

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 175/TL/2025

Coram:

Shri Jishnu Barua, Chairperson

Shri Ramesh Babu V., Member

Shri Harish Dudani, Member

Shri Ravinder Singh Dhillon, Member

Date of Order: 11th April, 2025

In the matter of

Petition under Sections 14 and 15 of the Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission Licence and other related matters) Regulations, 2024 with respect to transmission licence to Rajasthan IV 4B Power Transmission Limited.

And

In the matter of

**Rajasthan IV 4B Power Transmission Limited,
(A 100% wholly owned subsidiary of Dineshchandra R. Agrawal Infracon Private Limited),**

Registered Office: 161, First Floor, Vardhman Crown Mall,
Amberhai, South West Delhi,
New Delhi-110075.

Address for Correspondence:

DRAIPL 2nd floor, Incuspaze,
Plot no. 17, Phase-4, Udyog Vihar, Sector 18,
Gurugram, Sarhol-122015, Haryana.

....Petitioner

Vs

**1. Central Transmission Utility of India Limited,
Saudamini, Plot No.2, Sector-29, Gurugram-122001.**

**2. REC Power Development and Consultancy Limited,
Core-4, SCOPE Complex, 7, Lodhi Road,
New Delhi-110003.**

**3. NTPC Renewable Energy Limited,
Netra Building, E-3, Ecotech-II,
Udyog Vihar, Greater Noida-201306, Uttar Pradesh.**

4. Juniper Green Energy Private Limited,
Plot No. 18, 1st Floor, Institutional Area,
Sector - 32, Gurgaon, Haryana.

5. Green Infra Renewable Projects Limited,
5th Floor, Tower C, Building No. 8, DLF,
Cybercity, Gurugram-122002, Haryana.

6. EG Mega Urja Private Limited,
Enfinity Global Surya Kiran Private Limited
D.No.8-2-610/68/1,2,3, Accord Blu, 5th Floor, Road.No.10,
Banjara Hills, Hyderabad, Telangana.

7. Purvah Green Power Private Limited,
2A Lord Sinha Road First Floor, Middleton
Row Kolkata-700071, West Bengal.

8. Banyan Energy Private Limited,
Plot no-51 & 52, M-Powered Building Phase-IV,
Udyog Vihar Near Atlas Chowk, Haryana.

9. ACME Solar Holdings Limited,
Plot No. 152, Sector-44,
Gurugram-122002, Haryana.

10. Gamma Renewables India Project One Private Limited,
208, Tower B, Pioneer Urban Square,
Sector 62, Gurugram-122005, Haryana.

11. Auxo Sunlight Private Limited,
Renew Sun Power Private Limited,
Commercial Block-1, Zone-6, Golf Course Road,
DLF City Phase-V, Gurugram-122009, Haryana.

12. Hinduja Renewables Energy Private Limited,
Unit No. 1, Ground Floor, Boston House,
Suren Road, Off Andheri-Kurla Road,
Andheri East, Mumbai-400093, Maharashtra.

13. Anboto Solar Private Limited,
Level 1, Southern Park Building,
D-2 District Centre Saket, New Delhi-110017.

14. Green Infra Wind Energy Private Limited,
Building 7A, Level 5, DLF Cyber City,
Gurugram- 122002, Haryana.

15. Hexa Climate Solutions Private Limited,
14th Floor, Vatika Business Park, Sohna Road,
Gurugram-122018.

16. BSES Rajdhani Power Limited,
AVP (PMG) PMG Office, 2nd Floor B-Block,
Nehru Place, New Delhi-110019.

17. Chandigarh Electricity Department,
UT-Chandigarh, Div-11, Opposite,
Transport Nagar, Industrial Area Phase-I, Chandigarh.

18. BSES Yamuna Power Limited,
Asstt. Vice President (PMG),
Shakti Kiran Bldg, Second Floor,
Karkardooma New Delhi-110032.

19. New Delhi Municipal Council,
AAO (Commercial), 19th Floor,
NDMC, Palika Kendra, Sansad Marg,
New Delhi-110001.

20. Tata Power Delhi Distribution Limited,
Power Management Group, Technology Centre,
Near PP-3 Grid Sub Station, Opp. PP Jewellers,
Netaji Shubhash Place, Pitampura,
New Delhi-110034.

21. Himachal Pradesh State Electricity Board,
PR&ALDC, HPSEB Ltd., 132 KV S/S Tutu,
Shimla-171011, Himachal Pradesh.

22. Haryana Power Purchase Centre,
Shakti Bhawan, Energy Exchange,
Panchkula.

23. Power Development Department,
Jammu SLDC Building, 1st Floor, Gladni,
Power House Narwal , MMMU , J&K.

24. Punjab State Power Corporation Limited,
Shed No. T-1A, Thermal Designs,
Patiala-147001 Punjab.

25. HVDC Dadri, POWERGRID,
B-9, Qutub Institutional Area, Katwaria Sarai,
New Delhi-110016.

26. HVDC Rihand, POWERGRID
B-9, Qutub Institutional Area, Katwaria Sarai
New Delhi-110016.

27. Ajmer Vidyut Vitran Nigam Limited,
The Superintending Engineer (Billing),
Rajasthan Urja Vikas Nigam Limited, 132 KV,
Sub- Station Building, Calgiri Road Malviya Nagar,
Jaipur-302017, Rajasthan.

28. Jodhpur Vidyut Vitran Nigam Limited,
The Superintending Engineer (Billing),
Rajasthan Urja Vikas Nigam Limited, 132 KV,
Sub- Station Building, Calgiri Road Malviya Nagar,
Jaipur-302017, Rajasthan.

29. Jaipur Vidyut Vitran Nigam Limited,
The Superintending Engineer (Billing),
Rajasthan Urja Vikas Nigam Limited, 132 KV,
Sub- Station Building, Calgiri Road Malviya Nagar,
Jaipur-302017, Rajasthan.

30. North Central Railway,
DRM Office Nawab Yusuf Road
Lucknow-211011, UP.

31. Uttarakhand Power Corporation Limited,
Urja Bhjawan, Kanwali Road, Dehradun-248001.

32. Uttar Pradesh Power Corporation Limited,
Fund Management, Shakti Bhawan,
14 Ashok Marg, Lucknow, UP.

33. AD Hydro Power Limited,
Bhilwara Towers, A-12, Sector-1,
Noida-201301.

34. GMR Kamalanga Energy Limited,
25/1 Skip House, 25/1 Skip House,
Museum Road, Museum Road,
Bangalore-560025, Karnataka.

35. MB Power (Madhya Pradesh) Limited,
239, Okhla Industrial Estate, Phase-II,
New Delhi-110020.

36. HVDC Agra,
POWERGRID B-9, Qutub Institutional Area,
New Delhi.

37. HVDC Balia,
POWERGRID B-9,
Qutub Institutional Area, Sarai,
New Delhi-110016.

38. HVDC Bhiwadi, POWERGRID,
B-9, Qutub Institutional Area,
Sarai, New Delhi-110016.

39. HVDC Kurukshetra, POWERGRID,
B-9, Qutub Institutional Area, Sarai,
New Delhi-110016.

40. Northern Indian Railway,
Sr. DEE, TRD, Delhi Division Central Delhi.

41. Noida Power Company Limited,
Electric Sub Station Knowledge Park IV,
Greater Noida-201310.

42. Northern Railways,
Sr. DEE/ TRD, DRM Office,
Hazratgan, Lucknow-26001.

43. Barmer I Transmission Limited,
B-9, Qutub Institutional Area, New Delhi,
Delhi-110016.

44. Beawar Dausa Transmission Limited,
B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi-110016.

45. Beawar Transmission Limited,
(Developers of Barmer- I PS),
YC Co Working Space, 3rd Floor, Plot No. 94,
Dwarka Sec. 13, Opp. Metro,
Near Radisson Blu, New Delhi,
South West Delhi-110078.

...Respondents

Parties present:

Shri Amit Kumar, RIV4B PTL
Ms. Kanika Rai, RIV4B PTL
Shri Biswas Rajran Barik, RIV4B PTL
Shri Varun Sharma, RIV4B PTL
Shri Moharuram Jat, Objector
Shri Sitaram Jat, Objector
Shri Lashit Sharma, CTUIL
Shri Ritam Biswas, RECPDCL
Shri Shashank Singh, RECPDCL

ORDER

The Petitioner, Rajasthan IV 4B Power Transmission Limited (hereinafter referred to as “the Petitioner”), has filed the present Petition for the grant of a transmission licence under Sections 14 and 15 of the Electricity Act, 2003 (hereinafter referred to as “the Act”) read with the Central Electricity Regulatory Commission (Procedure, Terms, and Conditions for grant of Transmission Licence and other related matters) Regulations, 2024 (hereinafter referred to as “the Transmission Licence Regulations”) for the establishment “Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-4: 3.5 GW): Part B” (hereinafter referred to as “Project”) on a Build, Own, Operate and Transfer basis, consisting of the following elements:

S. No.	Scope of the Transmission Scheme	Scheduled COD from Effective Date	Percentage of Quoted Transmission Charges recoverable on Scheduled COD of the Element of the Project	Element(s) that are pre-required for declaring the commercial operation (COD) of the respective Element
1.	Establishment of 765/400 kV, 2x1500 MVA S/s at a suitable location near Merta (Merta-II Substation) along with 2x240 MVar (765 kV) & 2x125 MVar (420 kV) bus reactor at Merta-II S/s Merta-II S/s -AIS 765/400 kV 1500 MVA ICTs- 2 Nos. (7x500 MVA including one spare unit)	24 months from the SPV transfer (30.12.2026)	100%	All elements of the scheme are required to be commissioned simultaneously as their utilization is dependent on each other.

	• 400/220 kV 500 MVA ICTs -5 Nos. • 765 kV ICT bays-2 Nos. • 400 kV ICT bays- 7 Nos. • 220 kV ICT bays- 5 Nos. • 765 kV line bays: 4 Nos. (for 765 kV interconnection with Dausa S/s & Barmer-I PS) • 400 kV line bays: 2 Nos. (for 400 kV interconnection with Beawar S/s) • 240 MVA Bus Reactor-2 Nos. (7x80 MVA, including one spare unit) • 765 kV Bus reactor bays-2 Nos. • 125 MVA Bus Reactor-2 Nos. • 400 kV Bus reactor bays- 2 Nos. • 220 kV line bays: 7 Nos. (for RE connectivity) • 220 kV BC (2 No.) bay and 220 kV TBC (2 No.) bay • 110 MVA spare reactor unit (single phase)-1 No. • 220 kV sectionalizer bay (1 set) Future provisions at Merta-II S/s: Space for • 765/400 kV ICTs along with bays- 4 • 765 kV line bays along with switchable line reactors – 8 • 765 kV Bus Reactor along with bay: 1 Nos. • 400 kV line bays along with switchable line reactor –8 Nos. • 400 kV line bays – 2 Nos. • 400 kV Bus Reactor along with bays: 1 No. • 400 kV Sectionalizer bay: 2 sets • 400/220kV ICTs along with bays -1 Nos. • 220 kV line bays for RE injection -1 Nos. • 220 kV Sectionalizer bay: 1 set • 220 kV BC (1 Nos.) bays and 220 kV TBC (1 Nos.) bays STATCOM (2x+300MVA, 4x125MVA MSC, 2x125MVA MSR) along with 400kV bays (2 Nos.)			
2.	Barmer-I PS – Merta-II 765 kV D/c line along with 330 MVA switchable line reactor for each circuit at each end of Barmer-I PS – Merta-II 765 kV D/c line • 765 kV, 330 MVA switchable line reactors at Barmer-I PS end– 2 Nos. • 765 kV, 330 MVA switchable line reactors at Merta-II S/s end– 2 Nos.			

	- Switching equipment for 765 kV, 330 MVAR switchable line reactors at Barmer-I PS end – 2Nos. - Switching equipment for 765 kV, 330 MVAR switchable line reactors at Merta-II S/s end – 2 Nos 110 MVAR spare reactor unit at Barmer-I PS (single phase)-1 No.			
3.	Merta-II – Beawar 400 kV D/c line (Quad)			
4.	Merta-II – Dausa 765 kV D/c line along with 240 MVAR switchable line reactor for each circuit at each end of Merta-II – Dausa 765kV D/c line 765 kV, 240 MVAR switchable line reactors at Dausa S/s end– 2 Nos. 765 kV, 240 MVAR switchable line reactors at Merta-II S/s end– 2 Nos. - Switching equipment for 765 kV, 240 MVAR switchable line reactors at Dausa S/s end – 2 Nos. - Switching equipment for 765 kV, 240 MVAR switchable line reactors at Merta-II PS end – 2 Nos.			
5.	2 Nos. 765kV line bays each at Barmer-I PS &Dausa S/s 765 kV line bays at Barmer-I PS – 2 Nos. 765 kV line bays at Dausa S/s – 2 nos			
6.	2 Nos. 400kV line bays at Beawar S/s 400 kV line bays at Beawar S/s – 2 Nos.			

Note:

i. Developer of Barmer-I PS shall provide space for 2 Nos. of 765 kV line bays along with space for 2 Nos. of 330 MVAR switchable line reactor and space for spare reactor unit (110 MVAR) at Barmer -I PS.

ii. Sterlite shall provide space for 2 Nos. of 400 kV line bays at Beawar S/s.

iii. POWERGRID shall provide space for 2 Nos. of 765 kV line bays at Dausa S/s along with space for 2 Nos. of 240 MVAR switchable line reactor.

2. The Petitioner has made the following prayers:

“a) Grant Transmission Licence to the Applicant for establishing, operating and maintaining the Project as provided under the Transmission Service Agreement;

b) Allow the sharing and recovery of Transmission Charges for Inter-State Transmission system for “Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-4: 3.5 GW): Part B” as per Sharing of Inter-State Transmission Charges and Losses CERC Regulations, 2020 and any other amendment thereon issued from time to time by CERC;

c) Condone any inadvertent errors omissions/ errors/ shortcomings and permit the Applicant to add/ change/ modify/alter these filings and make further submissions as may be required at a future date.

d) Pass such other order(s) and/or direction(s), as may be deemed fit and proper in the facts and circumstances of the present case.”

3. The Petitioner, vide affidavit dated 10.2.2025, has submitted that pursuant to the public notice dated 8.1.2025, a group of farmers, including Sh. Mohroo Ram, and others, as well as Sh. Ram Lal and others have requested that the proposed high-tension electricity transmission line not be laid through their land parcels. The Petitioner has further submitted that the survey for the transmission lines under the Project is currently underway and assured that the concerns of the affected farmers would be duly considered in accordance with the provisions of Section 176 read with Sections 67 and 164 of the Electricity Act, 2003, as well as the applicable Works of Licensees Rules, as amended from time to time. The Petitioner has further submitted that the transmission project is of national importance and is being executed on a compressed timeline to enable the evacuation of renewable energy from the State of Rajasthan.

Hearing dated 27.2.2025

4. During the course of the hearing on 27.2.2025, the representative of the Petitioner reiterated the submissions made in the Petition and submitted that the Petitioner has complied with the provision is of the Transmission Licence Regulations.

5. During the course of the hearing, a group of farmers/landowners raised concerns regarding the access being denied to the Petitioner's office to make representations. In response, the representative of the Petitioner clarified that the Petitioner has not yet received authorization under Section 164 of the Electricity Act, 2003, and assured that all such representations would be duly considered while finalizing the route of the transmission lines. It was further submitted by the

representative of the Petitioner that the Petitioner would hold a meeting with the affected landowners/farmers to address their concerns.

6. The Petitioner, vide Record of Proceedings for the hearing dated 27.2.2025, was directed to convene a meeting with the concerned farmers/landowners within 15 days and to submit a report on the outcome thereof. In compliance with the said direction, the Petitioner, vide affidavit dated 7.3.2025, has submitted that the meetings were held at the Petitioner's Gurugram office on 7.3.2025 with farmers wherein a settlement has been reached. The Petitioner has submitted that the farmers have expressed satisfaction with the settlement and have no further objections in any manner. The settlement has been duly recorded in the Minutes of Meeting dated 7.3.2025, which serves as the full and final settlement of the issue. Accordingly, the representations filed by the farmers/landowners on 20.1.2025 stand withdrawn.

7. Shri Mohroo Ram and Shri Ram Lal, on behalf of the farmers, vide their respective affidavit dated 7.3.2025 have submitted that they have no objection for the settlements reached between the Petitioner and accordingly, they have withdrawn the representations dated 20.1.2025 made by them.

8. Vide Record of Proceedings for the hearing dated 27.2.2025, the parties were directed as under:

a) The Petitioner was directed to implead POWERGRID (for Dausa S/s), Sterlite (for Beawar S/s), and Developer of Barmer-I PS as a party to the present Petition and file a revised memo of parties within a week. Accordingly, in compliance with, the Petitioner has filed the revised memo of parties vide affidavit dated 4.3.2025.

b) CTUIL to file the Inter-Connecting Upstream and Downstream Transmission System and the details of the connectivity/ GNA granted and/ or applications received at Merta-II S/s – AIS as per the prescribed format.

9. CTUIL, in compliance with the RoP dated 27.2.2025, vide affidavit dated 17.3.2025, has submitted as under:

The details of the Inter-Connecting Upstream and Downstream Transmission System in the format as below:

S. N o.	Particulars	Details of Transmission System	STU/ISTS	Implementing Agency	Implement ation Mode (RTM/TBC B)	Commissioning Schedule/Status
1	Upstream Transmission System	Barmer-I PS	ISTS	Barmer Transmission Ltd. (Subsidiary of POWERGRID)	TBCB	Under Construction with SCoD as 07.11.2026
2	Downstream Transmission System	Beawar S/s	ISTS	Beawar Transmission Ltd. (a subsidiary of Sterlite Grid 27 Ltd.)	TBCB	Under Construction with expected CoD as Mar'25
3		Dausa S/s	ISTS	Beawar Dausa Transmission Ltd. (Subsidiary of POWERGRID)	TBCB	Under Construction with expected CoD as 30.06.2025

The details of the connectivity/ GNA granted and/ or applications received at Merta-II S/s - AIS as per the following table below:

S. No.	Applicant Name	App. No.	Type of applicant	Quantum of Connectivity/ GNA Granted/Applied for (MW)	Start Date of Connectivity/ GNA	Conn BGs Furnished
1	ACME Solar Holdings Private Limited	22000 00840	Generator	300	31-Mar-27 (Interim)	Conn-BG1 - Rs. 0.5 crores Conn-BG2 - Rs. 3 crores Conn-BG3 - Rs. 6 crores
2	Banyan Energy Private Limited	22000 00823	Generator	300	31-Mar-27 (Interim)	Conn-BG1 - Rs. 0.5 crores Conn-BG2 - Rs. 3 crores Conn-BG3 - Rs. 6 crores
3	Sembcorp Green Infra Private Limited	22000 00812	Generator	300	31-May-27 (Interim)	Conn-BG1 - Rs. 0.5 crores Conn-BG2 - Rs. 3 crores Conn-BG3 - Rs. 6 crores
4	Sembcorp Green Infra Private Limited	22000 00813	Generator	300	31-May-27 (Interim)	Conn-BG1 - Rs. 0.5 crores Conn-BG2 - Rs. 3 crores Conn-BG3 - Rs. 6 crores
5	Hexa Climate Solutions Private Limited	22000 00848	Generator	300	31-Mar-27 (Interim)	Conn-BG1 - Rs. 0.5 crores Conn-BG2 - Rs. 3 crores Conn-BG3 - Rs. 6 crores

S. No.	Applicant Name	App. No.	Type of applicant	Quantum of Connectivity/ GNA Granted/Applied for (MW)	Start Date of Connectivity/ GNA	Conn BGs Furnished
6	Juniper Green Energy Private Limited	22000 00879	Generator	300	31-Dec-27 (Interim)	Conn-BG1 - Rs. 0.5 crores Conn-BG2 - Rs. 3 crores Conn-BG3 - Rs. 6 crores
7	Purvah Green Power Private Limited	22000 00842	Generator	300	01-Sep-27 (Interim)	Conn-BG1 - Rs. 0.5 crores Conn-BG2 - Rs. 3 crores Conn-BG3 - Rs. 6 crores
Remarks: Common Transmission System required for Connectivity in currently under bidding. Final Intimations shall be issued after award of above transmission system.						

10. As per the submission of CTUIL, the implementation schedule of the transmission scheme Transmission system for evacuation of power from Rajasthan Rajasthan REZ Ph-IV (Part-4: 3.5 GW): Part B, is aligned with the implementation schedule of the identified upstream and downstream transmission schemes.

11. Vide Record of Proceedings for the hearing dated 27.2.2025, the parties were directed to file their respective reply and rejoinder. However, no reply has been filed by the Respondents.

Hearing dated 2.4.2025

12. During the course of the hearing on 2.4.2025, the representative of the Petitioner submitted that the Petitioner has placed on the record a copy of the mutual settlement with farmers regarding the alignment of the transmission line and the group of farmers agreed on said settlement. The representatives of the farmers groups submitted that they have no objection to the settlement reached between the farmers groups and the Commission may proceed to grant the transmission licence to the Petitioner company. After hearing the representatives of the Petitioner and farmers groups, the order was reserved in the matter.

13. The Petitioner has submitted that in accordance with the “Guidelines for Encouraging Competition in Development of Transmission Projects” and “Tariff Based Competitive Bidding Guidelines for Transmission Service” (hereinafter referred to as “the Guidelines”) issued by the Ministry of Power, Government of India, under Section 63 of the Act, REC Power Development & Consultancy Limited (hereinafter referred to as “RECPDCL”) was notified by the Ministry of Power, Government of India, vide Gazette Notification dated 14.6.2024 as the Bid Process Coordinator (BPC) for the purpose of selection of bidder as the Transmission Service Provider (TSP) for the grant of an inter-State transmission licence to the Petitioner for establishment of the “Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-4: 3.5 GW): Part B” on a Build, Own, Operate and Transfer basis.

14. RECPDCL, in its capacity as the BPC, initiated the bid process on 31.7.2024 and completed the same on 30.12.2024 in accordance with the Guidelines. Dineshchandra R. Agrawal Infracon Private Limited was selected as the successful bidder, having quoted the lowest transmission charges of Rs. 5,556.25 million to provide the transmission services to the transmission system's beneficiaries.

15. The RfP was issued on 31.7.2023. At the RfP (Technical and Financial) stage, four bidders, namely, (i) Adani Energy Solutions Limited (Formerly known as Adani Transmission Limited) (ii) Dineshchandra R. Agrawal Infracon Private Limited, (iii) Power Grid Corporation of India Limited, and (iv) Sterlite Grid 32 Limited, submitted their offers. The RfP (Technical bids) of the four bidders were opened by the Bid Opening Committee on 28.10.2024 in the presence of the representative of the bidders. Based on the recommendation of the Bid Evaluation Committee (BEC), the Initial Price Offers of the bidders were opened on 11.11.2024. The lowest Initial Price

Offer discovered (Best Deal) at the MSTC portal was Rs. 6,219 million. The details of the quoted transmission charges by the bidders are given below:

Sr. No.	Name of the Bidder	Quoted Transmission Charges from the Initial Offer (in Rs. Million)	Rank
1.	Dineshchandra R. Agrawal Infracon Private Limited	6,219.00	L1
2.	Power Grid Corporation of India Limited	8,247.00	L2
3.	Adani Energy Solutions Limited	8,480.00	L3
4.	Sterlite Grid 32 Limited	8,596.60	L4

16. As per Clause 2.5 of the RfP document, Initial Offers shall be ranked on the basis of ascending order for determination of the qualified bidders. The bidders holding the first fifty per cent of the ranks (with any fraction rounded off to a higher integer) or four bidders, whichever is higher, shall be considered to be qualified for participating in the electronic reverse auction stage and submitting their final offer.

17. The e-reverse auction of four bidders was carried out at the MSTC portal on 12.11.2024. The following transmission charges, as quoted by each bidder, emerged:

Sr. No.	Name of the Bidder	Transmission Charges from the Initial Offer (in Rs. Million)	Transmission Charges from the Final Offer (in Rs. Million)	Rank
1.	Dineshchandra R. Agrawal Infracon Private Limited	6,219.00	5,556.25	L1
2.	Adani Energy Solutions Limited	8,480.00	5,570.18	L2
3.	Power Grid Corporation of India Limited	8,247.00	8,247.00	L3
4.	Sterlite Grid 32 Limited	8,596.60	8,596.60	L4

18. As per the Bid Evaluation Report dated 20.11.2024, Dineshchandra R. Agrawal Infracon Private Limited emerged as the successful bidder with the lowest quoted transmission charges of Rs. 5,556.25 million. BEC, vide its certificate dated 20.11.2024, has certified that the entire bid process has been carried out in

accordance with the Guidelines issued by the Ministry of Power under Section 63 of the Act. BEC has further certified that the transmission charges discovered through the e-reverse auction are acceptable.

19. Consequent to its selection as the lowest bidder, a Letter of Intent (LoI) was issued to Dineshchandra R. Agrawal Infracon Private Limited by the BPC on 25.11.2024, which was accepted by Dineshchandra R. Agrawal Infracon Private Limited. Under the terms of RfP and the Letter of Intent, the successful bidder is obligated to accomplish the following tasks:

- (a) Provide the Contract Performance Guarantee in favour of the Central Transmission Utility of India Limited (CTUIL);
- (b) Execute the Share Purchase Agreement and the Transmission Service Agreement;
- (c) Acquire, for the Acquisition Price, a 100% equity share of Rajasthan IV 4B Power Transmission Limited from RECPDCL along with all its related assets and liabilities;
- (d) Make an application to this Commission for the adoption of transmission charges, as required under Section 63 of the Act; and
- (e) Apply to this Commission for the grant of a transmission licence;

20. Dineshchandra R. Agrawal Infracon Private Limited has furnished the Contract Performance Guarantee (CPG) in favour of the Nodal Agency, i.e. CTUIL, for Rs. 154.50 crores on 23.12.2024 and has acquired a hundred per cent equity holding in Rajasthan IV 4B Power Transmission Limited on 30.12.2024. The Petitioner entered into a Transmission Service Agreement (TSA) with CTUIL on 30.12.2024.

21. Section 14 of the Act provides that the Appropriate Commission may, on an application made under Section 15 of the Act, grant a licence to any person to transmit electricity as a transmission licensee in any area as may be specified in the licence. The word “person” has been defined in Section 2(49) of the Act to include any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person. The Petitioner has been incorporated under the Companies Act 2013. The main objective of the Petitioner Company is as under:

“To plan, promote and develop an integrated and efficient power transmission system network in all its aspects including planning, investigation, research, design and engineering, preparation of preliminary, feasibility and definite project reports, construction, operation and maintenance of transmission lines, sub-stations, load dispatch stations and communication facilities and appurtenant works, coordination of integrated operation of state, regional and national grid system, execution of turn-key jobs for other utilities/organizations and wheeling of power in accordance with the policies, guidelines and objectives laid down by the Central Government from time to time”

22. Section 15(1) of the Act provides that every application under Section 14 of the Act shall be made in such manner and in such form as may be specified by the Appropriate Commission and shall be accompanied by such fees as may be prescribed by the Central Government. The Commission has specified Transmission Licence Regulations in this regard. Regulation 4 (1) of the Transmission Licence Regulations provides that eligibility for the grant of a licence for inter-State transmission of electricity is contingent upon the entity being selected either through the competitive bidding process under Section 63 of the Electricity Act, 2003 or by the Central Government or its authorized agency to implement a project under the regulated tariff mechanism. Regulation 10(1) of the Transmission Licence Regulations provided that in case the licensee has been selected for implementation of the project in accordance with the competitive bidding guidelines, the transmission tariff in terms of the Transmission Service Agreement shall be adopted by the Commission under

Section 63 of the Act. The Project under consideration has been identified for development under competitive bidding by a competent authority, and the selection of the Project developer, Rajasthan IV 4B Power Transmission Limited, has been certified to have been made in accordance with the Guidelines for competitive bidding.

23. Regulation 5 of the Transmission Licence Regulations, 2024 provides for the procedure for granting of transmission licence as under:

“(1) The application for the grant of licence shall be made to the Commission in Form-I appended to these regulations and shall be accompanied by such fee as may be prescribed by the Central Government from time to time under sub-section (1) of section 15 of the Act.

(2) The application shall be supported with an affidavit in accordance with Regulation 17 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023.

(3) The applicant shall submit the original application in electronic form along with enclosures on the e-filing portal of the Commission and electronically serve a copy of such application on all the concerned DICs of the project and the Central Transmission Utility. The application shall be served through email on the concerned DICs of the project who are not registered on the e-filing portal of the Commission.

(4) The applicant shall also upload the complete application along with annexures on its website, in English. The applicant shall also upload on its website, the details as per Form-I and Form-II appended to these regulations in the Indian language of the State or the Union Territory where an element of the project or concerned transmission line is situated or proposed to be situated. The application shall be kept posted on the website of the applicant till such time the application is disposed of by the Commission.

(5) The applicant shall, within 3 working days of filing the application, publish a notice of its application in Form-II appended to these regulations in at least two leading daily digital newspapers, one in English language and another in the Indian language of the State or Union Territory where an element of the project or concerned transmission line is situated or proposed to be situated, inviting comments from the general public. The notice shall also be kept posted on the website of the applicant.

(6) The Registry of the Commission shall carry out a preliminary scrutiny of the application and convey the defects, if any, as far as possible within 7 days of receipt of the application. The defects shall be rectified by the applicant within

a period of 7 days from the date of such intimation from the Registry of the Commission.

(7) In the notice published in the digital newspapers and on the applicant's website under this Regulation, it shall be indicated that the suggestions and objections to the application, if any, may be filed by any person within 15 days of publication of the notice to The Secretary, Central Electricity Regulatory Commission at the address where the office of the Commission is situated and at email id: registry@cercind.gov.in. Any suggestion or objection received in response to the public notice shall be shared with the applicant and the respondents by the Registry of the Commission.

(8) The applicant shall within 3 working days from the date of publication of the notice in terms of Clause (5) of this Regulation submit to the Commission on affidavit the details of the notice published, names of the digital newspapers in which the notice has been published, the dates and places of their publication and enclosing the relevant pages of the publication of notice.

(9) The CTUIL shall send its recommendations, if any, to the Commission on the proposal for grant of licence made in the application as far as practicable within a period of 10 (ten) days from the date of receipt of the application with a copy to the applicant: Provided that if CTUIL is unable to submit its recommendations within a period of 10 days, it shall inform the Commission the reasons for the same and submit its recommendations within a period of 30 (thirty) days from the date of receipt of the application: Provided further that along with its recommendations, CTUIL shall submit the copy of approval of the transmission project by the Central Government in terms of Electricity (Transmission System Planning, Development and Recovery of Inter-state Transmission Charges) Rules, 2021 as amended from time to time. Explanation: The recommendations of the Central Transmission Utility shall not be binding on the Commission.

(10) The applicant may file its comments, duly supported by an affidavit, on the recommendations made by CTUIL and the suggestions and objections, if any, received in response to the public notice within 7 working days of receipt of such suggestions and objections, with an advance copy to the CTUIL and the person, if any, who has filed the suggestions and objections on the proposal made in the application.

(11) The Commission after considering the suggestions and objections received from the DICs and in response to the public notice published by the applicant, and the recommendations, if any, received from CTUIL may either propose to grant the licence to the applicant or for reasons to be recorded in writing, reject the application.

(12) Before granting a licence, the Commission shall publish a notice of its proposal on the Commission's website and in two daily digital newspapers, having wide circulation, as the Commission may consider appropriate, stating the name and address of the person to whom it proposes to grant the licence, details of the project for which it proposes to grant a licence, location or route

of the elements of the project, and any other details that the Commission may consider appropriate, to invite further suggestions and objections on its proposal within 15 days of the publication of the notice.

(13) The Commission may, after consideration of the further suggestions and objections, if any, received in response to the public notice in terms of Clause (12) of this Regulation, grant licence to the applicant in Form-III appended to these regulations or for reasons to be recorded in writing, reject the application.

(14) The Commission shall before granting licence or rejecting the application under the provisions of this Regulation provide an opportunity of hearing to the applicant, CTUIL, the concerned DICs, or the person who has filed suggestions and objections, or any other interested person.

(15) The Commission shall, within 7 days of making the order to grant the licence to an applicant send a copy of the licence to the Central Government, the Central Electricity Authority, the Central Transmission Utility, the applicant and the concerned DIC(s)."

24. The Petitioner has approached the Commission with a separate application for the adoption of transmission charges in respect of the transmission system, which is presently under consideration of the Commission, and the order in that Petition will be issued separately. The Petitioner has filed the present Petition for the grant of a transmission licence in accordance with the provisions of the Transmission Licence Regulations, 2024. The Petitioner has submitted proof of service of the copies of the application on the BPC, CTUIL and the beneficiaries and proof of web posting of the complete application. The Petitioner has further undertaken to pay the applicable licence fee upon the grant of a transmission licence in terms of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012. The Petitioner has prayed for the grant of a transmission licence to Rajasthan IV 4B Power Transmission Limited with respect to the transmission system as per the details given in paragraph 1 above.

25. The Petitioner made the Application as per Form-I and paid a fee of Rs. one lakh as prescribed by the Central Government. As per the direction of the

Commission, the Petitioner has served a copy of the Application on Respondent/beneficiaries. The transmission charges quoted by the Petitioner, which have been recommended by the Bid Evaluation Committee for acceptance, are Rs. 5,556.25 million. The Petitioner has also enclosed copies of the recommendations of the Bid Evaluation Committee.

26. The Petitioner has published the notices on its website in Form-II in English and in Hindi (Vernacular). The Petitioner has published the notices in the Hindustan Times (English) and Dainik Navjyoti (Hindi) on 9.1.2024.

27. The Petitioner has served the copy of the Application on the Central Transmission of Utility of India Limited (CTUIL) as required under Section 15(3) of the Act and Regulation 5(3) of the Transmission Licence Regulations. CTUIL, vide its letter dated 14.1.2025, has recommended the grant of a transmission licence to the Petitioner. The Relevant portions of the said letter dated 14.1.2025 are extracted as under:

“This is with reference to Petition having diary no. 11/25 and subsequent affidavit dated 13.01.2025 filed by M/s Rajasthan IV 4B Power Transmission Limited before Hon’ble Commission for grant of Transmission License to facilitate implementation of “Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-4:3.5 GW): Part B”. In this regard, following is submitted:

- Renewable Energy Zones (REZs) were identified by MNRE/SECI with a total capacity of 181.5 GW for likely benefits by the year 2030 in eight states. This includes 75 GW REZ potential in Rajasthan comprising of 15 GW Wind and 60 GW Solar with 25 GW RE potential (Solar 16GW, Wind 9GW) in Fatehgarh-Barmer Complex. Accordingly, subject transmission scheme (REZ Ph-IV Part-4) for evacuation of 3.5GW RE potential from Fatehgarh-Barmer Complex is evolved as part of comprehensive transmission scheme for evacuation of 75 GW RE potential (45GW evacuation capacity) from Rajasthan. The above transmission scheme was agreed in the 27th CMETS-NR meeting held on 10.01.2024 and 28th CMETS-NR meeting held on 27.03.24. Relevant extracts of the minutes of 27th and 28th CMETS-NR meetings are enclosed at Annexure-I. The detailed scope of the subject scheme is attached at Annexure-II.*

- *Subsequently, scheme was also agreed in 71st NRPC meeting held on 29.01.2024 and 49th TCC/ 72nd NRPC meeting held on 29.03.2024 and 30.03.2024. The transmission System was further agreed in 19th and 21st National Committee on Transmission (NCT) meetings held on 29.04.2024 and 06.08.2024 respectively. Extract of minutes of 71st and 72nd NRPC meetings is attached at Annexure-III. Extract of the minutes of 19th and 21st NCT meetings are enclosed at Annexure-IV.*
- *Ministry of Power, Govt, of India vide gazette notification dated 14.06.2024 has identified M/s REC Power Development and Consultancy Ltd. (RECPDCL) as Bid Processing Coordinator (BPC) for the purpose of selection of bidder as Transmission Service Provider (TSP) to establish the above referred scheme through TBCB route. Extracts of Gazette Notification are enclosed at Annexure-V.*
- *The subject transmission scheme i.e. Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-4:3.5 GW): Part-B involves the establishment of 765/400 kV Merta-II S/s and its 765 kV D/c interconnections with Barmer-I PS and Dausa S/s and 400 kV D/c interconnection with Beawar S/s. Transmission scheme is to be implemented with completion schedule as 24 months from effective date i.e. 30.12.2024*
- *Implementation of this project shall facilitate onward transfer of power from RE generation proposed to be connected at Fatehgarh-IV/Barmer-I PS as well as Merta-II PS in Rajasthan. Barmer-I PS, Beawar S/s and Dausa S/s are under construction substations with SCoD as 07.11.2026, 19.03.2025 and 30.04.2025 respectively.*

Keeping above in view and based on details furnished by M/s Rajasthan IV 4B Power Transmission Limited, CTU in line with Section 15(4) of the Electricity Act, 2003, recommends grant of transmission license to M/s Rajasthan IV 4B Power Transmission Limited for executing the subject transmission scheme.”

28. We have considered the submissions of the Petitioner, BPC, and CTUIL. The proviso to Clause 2.15.2 of the RfP provides that "if for any reason attributable to the BPC, the said activities are not completed by the Selected Bidder within the above period of ten (10) days as mentioned in this clause, such period of 10 days shall be extended, on a day to day basis till the end of the Bid validity period". As per the above provision, the selected bidder was required to complete all the activities, including the acquisition of SPVs, by 5.12.2024. Though Lol was issued on 25.11.2024, BPC, vide its letter dated 30.12.2024 in terms of Clauses 2.15.3 and 2.15.4 of the RfP, extended

the date up to 6.1.2025 for completion of all activities by the successful bidder. The selected bidder furnished the Contract Performance Guarantee in favour of the Nodal Agency (CTUIL) for an amount of Rs. 154.50 crores on 23.12.2024 and acquired a hundred per cent equity-holding in the applicant company on 30.12.2024 after execution of the Share Purchase Agreement. As per clause 2.15.4 of the RfP, TSP is required to apply to the Commission for the grant of a transmission licence within five working days of the issuance of the acquisition of the SPV to the successful bidder. The successful bidder, namely, Rajasthan IV 4B Power Transmission Limited, acquired the SPV on 30.12.2024. Accordingly, the TSP has filed the instant Petition through e-filing for the grant of a transmission licence on 6.1.2025.

29. Considering the material on record, we are *prima-facie* of the view that the Petitioner satisfies the conditions for the grant of inter-State transmission licence under Section 15 of the Act read with Transmission Licence Regulations for construction, operation and maintenance of the transmission system as described in para 1 of this order. We, therefore, direct that a public notice under clause (a) of sub-section (5) of Section 15 of the Act be published to invite suggestions or objections to the grant of a transmission licence aforesaid. The objections or suggestions, if any, be filed by any person before the Commission by **20.4.2025**.

30. The Petitioner has undertaken that it shall implement the Project as per the provisions of the TSA. The Petitioner has also undertaken that the time overrun and cost overrun, if applicable, shall be claimed by the Petitioner in accordance with the applicable provisions of the TSA read with the provisions of the Act, the bidding documents, and the regulations of the Central Electricity Regulatory Commission.

31. It is observed that as per Article 5.1.1 of the TSA, the TSP, at its own cost and expense, shall be responsible for designing, constructing, erecting, testing, and commissioning each element of the Project by scheduled COD in accordance with the various regulations of the Central Electricity Authority regarding Technical Standards and Grid Standards, Prudent Utility Practices and other applicable laws. Further, Article 5.4 of the TSA provides that the TSP shall ensure that the Project is designed, built and completed in a good workman-like manner using sound engineering and construction practices and using only materials and equipment that are new and of international utility-grade quality such that the useful life of the Project will be till the expiry date. Further, the design, construction, and testing of all equipment, facilities, components and systems of the Project shall be in accordance with Indian Standards and Codes issued by the Bureau of India Standards. In this regard, the Petitioner has submitted that it would implement the Project as per the provisions of the TSA, including Article 16.4, Article 5.1.1, and Article 5.4 of the TSA. It is expected that while carrying out the survey, the Petitioner has complied with the provisions of clause 2.5.7.3, clause 2.5.7.4 and clause 2.5.7.5 of the RfP. The Petitioner will comply with the provisions of the bidding documents and the TSA for the commissioning of the Project within the SCOD.

32. The Petition shall be listed for the hearing on **22.4.2025**.

Sd/-
(Ravinder Singh Dhillon)
Member

sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson