

Public Hearing  
on  
Draft 1<sup>st</sup> Amendment to GNA Regulations  
CTU Comments & Suggestions - Part B  
13.03.2023

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Scrutiny of Documents  
regarding  
Proof of Eligibility (Land & Financial Closure)  
for RE Connectivity

# Key Modifications Suggested

1.

Changes in the  
**Process** of Scrutiny

# Key Modifications Suggested

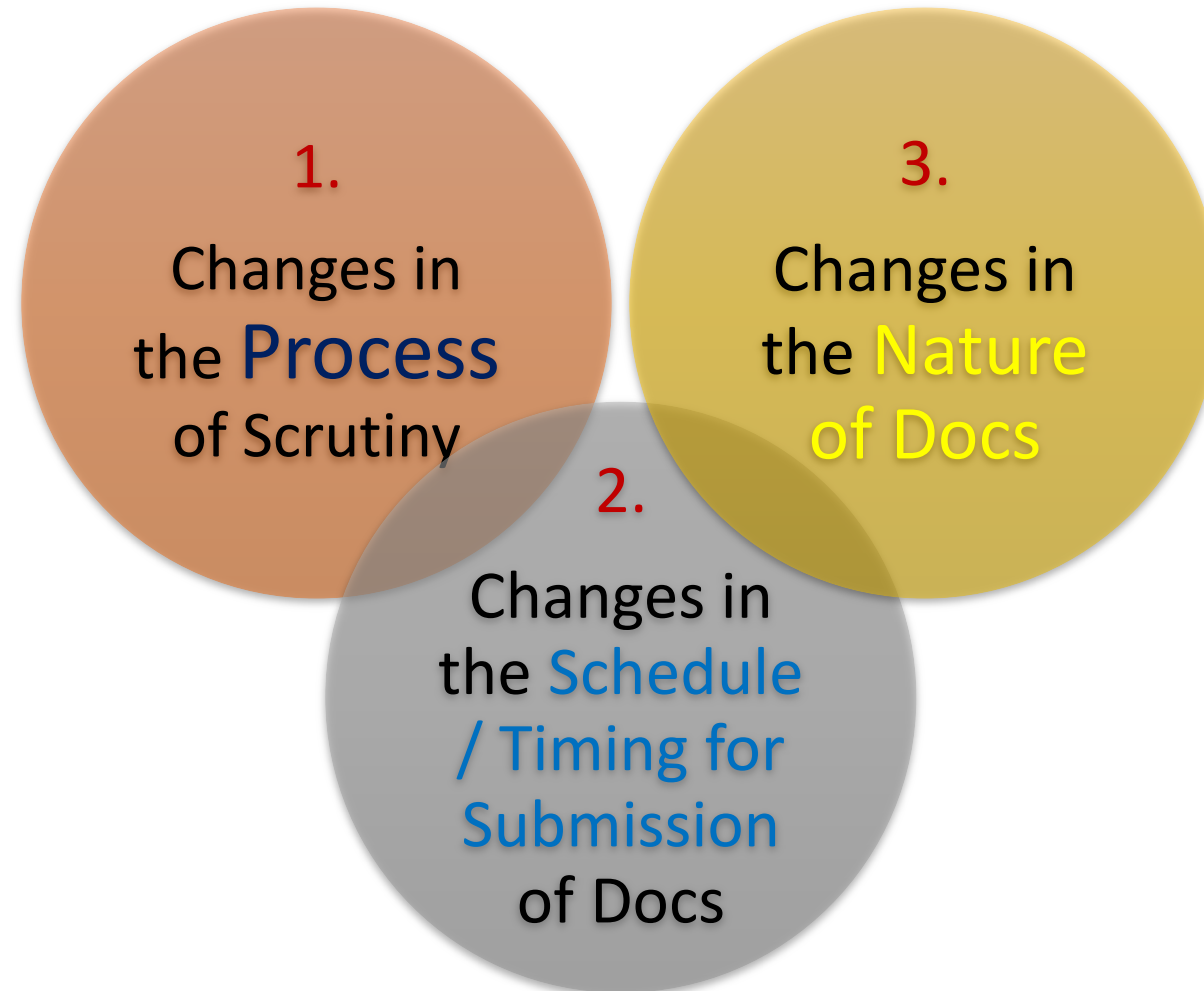
1.

Changes in  
the **Process**  
of Scrutiny

2.

Changes in  
the **Schedule**  
/ **Timing for**  
**Submission**  
of Docs

# Key Modifications Suggested

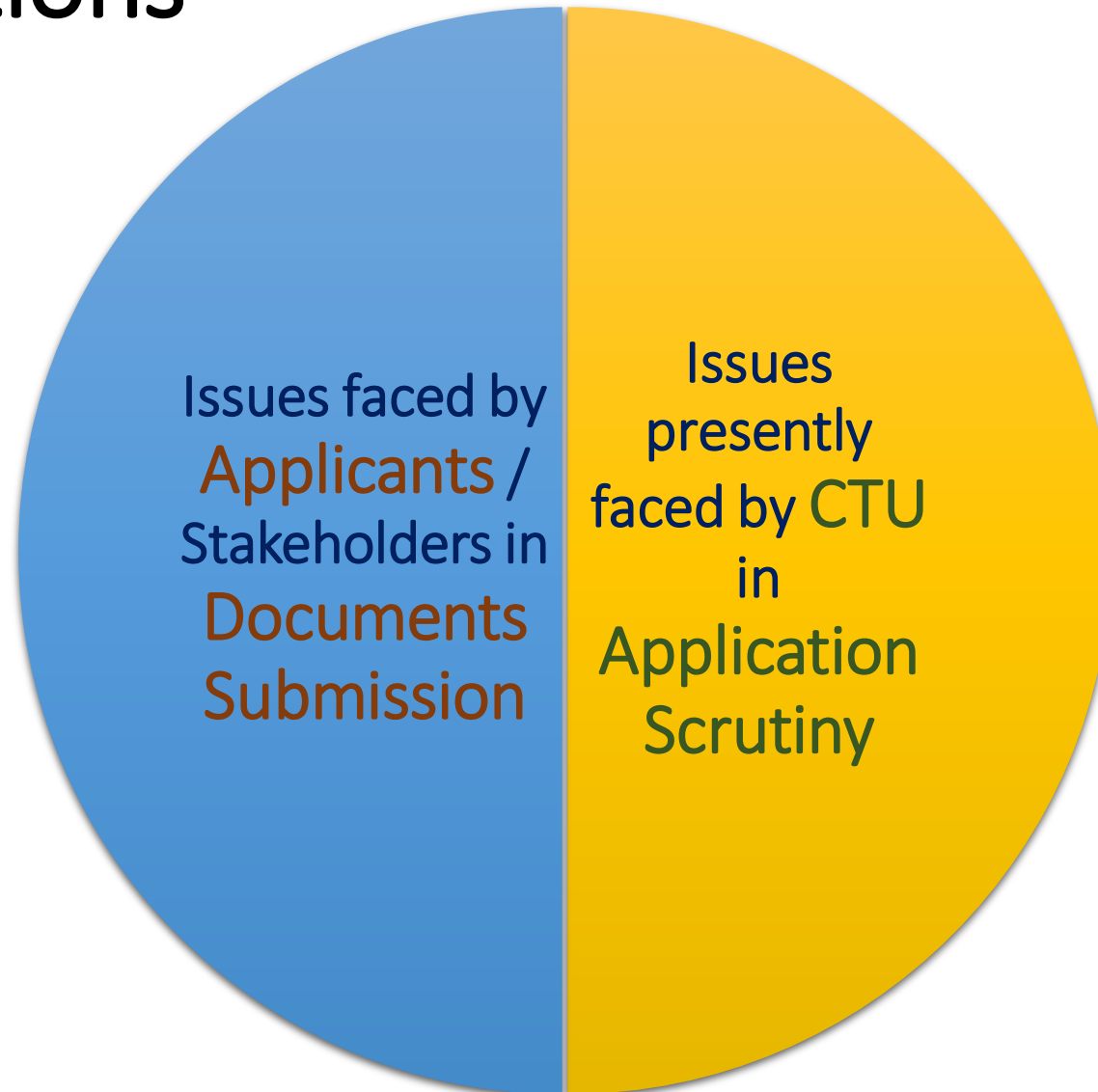


# Considerations

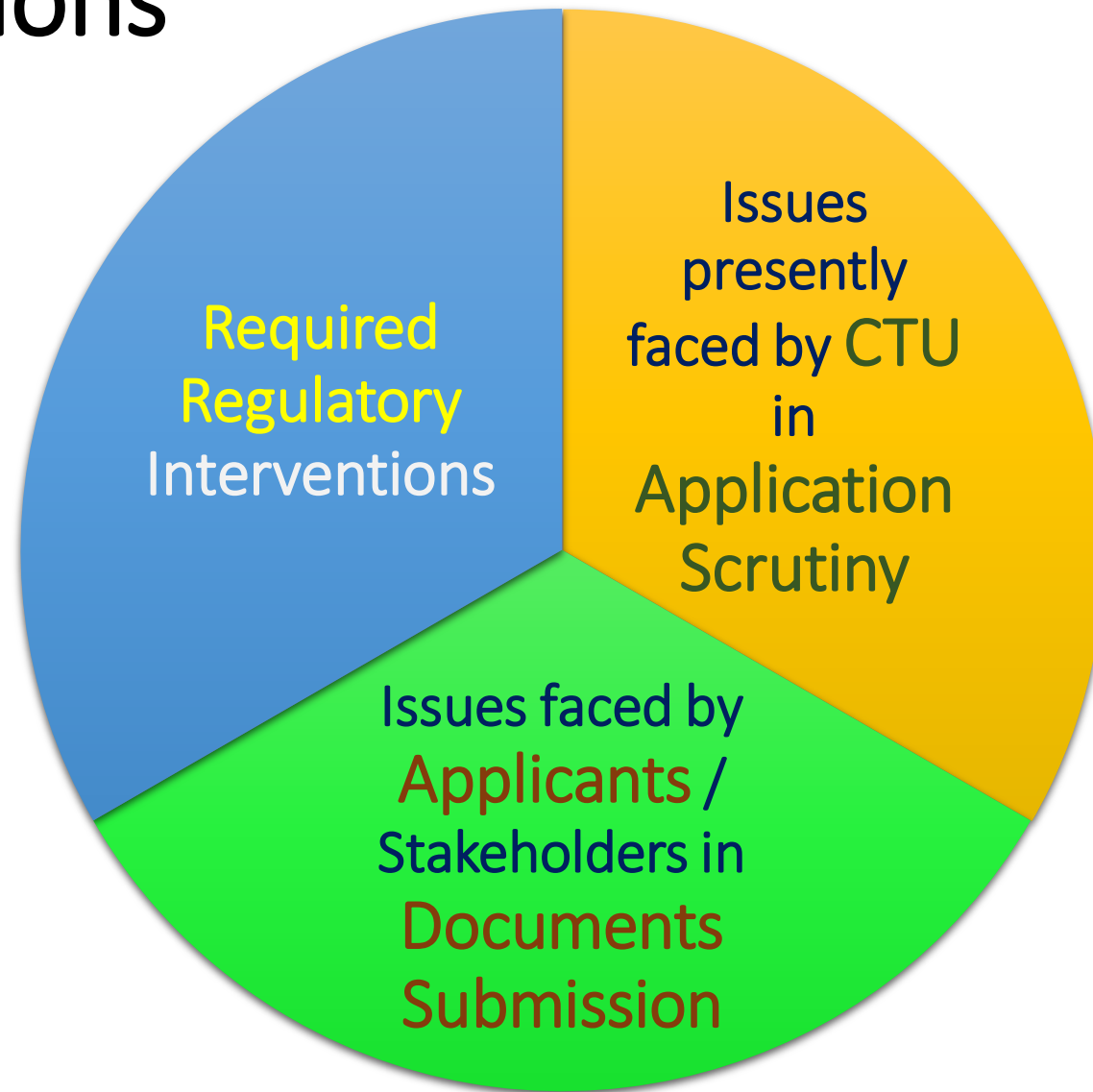


Issues presently faced by CTU  
in Application Scrutiny

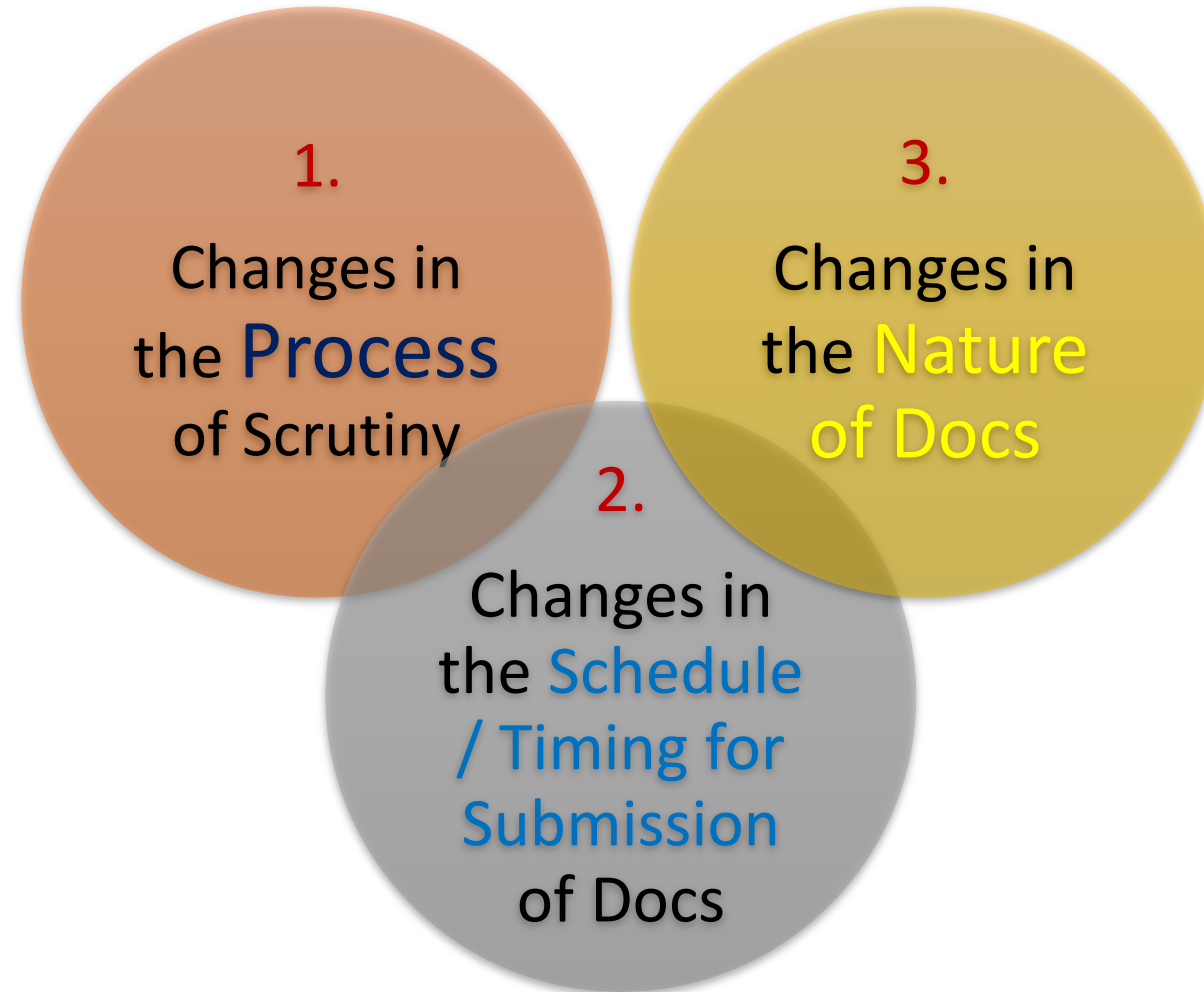
# Considerations



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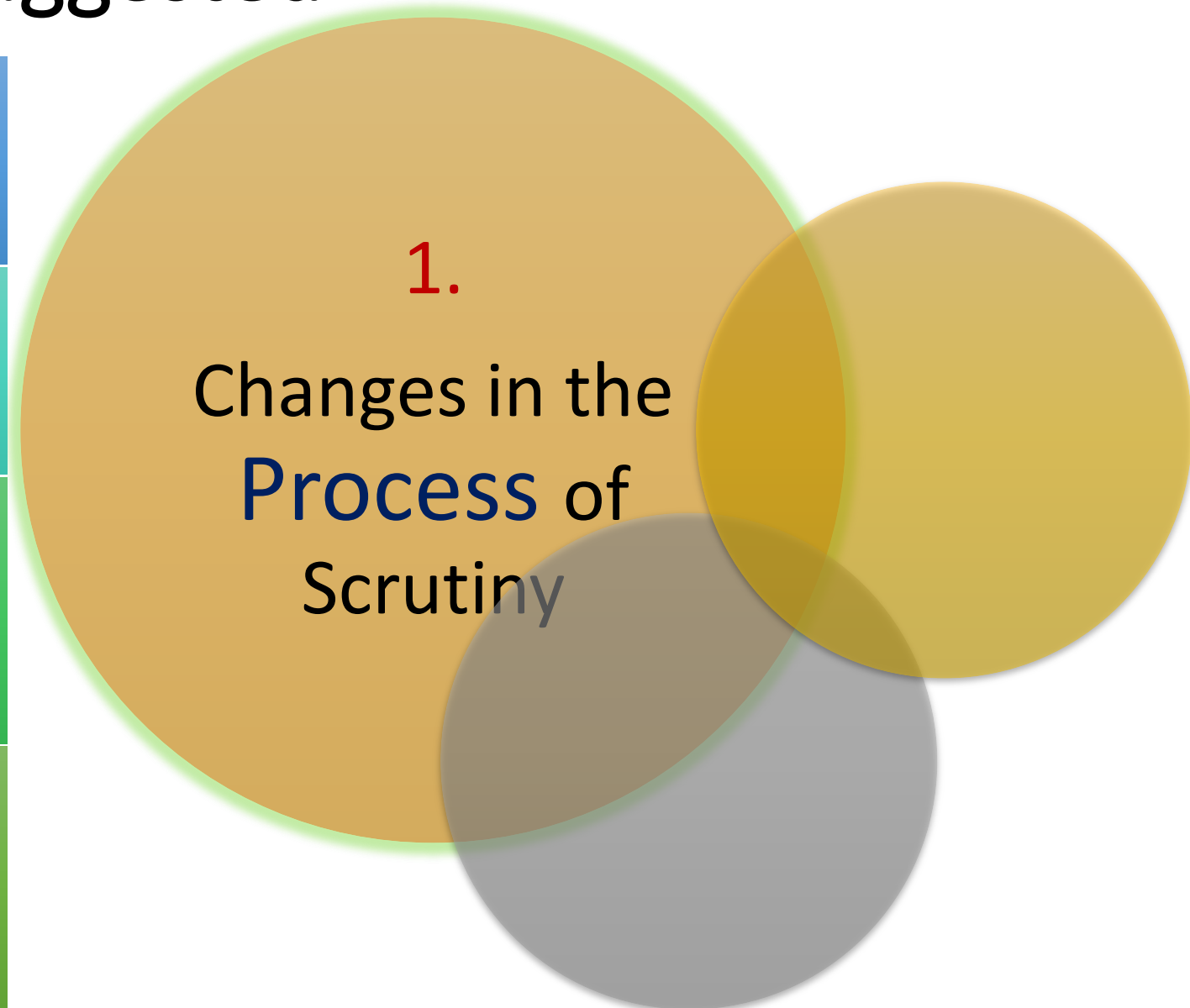
# Key Modifications Suggested





# Key Modifications Suggested

- 1 • More Time Allocation for Scrutiny [15 days from last day of the month]
- 2 • Post-Grant Submission of Land Rights related Docs [presently *alongwith Application*]
- 3 • Prior Scrutiny & Certification by appointed Agencies with Expertise in Preparation of Land/Financial Closure Docs
- 4 • Proposal for Revocation of Connectivity & Debarring Applicants in case of Fraudulent Conduct



# Key Modifications Suggested – Through Detailed Procedure [under Reg. 39]

Panel of Expert Agency (Law Firms / Consultants) with Pan-India Presence to be appointed by CTU



Such Agencies shall operate:

- On **CAPPED RATE BASIS**
- Scrutinize as per **Standard Operating Procedure** in line with Regulations / Orders



A Prospective Applicant shall

- approach any Expert Agency of its choice for examination &
- To obtain a certification for compliance



The **Standard Operating Procedure** employed and Fees Charges may be **reviewed periodically** based on feedback of Applicants as well as Expert Agencies



Applicant shall **file application** through Online Portal **alongwith the Certification of Compliance** issued by appointed Expert Agency



**Expert Agency will provide either a Certification** or make appropriate recommendations for ensuring compliances

# Key Modifications Suggested

1

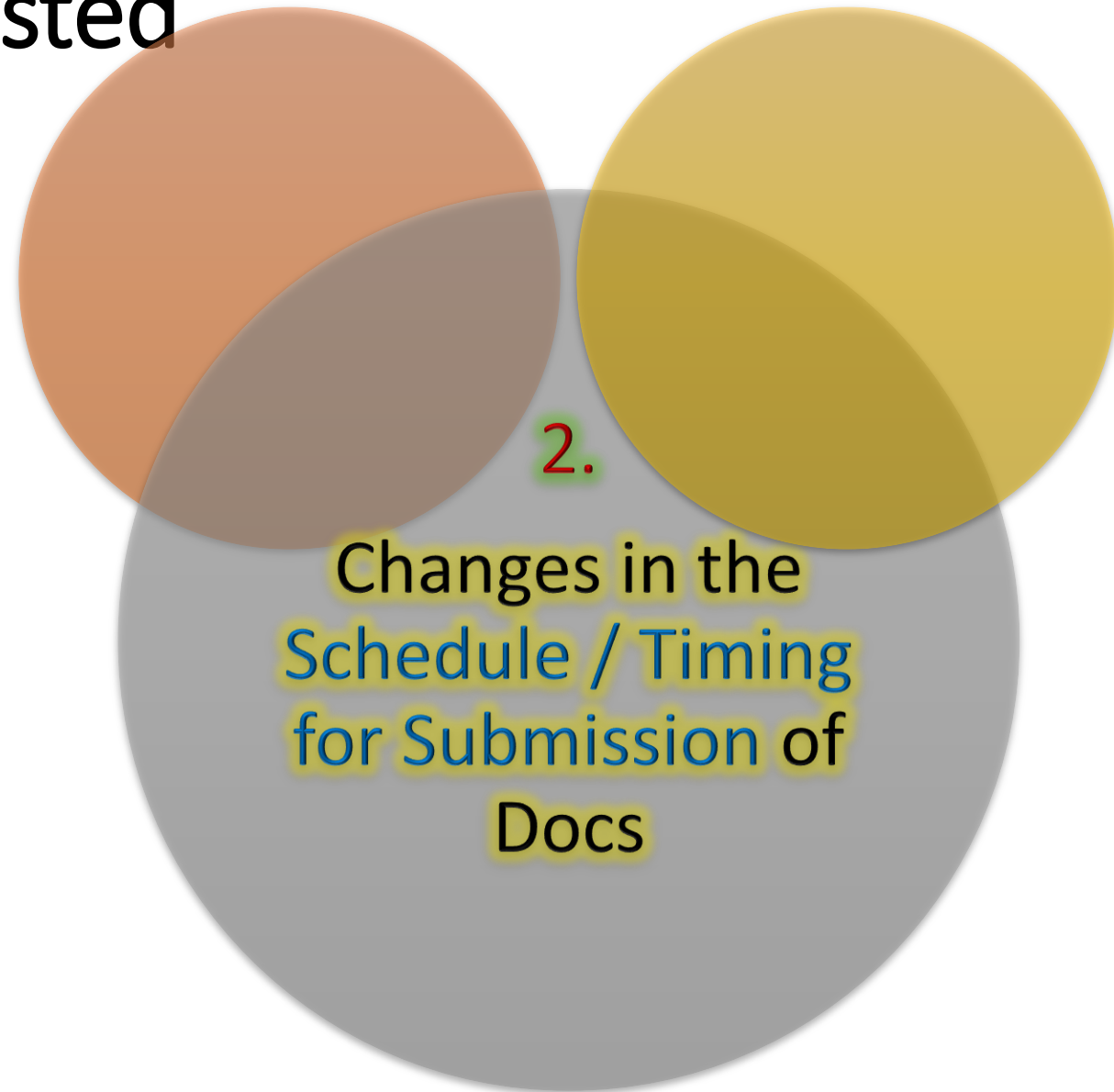
Post-Grant Submission of Land Rights related Docs (alongwith Financial Closure documents).

2

- Key Justification 1 - Greater certainty in identification & finalization of Land Parcels

3

- Key Justification 2 – Land being a substantial portion of financial closure, may be submitted at a later stage/along with FC Docs. [*in line with SECI & other REIA PPAs*]

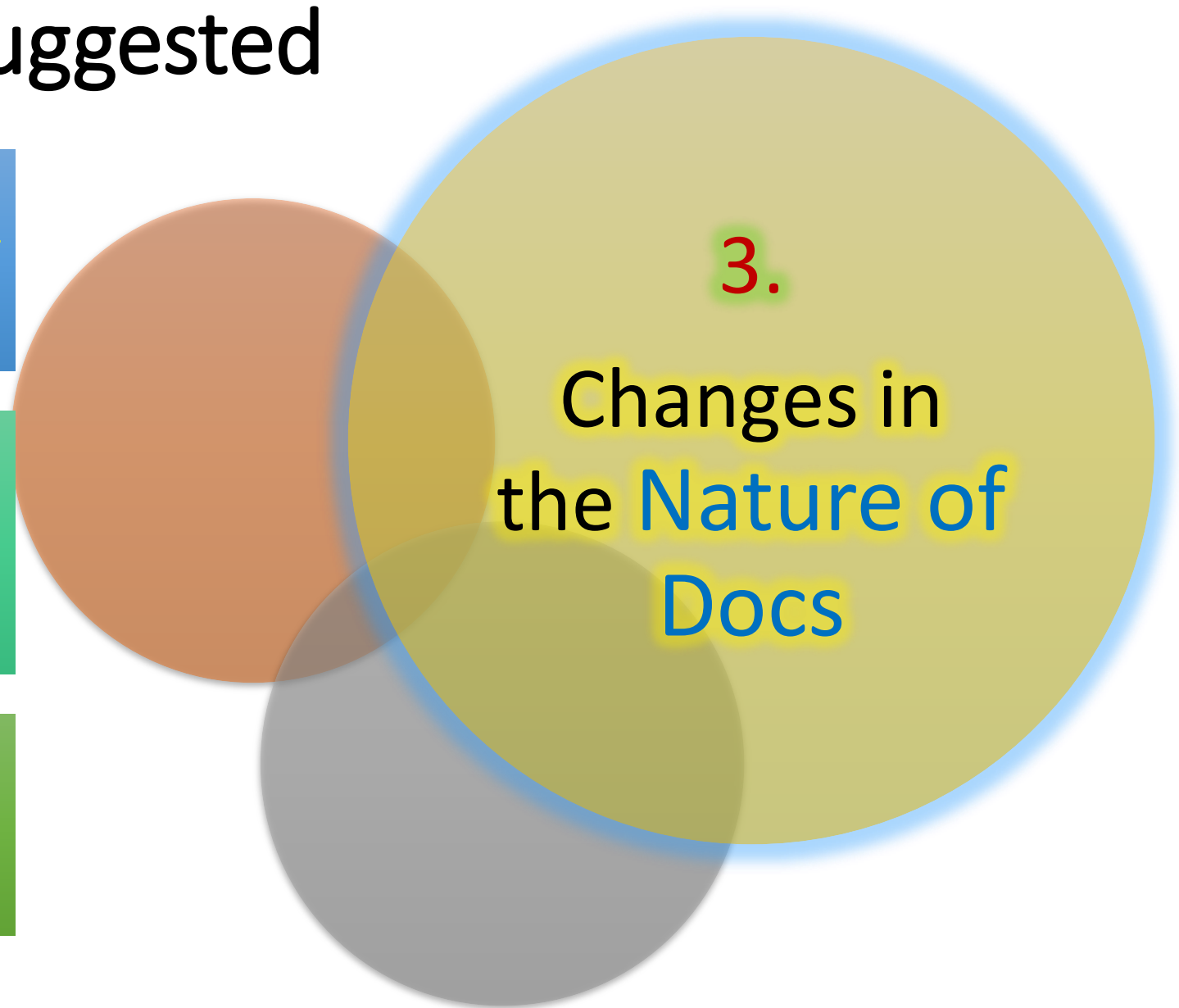


# Key Modifications Suggested

1 {  
• Land Documents to be submitted within 15 days of registration.

2 {  
• Auditor Certificate to be submitted by Statutory Auditor of the Company alongwith details of expenditure.

3 {  
• Detailed nature of documents specified for various types of Financial Closure Docs



## Regulations to be Amended – Reg. 3, 5 & 9

- **Regulation 3** – Application for Grant of Connectivity and GNA [*Chapter 2 – General Provisions*]
- **Regulation 5** – Application for Grant of Connectivity [*Chapter 3 - Connectivity*]
- **Regulation 9** – Final Grant of Connectivity by the Nodal Agency [*Chapter 3 – Connectivity*]

# Regulations to be Amended – Reg. 3.5

- **Present schedule** for **identification & communication of deficiencies** in application (+ supporting documents) –
  - one week (7 calendar days) of the date of receipt of application
- **Proposed schedule** –
  - “fifteen days from the last date of the month in which application has been received”
  - Same schedule/time-period proposed for Applicant to revert with corrected Application
- **Justifications** –
  - a) Adequate time for **efficient & accurate examination and scrutiny** of applications.
    - a) *Enhanced sophistication / Reduction of Errors*
  - b) Adequate time for Applicants for removal of deficiencies & application resubmission
    - *Less rejection of applications*

# Regulations to be Amended – Reg. 5.8 (xi)

- **Proposed Modifications –**

- a) Insertion of words “or an authorized agency on behalf of distribution licensee” in addition to REIA & Distribution Licensee
- b) Removal of the phrase requiring submission of registered title deeds at application stage.
- c) Additional requirement of Auditor Certificate to be issued only by the Statutory Auditor of the Applicant Company alongwith details of expenditure.

- **Justifications –**

- i. **Authorized agencies may be recognized in light of past precedence**
- ii. **Registered Title Deeds to be submitted prior to “Final” Grant of Connectivity under Regulation 9 instead of at the Application Stage**
  - *In terms of MoP Recommendations*
  - *In line with Applicant’s obligations under various REIA’s PPAs*
  - *Applications are made on “anticipation”/desire basis, whereas **sub-station & bay-allocation** is subject to priority*
  - *May disincentivize any “working-around” in land documents*
  - *May be kept “conjunct” with Financial-Closure in light of substantial expenditure*

# Regulations to be Amended – Reg. 9

- **Proposed Modifications –**
  - a) Post-Grant submission of land right related documents
  - b) Applicant to submit registered title deeds for 50% of the land for which connectivity is sought within 15 days of the registration of such documents
  - c) Detailed criteria provided for submission of Financial Closure documents (including sanction letter, audited/certified balance sheets, profit & loss account statements, cash flow statements.
  - d) Land documents to be submitted through appointed Law Firms/Expert Agencies
  - e) Clarifications may be obtained by CTU within a period of 30 days
  - f) Provisions for revocation of Connectivity (along with encashment of BG) & also debarring in case of fraudulent conduct such as duplication/forgery/fabrication etc.
- Justifications
  - a) Greater certainty in identification & finalization of Land Parcels
  - b) Land being a substantial portion of financial closure, may be submitted at a later stage/along with FC Docs. [*in line with SECI & other REIA PPAs*]
  - c) Strong deterrence required in case of fraudulent conduct or deliberate misrepresentations.



Thank You