

Advisory for submission of Bank Guarantees under GNA Regulations

Date: 26-06-2023

1. Submission of BGs:

1.1 While submitting the BG, the applicant will attach a cover letter indicating the purpose and reference to which the subject BG is being submitted. The name & the contact phone number of the person submitting the BG should be clearly mentioned in the letter.

1.2 The Land-BG to be submitted as a part of application, should be submitted to CGM (Open Access), CTUIL.

1.3 All other BGs should be submitted to CGM (Legal & BCD), CTUIL.

1.4 Procedure for issuing/verification/confirmation of Bank Guarantee through Banks' Trade Finance Portal SFMS facility

1.4.1 The BG should be issued through SFMS facility to the extent possible. In cases where SFMS feature is not activated, the BGs will continue to be issued by Banks through their Trade Finance Portal and verification of the same will be done through paper based BG confirmation.

1.4.2 At the time of issuance of the BG (including its extensions), in order to avail BG verification through SFMS facility, the issuing Bank will input the IFSC code as SBIN0017313 which is the bank of the beneficiary i.e. Central Transmission Utility of India Limited (CTUIL), in the Advising Bank field in their Trade Finance Portal for BG issue. The details of CTUIL's account are as below:

- A/c no: 40007029694
- Branch: CAG-II New Delhi (17313).

1.4.3 Following additional paragraph regarding issuance of Bank Guarantee through SFMS Platform consisting of the following should be added at the end of the proforma of the Bank Guarantee (i.e. end paragraph of the Bank Guarantee preceding the signatures of the issuing authority of the BG).

"This Guarantee has been issued using SFMS Platform and the requisite communication in this regard has been forwarded to the Beneficiary Bank.

2. The Applicant shall use the BG Format as given below:

- 2.1 New Bank Guarantee for transition to GNA shall be submitted in [FORMATCONN-BG-Transition]
- 2.2 In case, for transition to GNA, the grantee opts to submit the Bank Guarantee by amending the existing Bank Guarantee submitted earlier under Connectivity Regulations, the amended Bank Guarantee shall be in the format [FORMATCONN-BG-Amendment]
- 2.3 New Bank Guarantee shall be submitted in [FORMAT-CONN-BG]
- 2.4 Land-BG @ Rs. 10 Lakhs/MW, if so opted by the applicant in lieu of land documents, shall be submitted in [FORMAT-LAND-BG].

(These BG formats are available on CTU website under Open Access > Formats & Agreements)

3. CONN-BG1, CONN-BG2, CONN-BG3 and Land-BG as required are to be submitted under GNA Regulation as under:

Sl. No.	Bank Guarantee(s)	Amount & Validity
1.	Conn-BG1	Amount of Rs 50 Lakhs with Validity of: COD of full capacity of generation + 30 days. For the cases covered under Regulations 37.3 of GNA Regulations, CONN-BG1 shall be valid for one month from COD of full generation capacity or date of effectiveness of GNA whichever is later
1. Conn - BG2 & Conn - BG 3		
<p>Option -I</p> <p>Conn-BG2 & Conn-BG3 are to be valid for a period of 5 years after COD of generation. Accordingly, Conn-BG2 & Conn-BG3 shall be submitted in five parts each for an amount of 20% of the total requisite value. The validity period for these 5 parts shall be COD+1 year, COD +2 years, COD +3 years, COD +4 years, COD + 5years.</p> <p>For the cases covered under Regulations 37.3 of GNA Regulations, validity period for these 5 parts of CONN-BG2& 3 shall be from COD of generation or date of effectiveness of GNA whichever is later +1 year, 2 years, 3 years, 4 years and 5 years respectively.</p>		

Option -II		
CONN-BG 2 and CONN-BG 3 for requisite amount with minimum validity period of 18 months from COD of generation shall be submitted. Amount and validity of the BG shall be further modified/ extended from time to time by the grantee as per requirement informed by CTU in terms of GNA Regulation.		
For the cases covered under Regulations 37.3 of GNA Regulations, CONNBG2& 3 with minimum validity period of 18 months from COD of generation or date of effectiveness of GNA whichever is later shall be submitted. Amount and validity of the BG shall be further modified/ extended from time to time by the grantee as per requirement informed by CTU in terms of GNA Regulation.		
3.	LAND-BG	Validity of LAND-BG shall initially be kept for one year which shall be extended from time to time as per the provisions of regulation. The value of the LAND-BG shall be Rs. 10 Lakhs/MW

4. On transition of LTA/Connectivity granted under Connectivity Regulation to GNA Regulations, the grantees may submit BGs under different scenario as mentioned below:

4.1 No Bank Guarantee is available with CTU and grantees needs to submit Bank Guarantees under GNA Regulations:

Grantees needs to furnish BG in the format **CONN-BG-Transition**.

4.2 In case of the Bank guarantee is required to be submitted for transition of LTA /Connectivity under GNA regulation and Bank Guarantee submitted by the grantees for the respective LTA/Connectivity is available with CTU, following procedures shall be followed:

- i) Bank Guarantee is available with CTU, the amount of which is **higher** than amount of BG required under GNA Regulations;

As scheduling, billing and corresponding liabilities continue to be governed as per connectivity regulation, existing Bank Guarantee submitted under connectivity regulations shall be presently considered as requisite Conn BG required to be submitted for the transition of respective Connectivity/LTA till such time scheduling & billing is made effective under GNA regulations. New BG (for the amount lower than amount of the existing BG), if already submitted shall be returned by CTU.

- ii) Bank Guarantee is available with CTU, the amount of which is **lower** than amount of BG required under GNA Regulations;

- (a) Grantee may submit new BG in the format **CONN-BG-Transition** for the amount as required to be submitted for transition under GNA regulation. On submission and verification of the new BG, existing BG shall be returned to the grantee.
- (b) Grantee may opt for enhancement in existing BG value through amendment of existing BG. In such cases, the amended Bank Guarantee for the requisite amount in the format **CONN-BG-Amendment**.
5. Further, for return/reduction of CONN BG upon part commissioning, Cumulative Quantum commissioned in a financial year shall be considered. Accordingly, eligibility for reduction of CONN-BG 2 & 3 shall be considered on 01st of April every year for the generation quantum commissioned upto 31st March of penultimate year.

Illustrative Example:

Connectivity Granted: 500 MW	
COD of Generation	Quantum COD
Dec-22	50
Jan-23	75
Feb-23	75
Mar-23	100
Quantum commissioned in FY 2022-23	300
Apr-23	100
Sep-23	100
Quantum commissioned in FY 2023-24	200
Cum. Quantum commissioned upto 31st Mar'24	500
Conn-BG1 Requirement	50 lakhs
Conn-BG2&3 Requirement	10 Cr

Treatment of Conn BGs		
	Conn BG1	Conn BG 2&3
1st April 2024		
Present BG with CTU	50 lakhs	10 Cr.
BG to be released	-	1.2 Cr. (20% of 6 Cr. (BG corresponding to 300 MW))
Remaining BG with CTU	50 lakhs	8.8 Cr.
1st April 2025		
Present BG with CTU	50 lakhs	8.8 Cr.
BG to be released	50 lakhs	2 Cr. (20% of 10 Cr. (BG corresponding to 500 MW))
Remaining BG with CTU	NIL	6.8 Cr.
1st April 2026		
Present BG with CTU	NIL	6.8 Cr.
BG to be released	NIL	2 Cr.
Remaining BG with CTU	NIL	4.8 Cr.
1st April 2027		
Present BG with CTU	NIL	4.8 Cr.
BG to be released	NIL	2 Cr.
Remaining BG with CTU	NIL	2.8 Cr.
1st April 2028		
Present BG with CTU	NIL	2.8 Cr.
BG to be released	NIL	2 Cr.
Remaining BG with CTU	NIL	0.8 Cr.
1st April 2029		
Present BG with CTU	NIL	0.8 Cr.
BG to be released	NIL	0.8 Cr.
Remaining BG with CTU	NIL	NIL