

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Review Petition (Diary) No.138/2024

Subject : Review Petition under Section 94 (1) (f) of the Electricity Act, 2003 read with Regulations 17 and 103 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking review of the Order dated 27.02.2024 passed by this Hon'ble Commission in IA (Diary) No. 105 of 2025 in Petition (Diary) No. 89 of 2024

Date of Hearing : **15.3.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioner : Indosol Solar Private Limited.

Respondents : Central Transmission Utility of India Limited.

Parties Present : Ms. Swapna Seshadri, Advocate, ISPL
Ms. Aishwarya Subramani, Advocate, ISPL
Shri Siddharth Sharma, CTUIL

Record of Proceedings

Citing the urgency involved, the matter was mentioned by the learned counsel for the Petitioner and submitted that the Petitioner had filed a Review Petition seeking a limited modification of the Record of Proceedings for the hearing dated 27.2.2023 in IA (Diary) No. 105 of 2025 in Petition (Diary) No. 89 of 2024 ('Impugned ROP'). Learned counsel further submitted that the IA (Diary) No. 105 of 2025 was taken up on mentioning by the learned counsel for the Petitioner, Indosol Solar Private Limited and the Commission after considering the submissions of the learned counsel for the Petitioner and the representative of the Respondent, CTUIL, vide Record of Proceedings (ROP) for the hearing dated 27.2.2024 ordered that "*CTUIL will not proceed to revoke the in-principle grant of Connectivity to the Petitioner provided the Petitioner submits POI from IREDA within 7 days of issue of RoP, which shall be replaced by BG of the requisite amount by 31.3.2024, failing which CTU will take action as per GNA regulations*". Learned counsel submitted that since the main issue involved in the Petition is whether the Bank Guarantee provided for in the GNA Regulations can be substituted with a POI as an interim relief, the direction to give a POI cannot be issued. Moreover, the prayer of the Petitioner in IA (Diary) No. 105 of 2024 was to grant the time extension for submission of a Bank Guarantee subject to the final decision in the Petition. Learned counsel sought an extension of 30 days for submission of the Bank Guarantee under the GNA Regulations, 2022.

2. The representative of Respondent, CTUIL, did not object the modification as sought by the Petitioner vide its Review Petition and submitted that the consideration of the Payment of Order Instrument (POI) in lieu of Bank Guarantee under

Regulation 8 of the GNA Regulations, 2022 is the subject matter of the main Petition i.e. Petition (Diary) No.89/2024 preferred by the Petitioner and accordingly, the Commission may decide the same in the main Petition.

3. Considering the submissions made by the learned counsel for the Petitioner and the representative of CTUIL and the special circumstances, the Commission ordered that Para 3 (a) of the said ROP dated 27.2.2024 be modified as under:

“(a) CTUIL will not proceed to revoke the in-principle grant of Connectivity to the Petitioner provided the Petitioner submits Bank guarantee within 30 days from today, failing which CTUIL may take appropriate action in terms of the provisions of the GNA Regulations.”

4. The Commission further ordered that the 30 day period will commence from the date of hearing i.e. 15.3.2024. All other terms contained in the ROP dated 27.2.2024 shall remain unaltered. The Review Petition (Diary) No. 138 of 2024 which has been treated as a Miscellaneous Petition is disposed of in terms of the above.

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