

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.615/MP/2025 along with IA No.49/2025

Subject : Petition under Section 79(1)(c) and (f) of the Electricity Act, 2003 read with Regulations 41 and 42 of the Central Electricity Regulatory Commission (Connectivity and General Network Access) Regulations, 2022 challenging CTUIL's communications dated 17.4.2025, 5.5.2025 and 13.5.2025 in relation to the timelines for submission of land-related documents for 100 MW connectivity granted on 30.12.2024 at Bikaner III Pooling Station.

Petitioner : First Energy Private Limited (FEPL)

Respondent : Central Transmission Utility of India Limited (CTUIL)

Date of Hearing : **5.6.2025**

Coram : Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Sanjay Sen, Sr. Advocate, FEPL
Shri Abhishek Munot, Advocate, FEPL
Shri Kunal Kaul, Advocate, FEPL
Shri Malcom Desai, Advocate, FEPL
Ms. Mandakini Ghosh, Advocate, FEPL

Record of Proceedings

Learned senior counsel for the Petitioner submitted that the present Petition has been filed seeking a declaration that CTUIL's emails dated 17.4.2025, 8.5.2025 and 13.5.2025, directing the Petitioner to submit the land related documents in terms of Regulation 11A(1) of the GNA Regulations by 13.6.2025, are illegal and ought to be set aside and consequently, it may be clarified that the Petitioner is required to comply with its obligations under the said Regulations, on or before 3.12.2025. Learned senior counsel mainly submitted as under:

(a) On 31.8.2023, the Petitioner had applied for the grant of connectivity for its 100 MW Solar Project under the land bank guarantee (Land BG) route at Bikaner II Pooling Station. However, since the connectivity at Bikaner II could not be granted, CTUIL proposed an alternate location at Bikaner IV PS and accordingly, issued an In-principle grant dated 13.12.2023 ("In-principle Grant") for connectivity at Bikaner IV PS.

(b) Thereafter, on 10.1.2024, CTUIL proposed that connectivity would instead be granted at Bikaner III PS to be shared with Juniper Green Cosmic Pvt. Ltd. However, owing to the regulatory and adjudicatory uncertainty qua re-allocation of



bays, it was only on 4.6.2024 that CTUIL issued a Revised In-principle Grant ("Revised In-principle Grant") for connectivity at Bikaner III PS.

(c) On 30.12.2024, CTUIL issued the Final Grant of Connectivity at Bikaner-III substation to the Petitioner ("Final Grant").

(d) By its communications dated 17.4.2025, 8.5.2025 and 13.5.2025, CTUIL has directed the Petitioner to submit the land related documents under Regulation 11A (1) of the GNA Regulations by 13.6.2025 – wrongly calculating the 18-months timeline from the In-principle Grant dated 13.12.2023 instead of from the Revised In-principle Grant dated 4.6.2024.

(e) Since the timeline for submission of land documents under Regulation 11A(1) as per CTUIL expires on 13.6.2025 and CTUIL having also indicated a coercive action under Regulation 11B of the GNA Regulations if the said timeline is not met, the Petitioner is pressing for an interim direction in the matter.

(f) Counsel submitted that the registration of the land documents for approximately 188 acres has already been done on 3.6.2025 and the Petitioner will submit the registered deeds shortly. However, obtaining the said documents from the concerned department and tendering them to CTUIL may take some time beyond 13.6.2025 and therefore, CTUIL ought to be directed to maintain the *status quo* in the matter.

2. After hearing the learned senior counsel for the Petitioner, the Commission directed as under:

(a) Admit and issue notice to the Respondent subject to just exceptions.

(b) The Respondent to file its reply, if any, within four weeks with a copy to the Petitioner, who may file its rejoinder, within two weeks thereafter.

(c) The Petitioner to file the following information on an affidavit within two weeks:

(i) SCoD of the Petitioner's 100 MW solar power project.

(ii) Total area of land required for the Petitioner's 100 MW solar power project.

(ii) Documents in support of registration of the land measuring approximately 188 acres for the Petitioner's project as submitted by the Petitioner.

3. The Commission observed that the Petitioner has obtained the connectivity for a solar project of 100 MW where considering 3 acres per MW, 50% land works out to 150 acres. Accordingly, considering the submission of the learned counsel for the Petitioner that the 188 acres of land have already been registered on 3.06.2025 and the Petitioner will submit the registered deeds shortly, the Commission directed the CTUIL to maintain the status quo till the next date of hearing, subject to the condition

that Petitioner shall furnish the proof of registration of 188 acres of land to CTUIL before 13.6.2025, failing which CTUIL may take appropriate action in accordance with the regulations. Accordingly, I.A. 49/2025 is disposed of.

4. The matter will be listed for hearing on **24.7.2025**.

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