

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 287/MP/2026
along with 99/IA/2026**

Coram:

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

Date of Order: 2nd July, 2026

In the matter of:

Petition under Section 79(1)(c) & (f) 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, *inter alia*, seeking extension of time for submission of land documents under Regulation 11A(1) of the GNA Regulations (as amended) with directions to Central Transmission Utility of India Ltd. to not take any coercive action in the interregnum in relation to connectivity granted to the Petitioners along with consequential relief(s) thereof.

And in the matter of:

1. Azure Power India Private Limited

8th Floor, Tower A, DLF Infinity,
Cyber City, Phase- II, Gurugram, Haryana-122002

2. Azure Power Sixty-Three Private Limited

8th Floor, Tower A, DLF Infinity,
Cyber City, Phase- II, Gurugram, Haryana-122002

.....Petitioners

Versus

1. Central Transmission Utility of India Limited,

Floors No. 5th-10th, IRCON International Tower, Tower-1
Plot No. 16, Institutional Area, Sector 32, Gurugram, Haryana-122003

.....Respondent



Parties Present:

Shri. Basava Prabhu Patil, Senior Advocate, APIPL
Shri Aniket Prasoon, Advocate, APIPL
Shri Md. Aman Sheikh, Advocate, APIPL
Ms. Tanya Bajaj, Advocate, APIPL

ORDER

The present Petition has been filed by Azure Power India Private Limited (APIPL) and Azure Power Sixty-Three Private Limited (AP63PL) (hereinafter collectively referred to as the "Petitioners"), inter alia, seeking extension/ relaxation of time for submission of land documents under Regulation 11A(1) of the GNA Regulations with directions to Central Transmission Utility of India Ltd. (CTUIL) to not take any coercive action in the interregnum in relation to connectivity granted to the Petitioners along with consequential relief(s) thereof. The Petitioners have made the following prayers:

- (a) *Admit the present Petition;*
- (b) *Pass an order granting relaxation/extension of the timeline prescribed under Regulation 11A(1) of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the Inter-State Transmission System) Regulations, 2022 for demonstrating availability of 50% of the land required for the Petitioners' 300 MW Solar Power Project at Raghnesda, Banaskantha, Gujarat, by a period of at least four (4) months from 02.07.2026, i.e., up to 02.11.2026, or such further period as this Hon'ble Commission may deem fit and appropriate in the facts and circumstances of the case;*
- (c) *Pass an order directing the Respondent, Central Transmission Utility of India Limited, not to revoke the connectivity granted to the Petitioner No. 2 vide final grant of connectivity dated 05.01.2026 under Application No. 2200001107 on account of any non-compliance with Regulation 11A(1) of the GNA Regulations during the pendency of the present Petition and/or for such extended period as may be granted by this Hon'ble Commission;*
- (d) *Pass an order directing the Respondent not to invoke, encash, appropriate or act upon the Land Bank Guarantee bearing No. 820-02-0099525 dated 31.07.2024 amounting to Rs. 30 Crores; and the Connectivity Bank Guarantees aggregating to approximately Rs. 9.5 Crores (with details as set out in paragraph 24) furnished by the Petitioner No. 2 in connection with the connectivity granted under Application No. 2200001107, during the pendency of the present Petition and/or for such extended period as may be granted by this Hon'ble Commission; and*
- (e) *Pass any other or further order(s) as this Hon'ble Commission may deem fit and proper in the facts and circumstances of the present case and interest of justice.*

Interim Relief Sought

- (a) *Revoking, cancelling, suspending or in any manner adversely affecting the connectivity granted to the Petitioner No. 2 vide final grant of connectivity dated 05.01.2026 under Application No. 2200001107, on account of any non-compliance with the land milestone requirement under Regulation 11A(1) of the GNA Regulations; and*



- (b) Invoking, encashing, appropriating, calling upon or in any manner acting upon or utilising the Land Bank Guarantee amounting to Rs. 30 Crores bearing Bank Guarantee No. 820-02-0099525 dated 31.07.2024 issued by DBS Bank India Limited, and/or the Connectivity Bank Guarantees aggregating to approximately Rs. 9.5 Crores bearing Bank Guarantee Nos. 820-02-0104065, 820-02-0104056 and 820-02-0104074, each dated 30.01.2025, issued by DBS Bank India Limited, or any renewals or replacements thereof, furnished by the Petitioner No. 2 in connection with the aforesaid connectivity;

2. The Petitioners have also filed 99/IA/2026 seeking urgent listing of the Petition seeking issuance of an interim order restraining the CTUIL from revoking, cancelling, suspending, withdrawing or in any manner adversely affecting the connectivity granted to the Petitioner AP63PL. The Petitioner have made the following prayers:

- (a) List the present Petition on 23.06.2026, or at the earliest convenient date prior thereto as per the convenience of this Hon'ble Commission, on account of extreme urgency arising from the impending compliance deadline of 02.07.2026 under Regulation 11A (1) of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the Inter-State Transmission System) Regulations, 2022 (as amended) ("GNA Regulations");
- (b) Pending disposal of the present Petition, pass an urgent ex-parte ad interim order restraining the Respondent i.e., Central Transmission Utility of India Limited ("CTUIL") from revoking, cancelling, suspending, withdrawing or in any manner adversely affecting the connectivity granted to the Applicant No. 2 vide final grant of connectivity bearing reference no. CTU/WR/CONN-INT-1C/2200001107 dated 05.01.2026 under Application No. 2200001107 for 300 MW at Raghanesda Pooling Station, on account of any alleged non-compliance with the land milestone requirement under Regulation 11A(1) of the GNA Regulations;
- (c) Pending disposal of the present Petition, pass an urgent ex-parte ad interim order directing CTUIL not to take any coercive action pursuant to or in furtherance of the alleged non-compliance with Regulation 11A(1) of the GNA Regulations, including invocation and/or encashment of the following Bank Guarantees furnished by the Applicant No. 2 in relation to the aforesaid connectivity:

S. No.	Bank Guarantee	BG No.	Amount	Issued By
1.	Land Bank Guarantee	820-02-0099525 dated 31.07.2024	Rs.30,00,00,000/- (Rupees Thirty Crores Only)	DBS Bank India Limited
2.	Conn-BG1	820-02-0104065 dated 30.01.2025	Rs. 50,00,000/- (Rupees Fifty Lakhs Only)	DBS Bank India Limited
3.	Conn-BG2	820-02-0104056 dated 30.01.2025	Rs.3,00,00,000/- (Rupees Three Crores Only)	DBS Bank India Limited
4.	Conn-BG3	820-02-0104074 dated 30.01.2025	Rs.6,00,00,000/- (Rupees Six Crores Only)	DBS Bank India Limited
Total			Rs.39,50,00,000/- (Rupees Thirty-Nine Crores Fifty Lakhs Only)	

- (d) Pending disposal of the present Petition, direct CTUIL to neither alienate nor create any third-party rights, nor to reallocate, transfer, assign or otherwise deal with the connectivity corresponding to 300 MW at Raghanesda Pooling Station under Application No. 2200001107, in any manner whatsoever;
- (e) Pending disposal of the present Petition, direct CTUIL to maintain status quo with respect to the connectivity corresponding to 300 MW at Raghanesda Pooling Station granted to the Applicant under Application No. 2200001107 and the Connectivity Agreement dated 28.01.2026; and
- (f) Pass any other or further order(s) as this Hon'ble Commission may deem fit and proper in the facts and circumstances of the present case and in interest of justice.



Submission of Petitioners:

2. The Petitioners have mainly submitted as under:

- (a) On 31.7.2024, the Petitioner AP63PL made an application seeking Connectivity for a capacity of 300 MW for its Solar Project at the 220 kV Raghanesda PS under Regulation 5.8(xi) (c) of the GNA Regulation, i.e., the Land BG Route and CTUIL, on 02.01.2025, issued the in-principle grant of Connectivity at Raghanesda PS.
- (b) Thereafter, in compliance with Regulation 8 of GNA Regulations, on 30.01.2025, the Petitioner AP63PL duly furnished Connectivity bank guarantee(s)/ Conn BGs as issued by DBS Bank in favour of CTUIL.
- (c) The final grant of connectivity was issued by CTUIL to the Petitioner AP63PL vide communication dated 05.01.2026 with a start date of connectivity as 23.10.2027.
- (d) In terms of the connectivity granted, the Petitioner AP63PL has furnished the Land Bank Guarantee amounting to Rs. 30 Crores and Connectivity Bank Guarantees aggregating to approximately Rs.9.5 Crores.
- (e) Regulation 11A(1) of the GNA Regulations requires a connectivity grantee to demonstrate availability of 50% of the land required for the Project by the earlier of eighteen (18) months from the date of grant of in-principle connectivity or twelve (12) months from the date of grant of final connectivity. Accordingly, in the case of the Petitioners, the applicable date for demonstrating compliance with the aforesaid requirement is 2.7.2026. Moreover, 50% of the total land requirement in the present case is 450 acres, considering the normative requirement of 3 acres per MW, i.e., 900 acres for 300 MW of solar power-based connectivity.
- (f) The process of acquisition and completion of documentation pertaining to the leasing of land parcels was impacted due to administrative circumstances prevailing in the Project area. The Government of Gujarat, vide Notification dated 24.09.2025, reorganised the erstwhile Banaskantha district (where 220 kV Raghanesda PS was located, and consequently, land parcels were required to be arranged) and, with effect from 02.10.2025, constituted a new district, namely Vav-Tharad district, along with the reorganisation of various talukas and revenue jurisdictions. Such reorganisation necessitated redistribution of territorial jurisdiction and administrative responsibilities amongst the concerned revenue authorities dealing with the project land area being

acquired/ arranged for the Project.

- (g) Therefore, during the transition period following the aforesaid reorganisation, the functioning of the local revenue administration and authorities entrusted with processing land-related matters was considerably affected. Owing to the restructuring of the administrative set-up and the redistribution of jurisdiction among the newly constituted districts and talukas, processing and decision-making with respect to land records, mutations and allied matters proceeded at a slower pace. Consequently, finalisation of certain land parcels proposed for acquisition for the Project was delayed due to circumstances beyond the Petitioner's control.
- (h) Despite the aforesaid administrative constraints, the Petitioners have acted diligently and continuously pursued the acquisition of the remaining land parcels. As on date, the Petitioner AP63PL has already secured approximately 268 acres of land by way of executing land lease agreements and is actively pursuing the acquisition of the balance 182 acres, which is expected to be completed by November 2026.
- (i) In addition, the Petitioners have incurred further expenditure towards site mobilisation and related preparatory activities, which is in the range of around Rs. 50 Crore.
- (j) The connectivity granted to the Petitioner AP63PL is associated with the ISTS Raghnesda PS, which itself is presently under construction. The said transmission infrastructure is expected to be commissioned only around September/ October 2027. Consequently, the transmission system necessary for operationalisation of the Project is not presently available and is not expected to be available for more than a year.
- (k) In view of the aforesaid, a short extension of time for demonstrating compliance with Regulation 11A (1) would neither adversely affect grid operations nor prejudice the rights of any third party.
- (l) In the absence of intervention by this Commission, the Petitioners would be exposed to the imminent risk of revocation of connectivity and consequential invocation of the Bank Guarantees furnished by it, which would result in grave and irreparable prejudice and would jeopardise the substantial investments already made by the Petitioners.
- (m) The Petitioners are aware that this Commission has, in exercise of its regulatory functions, introduced the Milestone Extension Charges ("MEC") framework in 5/SM/20206 dated 15.06.2026 as a mechanism to address situations where project

developers face delays in achieving prescribed project development milestones, while preserving connectivity subject to payment of specified extension charges. The MEC framework reflects this Commission's considered recognition that strict revocation of connectivity is not always the appropriate regulatory response to milestone delays, particularly where the developer is genuine and committed and has made substantial progress towards project implementation.

- (n) It is understood that the MEC framework, which is part of the 5/SM/2026 order of this Commission, is in draft stage & is likely to become applicable to the Petitioners' Project only after the compliance trigger date of 2.7.2026. Therefore, the Petitioners face the risk of revocation of connectivity and encashment of Bank Guarantees in the very window during which the MEC framework has not yet become operative.
- (o) This temporal gap in the applicability of the MEC framework creates a situation of manifest inequity, which warrants direct intervention by this Commission in exercise of its powers under Regulations 41 and 42 of the GNA Regulations.

Submission of Petitioners in 99/IA/2026:

- 3. The Petitioners have reiterated their submissions in the main Petition and mainly submitted as under:
 - (a) The compliance deadline under Regulation 11A (1) of the GNA Regulations, as applicable to the Petitioner AP63PL, falls on 2.7.2026, which is only a few days from the date of filing of the present Application. Upon expiry of the said deadline, CTUIL would be entitled to invoke and exercise its powers under the GNA Regulations to revoke the Connectivity granted to the Applicant and to invoke and encash the Bank Guarantees.
 - (b) The Project is a 300 MW solar power project intended to contribute to India's renewable energy capacity and to the achievement of the nation's renewable energy targets under its nationally determined contribution commitments. Jeopardisation of the Project at this stage, on account of a marginal and temporary delay in achieving the land milestone attributable to administrative circumstances entirely beyond the Petitioners' control, would be contrary to the public interest in facilitating timely development of renewable energy projects and would frustrate the object and purpose of the GNA Regulations themselves.

Hearing dated 24.6.2026



4. The extracts of the RoP for the hearing dated 24.6.2026 are attached as under:

"The learned senior counsel for the Petitioner submitted that the present Petition has been filed inter alia seeking extension of time for submission of land documents under Regulation 11(A)(1) of the GNA Regulations, with directions to the Respondent/CTUIL not to take any coercive action in the interregnum in relation to the connectivity granted to the Petitioners, along with consequential reliefs. The learned senior counsel further submitted that after the filing of the Petition, the Petitioners have now secured approximately 307 acres of land (as against 268 acres on the date of filing of the Petition) and may be permitted to file their note of submissions updating the status of the land secured by them.

2. After hearing the learned senior counsel for the Petitioners, the Commission directed as under:

(a) Admit and issue notice to the Respondent.

(b) The Respondent to file its reply, if any, within two days with a copy to the Petitioners, who may file their rejoinder, if any, within a day thereafter."

5. CTUIL has not filed its reply in the matter.

Hearing dated 29.6.2026

6. During the hearing on 29.6.2026, the learned counsel for the Petitioners submitted that two days' time was granted to CTUIL to file its reply; however, no reply has been filed. He also submitted that they have already acquired about 307 acres of land out of the total 450 acres required. He also pointed out that MEC charges have been contemplated in the draft Order in 5/SM/2026, and they are expecting to complete the entire process of acquiring and registering the land in the next six weeks; however, in the present case, the cut-off date is 2.7.2026. Accordingly, he requested six weeks' time. In response to the specific query of the Commission regarding securing land of 307 acres, the learned counsel of the Petitioner submitted that it means the said quantum of land is already registered. On query of the Commission regarding any other prayers, the learned counsel for the Petitioner submitted that, at present, they only need six weeks' time to acquire the land and maintain the status quo.
7. Learned counsel for the CTUIL submitted that this is a Petition under Power to Relax and their reply would have been just putting forth the factual information, and it is for the Commission to decide on the relaxation. He also submitted that as the due date is 2.7.2026, generally in such matters CTUIL proceeds for revocation of connectivity as per the provisions of the Regulation, if there is no injunction from any court.
8. Considering the submissions of Petitioners and Respondent CTUIL, the Commission reserved the matter for Order.

Analysis and Decision:



9. We have considered the submissions of the Petitioners and the Respondent and the documents placed on record. The following issue arises for our consideration.

Issue 1: Whether the Petitioner may be granted relaxation/ extension of the timeline prescribed under Regulation 11A(1) of the GNA Regulations for demonstrating availability of 50% of the land required for the Petitioner's 300 MW Solar Power Project?

10. Now we proceed to discuss the above issue.

11. GNA Regulations provide as under:

"5.8. The application for grant of Connectivity shall contain, inter alia, the following details, as applicable, duly supported with relevant affidavit, as stipulated in the Detailed Procedure for Connectivity and GNA issued in accordance with Regulation 39.1:

....

(xi) In case of Applicants which are REGS (other than Hydro generating station or ESS (excluding Pumped Storage Plant (PSP)) the documents shall be submitted as per sub-clause(a) or sub-clause (b) or sub-clause (c) as specified hereunder:

...

(c) For a capacity up to 1000MW - Bank Guarantee of Rs. 10 lakh/ MW and for a capacity more than 1000MW - Bank Guarantee of Rs. 100 Crore plus Rs. 5 lakh/MW for capacity over and above 1000MW, in lieu of ownership or lease rights or land use rights of land for 50% of the land required for the capacity for which Connectivity is sought subject to provisions of Regulations 11A and 11B of these regulations.

.....

11A. Conditions subsequent to be satisfied by the Connectivity Grantee which is REGS (other than Hydro generating station) or ESS (excluding PSP) or Renewable power park developer

(1) An applicant which is REGS (other than Hydro generating station) or ESS (excluding PSP) covered under sub-clause (c) of Clause (xi) of Regulation 5.8 or Renewable power park developer covered under sub-clause (c) of Clause (vii) of Regulation 5.8 shall submit documents for land in terms of sub-clause (b) of Clause (xi) or sub-clause (b) of Clause (vii) of Regulation 5.8 of these regulations, as the case may be, within 18 months of issuance of an in-principle grant of Connectivity or within 12 months of issuance of a final grant of Connectivity, whichever is earlier. The Bank Guarantee submitted under subclause (c) of Clause (vii) or under sub-clause (c) of Clause (xi) of Regulation 5.8 of these regulations shall be returned within 7 days of acceptance of the submitted land documents by the Nodal Agency.

Provided that, in case final grant of Connectivity has been intimated at an ISTS substation where neither the final coordinates nor the tentative coordinates are communicated along with final grant of Connectivity by the Nodal Agency, the applicant shall furnish the required land documents by the later date of subclause (a) or (b) specified below:

(a) within 18 months of issuance of an in-principle grant of Connectivity or within 12 months of issuance of a final grant of Connectivity, whichever is earlier, or

(b) within nine months from the date of communication of tentative coordinate of the substation at which Connectivity has been granted in terms of clause (b) of Regulation 10.5 of these regulations."

As per above, the timelines to demonstrate availability of 50% of the land by a connectivity grantee which has been issued connectivity under the land BG Route are defined in terms of the above.

- 12.** We observe that in the present case, the Petitioner ASTPL was issued an in-principle grant of connectivity for its 300 MW project on 02.01.2025 and a final grant of connectivity was issued on 05.01.2026, under the land BG route. Further, the tentative coordinates of the substation were also intimated to the Petitioner ASTPL along with the final grant of connectivity dated 05.01.2026. Petitioners have submitted the applicable date for demonstrating compliance with the requirement with respect to 50% of the land requirement under Regulation 11A(1) is 2.7.2026, which was seconded by CTUIL during the hearing held on 29.6.2026.
- 13.** Petitioners have stated that the draft MEC framework in 5/SM/20206 dated 15.6.2026 have been issued by the Commission to address the situations where project developers face delays in achieving prescribed project development milestones, while preserving connectivity subject to payment of specified extension charges, particularly where the developer is genuine and has made substantial progress towards project implementation, however, the said framework is likely to become applicable to the Petitioners' Project only after the compliance trigger date of 2.7.2026.
- 14.** We observe that although the Petitioners in its prayers sought a period of at least four months from 02.07.2026, for demonstrating availability of 50% of the land required for the Petitioners 300 MW Solar Power Project under Regulation 11A(1) of GNA regulations, but during hearing dated 29.06.2026, the Petitioners have submitted that as they have already acquired the land measuring 307 acres out of 450 acres, they only require an additional time of six weeks to acquire the balance land.
- 15.** We note that in a similar matter vide Order dated 4.5.2026, the Commission has condoned the delay in removing the deficiencies in the land documents submitted towards the compliance of Regulation 11A(1) of GNA Regulations, subject to the payment of the compensation equivalent to 5% of Land BGs.
- 16.** We note that, as per the Petitioner, they have already acquired 307 acres of land out of 450 acres required to demonstrate compliance with Regulation 11A (1). While neither the Petitioner has furnished the land documents under the instant Petition, nor have we examined the land documents, the 307 acres of land already acquired as per the

Petitioner is approximately 34% of the total land required for a 300 MW project (i.e., 900 acres). Accordingly, we find the instant Petition is a fit case for exercising the power to relax and the power to remove difficulty to condone the delay in submission of requisite land documents required to satisfy compliance with Regulation 11A(1) of the GNA Regulations to enable the Petitioner to implement the project in a timely manner and to optimise the utilisation of the transmission system.

17. Considering the above, we allow the Petitioner AP63PL to submit the land documents in compliance with Regulation 11A(1) of the GNA regulations by 31st August 2026, subject to the payment of compensation equivalent to 5% of Land BG.

18. The compensation amount as indicated above shall be deposited by the Petitioner AP63PL with CTUIL within a period of 15 days of issuance of this Order, failing which CTUIL shall be at liberty to take appropriate action in terms of GNA Regulations. The compensation amount paid by the Petitioner shall be utilised to reduce the monthly transmission charges under the 2020 Sharing Regulations.

19. The Petition No. 287/MP/2026 along with 99/IA/2026 stands disposed of in terms of above.

Sd/
(Ravinder Singh Dhillon)
Member

Sd/
(Harish Dudani)
Member

Sd/
(Ramesh Babu V)
Member

Sd/
(Jishnu Barua)
Chairperson