

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 225/MP/2023**

- Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 11 and Article 12 of the Transmission Service Agreement dated 23.10.2019 executed between Jam Khambaliya Transco Limited and Powerica Limited seeking extension of SCOD due to Force Majeure events and consequential relief to offset the adverse effect of the Force Majeure events and Change in Law events.
- Petitioner : Jam Khambaliya Transco Limited (JKTL).
- Respondent : Powerica Limited and Ors.
- Date of Hearing : **29.4.2026**
- Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member  
Shri Ravinder Singh Dhillon, Member
- Parties Present : Shri Amit Kapur, Advocate, JKTL  
Shri Akshat Jain, Advocate, JKTL  
Shri Sayan Ghosh, Advocate, JKTL  
Shri Ravi Sharma, Advocate, CSPDCL  
Shri Aryan Chanda, Advocate, CSPDCL  
Shri Abhishek Bansal, Advocate, RECPDCL  
Shri Saurabh Mishra, Advocate, MPPMCL  
Shri Anand K Ganesan, Advocate, GUVNL  
Ms. Harsha V Rao, Advocate, GUVNL  
Shri Robin Singh, Advocate, GUVNL  
Ms. Ritu Apurva, Advocate, DNH  
Shri Ashutosh Srivastava, Advocate, Powerica  
Shri Nihal Bhardwaj, Advocate, Powerica  
Shri Venkatesh, Advocate, TPCL  
Shri Siddharth Nigotia, Advocate, TPCL  
Ms. Ananya Dutta, Advocate, TPCL  
Shri Vyom Chaturvedi, Advocate, MSEDCL  
Ms. Sneha Singh, Advocate, MSEDCL

**Record of Proceedings**

During the hearing, the learned counsel for the Petitioner submitted that the present Petition has been filed seeking an extension of the Scheduled Commercial Operation Date ('SCOD') of its Transmission Project i.e. establishment of Jam Khambaliya Pooling Station along with its interconnection to facilitate connectivity for renewable energy projects (1500 MW) in Dwarka, Gujarat, due to various events of Force Majeure and compensation/appropriate relief to offset the adverse effect of the Force Majeure and Change in Law events including the Interest During Construction (IDC), Incidental Expenditure During Construction (IEDC), Commodity Price Variation, and Loss of Tariff for the period of delay

on account of such Force Majeure events. The learned counsel further circulated his note of arguments and made detailed submissions on the Change in Law and Force Majeure events. The learned counsel mainly submitted that the SCOD of the Project was 21.3.2021; however, the actual Commercial Operation Date (COD) for Parts A and B was achieved on 12.4.2022, while Part C reached its COD on 24.11.2022. The learned counsel further submitted that the construction of all 3 Parts of the Project has been delayed, *inter alia*, due to the various Force Majeure events beyond control of the Petitioner namely (i) delay in issuance of Lol and SPV acquisition, (ii) delay due to outbreak of COVID-19 (1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> Wave), (iii) delay due to RoW Issues, (iv) delay due to land issues at CGPL premises for ICT, (v) delay in delivery and price variation of commodity due to COVID-19 and Russia-Ukraine War, and (vi) delay due to non-receipt of shutdown permission and delay in supply of Control Relay Panel. The learned counsel further submitted that the Petitioner is seeking restitutive relief under Article 12 of the TSA on account of a Change in Law event, namely the outbreak of COVID-19 and the imposition of nationwide lockdown measures. The learned counsel submitted that the Petitioner has also claimed IDC and IEDC on account of Force Majeure events, along with claims arising from Change in Law events and the associated carrying cost.

2. The learned counsel for the Respondent, CSPDCL, sought short accommodation to go through the note of arguments circulated by the learned counsel for the Petitioner.

3. The learned counsel for the Respondent, DNHPDCL, sought liberty to make her oral arguments on the next date of hearing. The learned counsel also sought liberty to file her note of arguments before the next hearing. The learned counsel for the Respondent, MPPMCL, submitted that MPPMCL has already filed its reply in the matter on 10.6.2025.

4. Considering the above, the Commission decided to list the matter for arguments of the Respondents on another date and accordingly, adjourned the matter. The Commission also permitted the parties to file the note of arguments/written submissions, if any, before the next date of hearing.

5. The Petition remained part-heard and will be listed for the hearing on **9.7.2026 at 2.30 P.M.**

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