

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.310/TL/2023**

- Subject : Application under Sections 14 and 15 of the Electricity Act, 2003 read with Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission License and other related matters) Regulations, 2009 for Grant of separate Transmission License for implementation of Transmission System for Evacuation of Power from potential renewable energy zone in Khavda area of Gujarat under Phase-IV (7 GW): Part E1 on Regulated Tariff Mechanism (RTM) route.
- Date of Hearing : **5.12.2023**
- Coram : Shri Jishnu Barua, Chairperson  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner : Khavda – Bhuj Transmission Limited (KBTL)
- Respondents : Adani Renewable Energy Holding Four Ltd. and 8 Ors.
- Parties Present : Shri Bhavesh Kundalia, Advocate, KBTL  
Shri Shashank, CTUIL  
Shri Siddharth Sharma, CTUIL  
Ms. Kavya Bhardwaj, CTUIL

**Record of Proceedings**

The representative of the Petitioner submitted that the present Petition has been filed for the grant of a separate transmission licence for the implementation of the “Transmission System for Evacuation of Power from potential renewable energy zones in Khavda area of Gujarat under Phase-IV (7GW): Part E1” (‘Transmission Scheme’) on the Regulated Tariff Mechanism (RTM) mode. The representative of the Petitioner further submitted that the Petitioner has also filed its affidavit in compliance with the direction issued vide Record of Proceedings for the hearing dated 10.11.2023.

2. In response to the specific query of the Commission with regard to approval of the Central Government to the Transmission Scheme in terms of the Electricity (Transmission System Planning, Development and Recovery of Inter-State Transmission Charges) Rules, 2021 (‘Transmission Planning Rules’) as notified by the Ministry of Power, Govt. of India on 1.10.2021, the representative of CTUIL submitted that subsequent to the said Rules, the Ministry of Power (MoP), Govt. of India by its Office Order dated 28.10.2021 - in the matter of Re-constitution of National Committee on Transmission - has indicated that (i) for the ISTS Projects costing more than Rs. 500 crore, NCT shall recommend to MoP for the implementation of such projects along with their mode of implementation, (ii) for

ISTS Projects costing between Rs. 100 crore to Rs. 500 crore, NCT shall approve such projects along with their mode of implementation under intimation to MoP and (iii) for ISTS Projects costing less than or equal to Rs. 100 crore, CTUIL will approve such projects along with their mode of implementation under intimation to NCT and MoP. The representative of CTUIL, accordingly, submitted that keeping in view this specific procedure laid down in the clarificatory order dated 28.10.2021 by MOP, it is clarified that no separate approval might be required for the ISTS Projects under the Transmission Planning Rules. However, in response to the specific observation of the Commission with regard to whether any amendment of the rules is necessary, the representative of CTUIL sought liberty to approach the MoP and seek clarification on the above aspect.

3. Considering the request of the representative of CTUIL, the Commission permitted the CTUIL to seek the necessary clarification from MoP on the requirement of approval of the ISTS Project by the Central Government under the Transmission Planning Rules vis-à-vis the ISTS Projects approved by NCT and/or CTUIL and to file such clarification issued by MoP, if any, within two weeks.

4. The Petition will be listed for hearing on **17.1.2024**.

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