

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 104/MP/2022**

Subject : Petition under Sections 79(1) of the Electricity Act, 2003 seeking extension of timelines of Connectivity and LTA for its Solar Power Project at Nokh Solar Park.

Date of Hearing : 20.5.2022

Coram : Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member

Petitioner : Rajasthan Solarpark Development Company Limited (RSDCL)

Respondents : Central Transmission Utility of India Limited and 2 Ors.

Parties Present : Shri Ranji Thomas, Sr. Advocate, RSDCL  
Shri Aditya Singh, Advocate, RSDCL  
Ms. Perna Priyadarshi, Advocate, NTPC  
Ms. Priyashree Sharma, Advocate, NTPC  
Ms. Suparna Srivastava, Advocate, CTUIL  
Ms. Soumya Singh, Advocate, CTUIL  
Shri Tushar Mathur, Advocate, CTUIL  
Shri Jafar Alam, Advocate, Rising Sun Energy  
Shri Saahil Kaul, Advocate, Rising Sun Energy  
Shri K. C. Soni, RSDCL  
Shri R. K. Avasthi, RSDCL  
Ms. Kavya Bhardwaj, CTUIL  
Shri Yatin Sharma, CTUIL  
Shri Swapnil Verma, CTUIL  
Shri Siddharth Sharma, CTUIL

**Record of Proceedings**

Case was called out for virtual hearing.

2. Learned senior counsel for the Petitioner submitted that the present Petition has been filed, *inter alia*, for extension of time for connectivity as 15.3.2023 and start date of Long Term Access ('LTA') as 31.3.2023 and 1.11.2023 for 190 MW and 735 MW respectively. Learned senior counsel further submitted as under:

(a) The Petitioner is developing 925 MW Nokh Solar Park under MNRE Scheme 'Development of Solar Parks Ultra Mega Solar Power Projects' and the Respondent No.2, NTPC is setting up 735 MW (3 Projects of 245 MW each) Solar Power Projects in EPC mode and 190 MW Solar Power Project in Developer mode in Nokh Solar Park.

(b) The Petitioner is responsible for constructing internal power evacuation system of the Solar Park which consists of 4 Nos. 220/33 kV Park Pooling substation and associated 220 kV transmission lines through which the power generated at Nokh Solar Park will be injected in the ISTS system.

(c) The Petitioner is seeking an extension of LTA and Connectivity on account of (i) disruption due to Covid-19 pandemic, (ii) implication of the order dated 19.4.2021 passed by the Hon'ble Supreme Court in IA No. 85618 of 2020 in Writ Petition (Civil) No. 838 of 2019 (M K Ranjitsinh & Ors. v. UoI & Ors.) in terms of which all existing and future overhead low and high voltage power lines in the priority and potential habitats of Great Indian Bustard shall be underground and the resultant uncertainty caused thereto, and (iii) 5 months additional time consumed to conclude the crossing of transmission line issue between the Petitioner and the various solar developers, which were laying lines in the vicinity of the approved route profile of the Petitioner's line.

(d) The Respondent No.2, NTPC has already filed its reply supporting the prayers made by the Petitioner.

3. Learned counsel appearing on behalf of Rising Sun Energy (K) Private Limited ('RSEPL'), submitted that RSEPL is developing 190 MW Solar Power Project in Nokh Solar Park. However, it has not been made party to the Petition and thus, the Petitioner may be directed to implead the RSEPL as party to the Petition. In response, learned senior counsel for the Petitioner submitted that RSEPL ought to first approach NTPC, which has already been made party to the Petition.

4. Learned counsel for the Respondent, CTUIL accepted the notice and sought time to file reply to the Petition.

5. After hearing the learned counsel for the Petitioner, the Commission ordered as under:

(a) The Petitioner to implead Rising Sun Energy (K) Private Limited as party to the Petition and file revised memo of parties within a week.

(b) Admit. Issue notice to the Respondents including Rising Sun Energy (K) Private Limited.

(c) The Petitioner to serve copy of the Petition on the Respondents and the Respondents to file their reply within two weeks after serving copy of the same to the Petitioner, who may file its rejoinder within two weeks thereafter.

(d) The Petitioner to submit the following information/clarifications:

(i) Status of land required vis-a-vis acquired, commissioning status of the pooling sub-station of the solar park and the connectivity transmission system under the scope of the Petitioner.

(ii) Copy of order passed by the Hon'ble Supreme Court wherein the Petitioner had approached the Hon'ble Supreme Court in regards to execution of its project keeping in view the project falling under GIB area.

(iii) Date on which the Petitioner had approached the Committee constituted by the Hon'ble Supreme Court vide Order dated 19.4.2021 (I.A. No. 85618 of 2020 in Writ Petition (Civil) No. 838 of 2019 - *M.K. Ranjitsinh & Ors. v. Union of India & Ors*) and reason for delay in approaching the same.

(e) CTU to submit the scheduled date of commercial operation considered in the instant project in light of Clause 11.2(A)(b) of the Revised RE Procedure dated 20.2.2021.

(f) Parties to comply with the above direction within the specified timeline and no extension of time shall be granted.

(g) Submission of the learned counsel for CTUIL that it is not going to take any coercive steps including revoking of Connectivity under Clause 11.2 of Revised RE Procedure, against the Petitioner till further direction was taken on record.

6. The Petition shall be listed for hearing in due course for which separate notice will be issued.

**By order of the Commission**

**Sd/-  
(T.D. Pant)  
Joint Chief (Law)**