereto, which are required to be taken into consideration by the authorities before issuing a final notification. The provision regarding previous publication necessitates strict compliance as it vitally affects those who

have the valuable right to object to the Regulations when its draft is published. It is only after the Commission publishes a draft of the Regulations for the information of persons likely to be affected thereby, a notice is published specifying a date on or after which the draft Regulations will be taken into consideration, and the Commission considers the objection or suggestion received from any person with respect to the draft before the date so specified, can the process of previous publication be said to have been complied with, after which alone would the Regulations come into force. In this regard, reliance is placed on the judgment of this Tribunal in the case of ***U.P. Power Corpn. Ltd. v. U.P. ERC, 2024 SCC OnLine APTEL 73*** [Confirmed by the Hon'ble Supreme Court in Civil Appeal No. 13728 of 2024].

h) In the present case, the direction regarding deposit of Rs. 16 lakh/MW was issued without any prior publication of a draft regulation or notification, without issuance of any notice to affected parties, and without inviting or considering any objections or suggestions from persons likely to be affected thereby, including AGHPL and other similarly situated GNARE grantees. The impugned direction therefore stands in direct violation of Section 178(3) of the Act and Rule 3 of the Previous Publication Rules 2005 and is untenable. The requirement of previous publication is not a mere procedural formality as held in the UPPCL case (*supra*); it vitally affects those who have the valuable right to object to the regulations when its draft is published, and strict compliance therewith is mandated.

i) The Commission is legally precluded from reiterating the impugned directions in the present proceedings in view of the subsisting interim orders dated 18.3.2026 and 6.4.2026 passed by the APTEL in Appeal No. 114 of 2026. The Commission's functions are subject to the appellate jurisdiction of the APTEL under Section 111 of the Electricity Act, 2003. Since the APTEL has stayed the operation of the order dated 13.2.2026 passed by the Commission in Petition No. 73/TL/2025, wherein it issued identical directions, this Commission is bound

to maintain judicial discipline and give due effect to the said interim orders. The issuance of similar directions in the present proceedings would effectively amount to circumventing the stay granted by the APTEL and would be contrary to the settled principles governing the hierarchical structure of adjudicatory authorities under the Act.

j) Power to remove difficulties can only be exercised where a difficulty arises in giving effect to the regulations. In the present case, Regulation 22 of the Transmission Licence Regulations does not contemplate any requirement for GNARE grantees to deposit amounts towards augmentation of transmission assets. Further, no special circumstances exist warranting the exercise of such discretionary power. Therefore, no extraneous conditions can be imposed by invoking Regulation 22 of the Transmission Licence Regulations.

k) The power to remove difficulties cannot be exercised to create new substantive rights, obligations, liabilities, or legal consequences beyond the existing regulatory framework. The impugned directions do not merely clarify or facilitate implementation of the regulations; rather, they introduce a new regime by prescribing financial contribution of Rs. 16 lakhs/MW, authorising CTUIL to determine and communicate the payable amount, prescribing timelines for payment, and providing for cancellation of GNARE upon non-compliance. Such substantive provisions, with significant financial and legal implications, can only be introduced through the regulation-making process under Section 178(3) of the Act read with the Previous Publication Rules, 2005. The power to remove difficulties cannot substitute for the power to frame regulations. Reliance was placed on the judgment of the Hon'ble Supreme Court in *Madeva Upendra Sinai v. Union of India*, [(1975) 3 SCC 765].

Hearing dated 11.6.2026:

9. The matter was called out for the hearing on 11.6.2026. The relevant extracts of the Record of Proceedings for the hearing are reproduced as under:

“....the learned counsel for the Petitioner submitted that by an Interim Order dated 21.5.2026, the Commission had directed the publication of notice in the newspapers under Section 15(5)(a) of the Electricity Act, 2003, inviting suggestions/ objections, if any, to the grant of transmission licence in favour of the Petitioner by 5.6.2026, and that no objections have been received pursuant thereto.

2. The learned counsel appearing for Respondent No. 10, Avaada Greennh2 Private Limited (AG2PL), submitted that the Respondent has already filed its reply in the matter vide affidavit dated 9.6.2026. He submitted that the Commission, vide its Interim Order dated 21.5.2026, while considering the grant of transmission licence to the Petitioner, had relied upon the order passed in Petition No. 73/TL/2025 in the matter of TP Paradeep Transmission Limited, wherein directions were issued regarding deposit towards the cost of necessary augmentation for providing connection to ISTS under Regulation 12.5 of the GNA Regulations, 2022. He submitted that the said order has been stayed by the APTEL in Appeal No. 114 of 2026, and the matter is presently pending for adjudication. The learned counsel further submitted that the Respondent has no objection to the grant of a transmission licence to the Petitioner and the recovery of transmission charges as prayed for in the Petition. However, he submitted that any direction regarding liability for payment of an amount equivalent to the cost of necessary augmentation may not be issued at this stage in view of the pendency of the appeal before the APTEL and the interim orders passed therein. He further submitted that the issue relating to the interpretation of Regulation 17.1(iii) vis-à-vis Regulation 12.5 of the GNA Regulations, 2022, is pending for consideration before the APTEL, and the outcome of the said proceedings may be awaited.

3. The learned counsel appearing for Respondent No. 11, Acme Clean Energy Private Limited (ACEPL), submitted that the said Respondent has also challenged the order passed in Petition No. 73/TL/2025 before the APTEL. He submitted that in the present proceedings, the Respondent has no objection to the grant of a transmission licence to the Petitioner, and the same may be proceeded with independently.

4. In response, the learned counsel for the Petitioner clarified that the entire order passed in Petition No. 73/TL/2025 has not been stayed by the APTEL and prayed for the grant of a transmission licence. He also apprised the Commission that, in compliance with the directions contained in the Interim Order dated 21.5.2026, the Petitioner has already filed its reply to the objection submitted by Shri Sujita Kumar Jena vide affidavit dated 29.5.2026. He submitted that the said objection is devoid of merit and appears to be an attempt to delay the proceedings.

Considering the submissions made by the learned counsels for the Parties, the Commission reserved the matters for orders.”

10. Since Respondent No. 10, AGH2PL, vide its written submission dated

23.6.2026, has reiterated the submissions made in its reply, the same are not repeated for the sake of brevity.

Analysis and Decision:

11. We have considered the submissions of the learned counsels for the parties. Through this Petition, the Petitioner has prayed for the grant of a transmission licence for the subject transmission scheme. In our Interim Order dated 21.5.2026, while *prima facie* proposing the grant of a licence, we also proposed certain directions concerning the deposit of cost towards "necessary augmentation for providing connection to the ISTS" by entities covered under Regulation 17.1(iii) of the GNA Regulations, 2022.

11. The Commission, vide interim order 21.5.2026 in Petition No. 125/TL/2025 proposed the grant of transmission licence to the Petitioner company and published the notice under Section 15 (5) of the Act for seeking comments from the general public after observing that the GNA-RE of about 2900MW either granted or under scrutiny for grant to the entities covered under Regulation 17.1(iii) and NCT has recommended the scheme for implementation, and to ensure timely power supply to the bulk consumers. As per Regulation 12.5 of the GNA Regulations, the cost of '*necessary augmentation for providing connection to the ISTS*' is to be borne by the entity under Regulation 17.1(iii). Under the Transmission licence Petitions, it was brought to the notice of the Commission that elements which should have been constructed by the entities covered under Regulation 17.1(iii) have been considered under ISTS by CTUIL, leading to probable charging of such elements on the public at large. Keeping this in mind, the Commission proposed to grant a transmission licence to the Petitioner company with the directions that the entities covered under Regulation 17.1(iii) shall invariably deposit Rs. 16 Lakh/MW towards the cost of the

“necessary augmentation for providing connection to the ISTS”, i.e. ICTs and their associated bays, in proportion to their GNA/ GNARE application as a compliance of Regulation 12.5 of the GNA Regulations.

12. Respondent No. 10 i.e., AGH2PL vide its submission dated 9.6.2026 has submitted that directions of depositing Rs. 16 Lakh/ MW by the entities covered under Regulation 17.1(iii) under the Order dated 13.2.2026 in Petition No. 73/TL/2025 have been stayed by the APTEL vide Orders dated 18.3.2026 and 6.4.2026 in Appeal No. 114 of 2026. Further, AGH2PL has also submitted that neither TPGTL nor CTUIL has raised the issue of deposit to be made by GNA-RE grantee entities under Regulation 17.1(iii); therefore, it is beyond the jurisdiction of this Commission to issue such directions *suo moto*, especially when an interim Order issued by the APTEL is operating in AGHPL's favour. It is beyond the Commission's jurisdiction to virtually amend Regulation 12.5. Such an exercise must be undertaken through the regulation-making power and not through an adjudicatory or licensing Order. AGH2PL also argued that the impugned directions are a direct violation of Section 178(3) of the Act and Rule 3 of the Previous Publication Rules 2005. Therefore, reiteration of the very same directions by way of the separate Order is untenable.

13. We have perused the APTEL Orders dated 18.03.2026 and 06.04.2026 quoted as under:

Order dated 18.03.2026 in IA 412 of 2026:

“IA 412 of 2026
(for interim relief)

*It is pointed out by the Learned Counsel for the Appellant, that **Appellant was not the Respondent to the Petition filed before the Commission for grant of licence by the 2nd Respondent, still liability to pay for the capital cost etc. has been fastened upon the Appellant in the impugned order.** In this regard, the Learned Counsel has taken us through various paragraphs in the impugned order which indeed affirm the submissions made by the Learned Counsel for the Appellant.*

It has been informed that invoice in terms of the impugned order has already been raised on 27.02.2026 and payment is to be made by 27.03.2026.

Considering the submissions of the Appellant's Counsel and the fact that invoices have already been raised in pursuance to the impugned order with payment date as 27.03.2026, we hereby stay the operation of the impugned order with respect to the Appellant as well as the invoices raised on it till the next date of hearing.

Order dated 06.04.2026 APL 114 of 2026:

....
"The interim order, as recorded by this Tribunal on 18.03.2026, shall remain in force until further orders."

As per the above, the APTEL has granted a stay on the operation of the Order dated 13.02.2026 only with respect to the Appellant as well as the invoices raised on it, since the Appellant (Respondent No. 10/ AGH2PL herein) was not a Respondent in Petition No. 73/TL/2025. There was no remark on the merit and applicability of the direction passed in the impugned Order or anything as a general direction to be applicable to all entities.

14. It is observed that the APTEL, by its interim order dated 18.3.2026, has stayed the operation of the order dated 13.2.2026 and the invoices raised in terms thereof only *qua* the Appellant therein, i.e., AGH2PL. The APTEL has not granted any blanket stay on the operation of the order dated 13.2.2026 or the directions issued at paragraph 11 *qua* the entities covered under Regulation 17.1(iii) of the GNA Regulations. It also needs to be noted that APTEL's direction of stay *qua* the Appellant follows its specific submission that it was not a Respondent to the said Transmission Licence Application, and still the liability to pay for the capital cost, etc. was fastened upon it. This, however, is not the case in the present proceedings.

15. Also, it is well settled that an order of interim stay does not result in quashing of the impugned order. It only means that the stayed order would not be operative from the date of passing of the stay order, and it does not amount to setting aside the order. Hence, the stay of the Commission's earlier order only *qua* the Appellate therein will not restrain the Commission from following the ratio laid down therein in the present case. It also needs to be noted that by order dated 21.5.2026, the Commission has proposed to grant the transmission licence to the Petitioner for the Project involved in this case with specific directions that the entities covered under Regulation 17.1(iii) shall deposit the cost of "necessary augmentation for providing connection to the ISTS", i.e., ICTs and their associated bays. The said directions were passed only after examining the provisions of Regulation 12.5 of the GNA Regulations.

16. The determination of cost incidence under Regulation 12.5 of the GNA Regulations in the interim order dated 21.5.2026, and also in order dated 13.2.2026 in Petition No. 73/TL/2025, is a regulatory determination of the cost associated with the '*necessary augmentation for providing connection to the ISTS*' as provided by Regulation 12.5, to address the situation wherein transmission elements to be constructed by entity under Regulation 17.1(iii) is being implemented under ISTS. Regulation 12.5 of the GNA Regulations provides that the entities covered under 17.1(iii), viz. bulk consumers or distribution licensees, are required to construct and maintain –

- a) a line connecting to the ISTS substation, i.e., a dedicated transmission line;
- and
- b) necessary augmentation for providing connection to the ISTS, either through a licensee at the expense of such entity or by the entity itself.

17. The concerned agencies, while approving the instant ISTS scheme, fastened

the liability under part (a) of Regulation 12.5, namely the dedicated transmission line connecting the applicants to the ISTS substation, on the Applicants; however, the liability under part (b), namely the necessary augmentation for providing connection to the ISTS, was planned as part of the ISTS, although the cost implication of this part too was required to be borne at the cost of the Applicants. Therefore, Regulation 12.5 was not followed in its true letter and spirit, as neither the scope of '*necessary augmentation*' was left for implementation by the entities covered under Regulation 17.1 (iii) for implementation, nor was the cost of such augmentation, namely the ICTs and associated bays, was fastened on such entities. Therefore, in order to implement Regulation 12.5 in its true purport, and in larger consumer interest as per the Act, the corresponding cost of the '*necessary augmentation*' was proposed as payable by entities, in proportion to their GNA/ GNA-RE grant.

18. The contention of Respondent that levying of cost amounts to the amendment is without merit. It is clarified that the directions to pay costs do not purport to frame, amend, or supplant any regulation but fall under the Commission's composite regulatory competence under Section 79 of the Electricity Act, 2003 read with the GNA Regulations, 2022, in particular Regulation 12.5 thereof. As held by the Hon'ble Supreme Court in *Power Grid Corporation of India Limited v. Madhya Pradesh Power Transmission Corporation Limited and Ors.* (2025 INSC 697), the regulatory powers under Section 79 are of an *ad hoc* nature and are required to be exercised by the Commission in the context of the specific circumstances of the parties before it. The rationale for the provision of such *ad hoc* powers by the Act, 2003 is to ensure that regulatory gaps, if any, that may be discovered on a case-to-case basis, are filled or removed and, accordingly, the Commission is enabled to exercise its regulatory powers by way of orders under Section 79 of the Act; accordingly, there is no

requirement of any specific prayer. As these directions do not frame or amend any Regulation but seeks to implement Regulation 12.5 of the GNA Regulations in letter and spirit, where entities under Regulation 17.1(iii) are required to construct the augmentation for immediate connection by themselves rather than it being constructed at public cost,, the demand of previous publication under Section 178(3) of the Act to give direction to collect the cost from the bulk consumers does not hold any water as the same is as per already published Regulation 12.5 after following due process of law.

19. Therefore, in terms of regulatory jurisdiction under Section 79(1)(c) and (d) of the Act read with Section 61 and Regulation 12.5 of the GNA Regulations, it is directed that the entities covered under Regulation 17.1(iii) of the GNA Regulations under the instant system shall deposit cost corresponding to Regulation 12.5 of the GNA Regulations in the following manner:

- (a) The GNA/ GNARE grantee entities or the applicants covered under Regulation 17.1(iii) shall deposit Rs. 16 Lakh/MW towards the cost corresponding to the ICTs and their associated bays, in proportion to their GNA/ GNARE.
- (b) CTUIL is directed to intimate the cost to be deposited to the said GNA/ GNARE grantee entities or the applicants within 15 days from the date of this Order, on whom CTUIL has not raised the bills already in terms of Order dated 13.2.2026 in Petition No. 73/TL/2025. GNA/ GNARE grantee entities or applicants shall deposit the cost as intimated by CTUIL within 30 days of such intimation. In case of failure, GNA/ GNARE grants to such entities shall be cancelled, and available BGs shall be treated in accordance with the extant 2022 GNA Regulations.
- (c) CTUIL shall keep this amount in a separate account under an appropriate deposit scheme till separate directions are issued to treat such deposit.

20. Since by the order dated 13.2.2026 in Petition No. 73/TL/2025, the Commission has directed the raising of the bill @ 16 lakh/MW to all the entities covered under

Regulation 17.1(iii), who have been granted the GNA/GNARE (or shall be granted the GNA/GNARE) at Navinal: 4500 MW, Kandla: 3000 MW, Kakinada GH: 3000 MW, Tuticorin GH: 3000 MW, Pendurthi GH: 4500 MW, Paradeep: 1500 MW and Gopalpur: 1500 MW and the present case concerns with the grant of transmission licence for implementation of the Gopalpur S/s, wherein AGH2PL has already granted 700 MW of GNARE, to whom CTUIL had raised the bill which was stayed by APTEL against specific entities, we deem it appropriate to direct that repeat or duplicate invoices shall not be issued to the entities which have been already invoiced.

21. In addition, we have considered the objection filed by Shri Sujita Kumar Jena to the present Petition, *inter alia*, contending that the Petitioner had utilised his agricultural land and the approach road for execution of the transmission project without following the due process of law or paying compensation. He further alleged that, despite repeated representations, compensation had not been paid to him, whereas compensation had been paid to other affected landowners. The objector also alleged that, after filing the objection before the Commission, he received repeated telephone calls from the persons claiming to be associated with the Petitioner requesting him to withdraw the objection. Accordingly, he prayed for an independent inquiry into the alleged unauthorised use of his land, monitoring of the compensation process, disclosure of the identity of the persons who allegedly contacted him, and grant of appropriate reliefs. *Per contra*, the Petitioner, vide affidavit dated 21.4.2026, has submitted that, immediately upon receipt of the objection, it had requested the objector to furnish the relevant particulars of the land, including the plot number, Khata number, and other supporting details, so as to enable verification of the alleged crop damage and the claim for compensation. The Petitioner has further submitted that, despite such request, the objector did not furnish

the requisite particulars. It was also submitted that a copy of the reply had been duly served upon the objector through registered post as well as e-mail. *Thereafter*, Shri Sujita Kumar Jena filed a further response reiterating the allegations made in his objection and contended that the Petitioner had proceeded with the construction activities without obtaining his consent or paying compensation, and that the information sought by the Petitioner was only an attempt to delay the matter instead of addressing his grievances.

22. We have considered the submissions of the objector and the Petitioner. It is noticed that the present proceedings are confined to the consideration of the Petitioner's application for the grant of a transmission licence under Sections 14, 15 and 79 (1) (e) of the Act read with the Transmission Licence Regulations. The disputes between the parties herein involve contested questions of fact relating to land use, entitlement to compensation and the alleged conduct of the representatives of the Petitioner. Therefore, the issues raised by Shri Sujita Kumar Jena fall beyond the limited scope of the present proceedings, which are concerned with examining whether the Petitioner satisfies the statutory requirements for the grant of a transmission licence under the Act and the Transmission Licence Regulations. Questions relating to the alleged unauthorised use of land, assessment of crop damage, entitlement to compensation, allegations of intimidation or coercion, and the conduct of the Petitioner's representatives require examination of disputed questions of fact and evidence, which cannot appropriately be adjudicated in proceedings for the grant of a transmission licence. Accordingly, Shri Sujita Kumar Jena can pursue such remedies as may be available to him under the applicable law before the appropriate forum or authority.

23. As regards the grant of a transmission licence, Clauses (13) and (14) of

Regulation 5 of the 2024 Transmission Licence Regulations provide as under:

“(13) The Commission may, after consideration of the further suggestions and objections, if any, received in response to the public notice in terms of Clause (12) of this Regulation, grant licence to the applicant in Form-III appended to these regulations or for reasons to be recorded in writing, reject the application.

(14) The Commission shall before granting licence or rejecting the application under the provisions of this Regulation provide an opportunity of hearing to the applicant, CTUIL, the concerned DICS, or the person who has filed suggestions and objections, or any other interested person.”

24. In our order dated 21.5.2026, we had proposed to grant a transmission licence to the Petitioner company and directed the issue of public notice. In response to the public notice, no suggestions/ objections have been received. In its letter dated 29.1.2026, CTUIL recommended granting a transmission licence to the Petitioner. We find that the Petitioner company meets the requirements of the Act and the Transmission Licence Regulations, 2024, for the grant of a transmission licence for the subject Transmission System mentioned in paragraph 1 of this order. Accordingly, we direct that a transmission licence be granted to the Petitioner, TP Gopalpur Transmission Limited, to establish the “Transmission Licence to “Eastern Region Expansion Scheme- XXXIX Power Transmission Limited” on a Build, Own, Operate and Transfer basis as per the details given in paragraph 1 above.

25. The grant of the transmission licence to the Petitioner (hereinafter referred to as “the licensee”) is subject to the fulfilment of the following conditions throughout the period of the licence:

- (a) The transmission licence shall, unless revoked earlier, remain in force for a period of 25 years from the date of issue;

- (b) The transmission licensee shall comply with the provisions of the Central Electricity Regulatory Commission (Procedure, Terms, and Conditions for grant of Transmission Licence and other related matters) Regulations, 2024 or any subsequent enactment thereof during the period of subsistence of the licence;
- (c) The licensee may make an application, two years before the expiry of the initial licence period, for the grant of the transmission licence for another term in accordance with Regulation 9 (2) of the 2024 Transmission Licence Regulations, which shall be considered by the Commission in accordance with law;
- (d) The licensee shall not enter into any contract for or otherwise engage in the business of trading in electricity during the period of subsistence of the transmission licence;
- (e) The licensee shall have the liability to pay the licence fee in accordance with the provisions of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012, as amended from time to time or any subsequent enactment thereof. Delay in payment or non-payment of the licence fee or a part thereof for a period exceeding sixty days shall be construed as a breach of the terms and conditions of the licence;
- (f) The licensee shall comply with the directions of the National Load Despatch Centre under Section 26 of the Act, or the Regional Load Despatch Centre under sub-section (3) of Section 28 or sub-section (1) of Section 29 of the Act, as may be issued from time to time for maintaining the availability of the transmission system;

- (g) The licensee shall remain bound by the provisions of the Central Electricity Regulatory Commission (Standard of Performance of inter-State transmission licensees) Regulations, 2012 or subsequent enactment thereof;
- (h) The licensee shall provide the non-discriminatory open access to its Transmission System for use by any other licensee, including a distribution licensee or an electricity trader, or generating company or any other person in accordance with the Act; the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008; the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2023; the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2023, as amended from time to time or any subsequent re-enactments thereof;
- (i) The licensee shall not undertake any other business for optimum utilisation of the Transmission System without prior intimation to the Commission and shall comply with the provisions of the Central Electricity Regulatory Commission (Sharing of Revenue Derived from Utilisation of Transmission Assets for other business) Regulations, 2020;
- (j) The licensee shall remain bound by the provisions of the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2020, as amended from time to time;

- (k) The licensee shall remain bound by the provisions of the Act, the Rules and Regulations framed thereunder, in particular the 2024 Transmission Licence Regulations, the Grid Code, the Standards specified by the Central Electricity Authority, orders and directions of the Commission issued from time to time;
- (l) The licensee shall ensure the execution of the Project as per the Technical Standards and Grid Standards of CEA;
- (m) The licensee shall submit all such reports or information as may be required under 2024 Transmission Licence Regulations, Standard of Performance Regulations or any other regulation of the Commission or as per the directions of the Commission as may be issued from time to time;
- (n) The licensee shall ensure that the EPC contract for the execution of work under the scope of the project is awarded through a competitive bidding process.

26. CTUIL and the Central Electricity Authority shall monitor the execution of the Project and bring to the Commission's notice any lapse on the part of the licensee in meeting the schedule for further appropriate action in accordance with the provisions of the Transmission Service Agreement executed between the licensee and the Nodal Agency, the Act, and the Transmission Licence Regulations.

27. It is expected that while carrying out the survey, the Petitioner has complied with the provisions of clauses 2.5.7.3, 2.5.7.4, and 2.5.7.5 of the RfP. The Petitioner will comply with the provisions of the bidding documents and the TSA for commissioning the Project within the SCOD in letter and spirit.

28. An extract copy of this order is to be sent to CTUIL, CEA, and BPC for information and necessary action.

29. Petition No. 125/TL/2026 along with IA No. 34/2026 is disposed of in terms of the above.

Sd/
(Ravinder Singh Dhillon)
Member

Sd/
(Harish Dudani)
Member

Sd/
(Ramesh Babu V.)
Member

Sd/
(Jishnu Barua)
Chairperson