

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
New Delhi**

**Petition No. 5/MP/2022**

- Subject** : Petition for approval of inclusion of 33/220 kV GIS Sub-station Karian along with 220 kV D/C Transmission line from Karian to Rajera of H.P. Power Transmission Corporation Limited under PoC mechanism for recovery of transmission charges under Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2020.
- Date of Hearing** : 21.2.2024
- Coram** : Shri Jishnu Barua, Chairperson  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner** : Himachal Pradesh Power Transmission Corporation Limited (HPPTCL)
- Respondents** : Himachal Pradesh State Electricity Board Limited and Others
- Parties Present** : Shri Amal Nair, Advocate, HPPTCL  
Ms. Shivani Verma, Advocate, HPPTCL  
Shri Anand K. Ganesan, Advocate, HPPTCL  
Shri Prashant Garg, NRLDC  
Shri Sunil Kanaujiya, NRLDC  
Shri Gajendra Singh, NRLDC  
Shri Alok Mishra, NRLDC  
Ms. Ankita Singh, CTUIL  
Shri Ranjeet Rajput, CTUIL  
Ms. Kavya Bhardwaj, CTUIL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that 220 kV Karian-Rajera Transmission Line is built by State Transmission Utility. Further, NRPC vide 45<sup>th</sup> TCC and 48<sup>th</sup> NRPC meeting dated 2.9.2022 has approved the inclusion of 220 kV Karian-Rajera Transmission Line under PoC mechanism for the year 2019-20. He submitted that NRPC, vide letter dated 24.8.2021 informed the Petitioner that the work of certification of non-ISTS lines carrying ISTS power has been withdrawn from the date of Notification of the Central Electricity Regulatory Commission (Sharing of ISTS Charges and Losses) Regulations, 2020 i.e. 11.11.2020. He submitted that certification of 220 kV Karian-Rajera Transmission Line as ISTS for the year 2019-20 cannot be subject matter of enquiry in the present case in view of the judgment of Hon'ble Supreme Court in the matter of Ishwar Singh v. State of Rajasthan [(2005) 2 SCC 334], wherein it was held that if an authority delegates the power



to act, the power exercised by delegatee shall be deemed to be exercise of power on behalf of the delegator and APTEL in its judgment dated 29.1.2024 in the matter of Kanchanjunga Power Company Private Limited v. CERC and others has relied on the said judgment. Learned counsel sought 10 days' time to file Written Submissions.

2. The representative of NRLDC submitted that NRPC has certified the instant line as ISTS for the year 2019-20. After notification of the 2020 Sharing Regulations, NRPC is not empowered for certification of ISTS line. He further submitted that hydro rich States like Himachal Pradesh has peculiar demand pattern. The surplus intra-State generation is injected into the ISTS during the high hydro season while during the lean hydro period, when the State demand is high, it draws power from the ISTS. He submitted that if any intra-state asset is termed as ISTS on the basis of power flow pattern during low demand and high hydro season, then the substantial part of the intra-State network of States like Himachal and Uttarakhand are likely to become part of ISTS. He submitted that in the present case, the transmission line of the Petitioner should not be treated as an ISTS line.

3. After hearing the parties, the Commission allowed the Petitioner to file its Written Submissions by 8.3.2024, with an advance copy to the Respondents.

4. Subject to the above, the Commission reserved order in the matter.

**By order of the Commission**

sd/-  
(V. Sreenivas)  
Joint Chief (Law)

