

Dated the 9th March, 2021

ORDER

In exercise of powers conferred under sub-section (1) of Section 38 and other applicable provisions of the Electricity Act, 2003, the Central Government hereby makes the following Scheme for the division of Power Grid Corporation of India Limited, a Government of India Undertaking which has been notified as the Central Transmission Utility (CTU) under the said sub-section (1) of Section 38 into two entities namely, one for undertaking the functions assigned under the Electricity Act, 2003 of the 'Central Transmission Utility' and another for undertaking the activities and functions of a 'Transmission Licensee' and for the purpose of transfer and vesting of properties, interests, rights, assets, liabilities, obligations, proceedings and personnel on the terms and conditions provided herein:

1. Short Title, Extent and Commencement:

(1) This Scheme may be called "The division and demerger of the Central Transmission Utility and Power Grid Corporation of India Limited Transfer Scheme, 2021."

(2) The Scheme shall extend to the whole of India including properties, interests, rights, assets, liabilities, obligations, proceedings and personnel of the undertakings of the legal entity Power Grid Corporation of India Limited, wherever situated.

(3) The Scheme shall come into force from 1st April 2021.

2. Definitions :

(1) **In the Scheme, unless the context otherwise requires :-**

(a) **"Act"** means the Electricity Act, 2003 (36 of 2003) and any subsequent amendments thereto;

(b) **"Assets"** means all assets and properties including power systems, plant, machinery, land, building, offices, stores, furniture, fixtures, vehicles, residential quarters and guest houses and amenities and installations pertaining and attached thereto and other movable and immovable assets, cash in hand, cash at bank, investments, book debts - corporeal and incorporeal, tangible and intangible assets, benefits, licenses, consents, authorities, registration, patents, trademarks and powers of every kind, nature and description whatsoever, privileges, liberties, easements, advantages, benefits and approvals, contracts, deeds, schemes, bonds, agreements and other instruments and interest of whatever nature and wherever situated and including the contingent assets, which may arise in regard to dealings before the effective date of division in respect of and limited to the Undertakings as specified in this scheme;

(c) **"Central Government"** means the Government of India;

(d) "**Central Transmission Utility of India Limited**" or "**CTUIL**", as the case may be means a Government Company incorporated under the Companies Act, 2013 [Act 18 of 2013] with the registered office at Plot No.2, Sector-29, Gurgaon, Gurgaon, Haryana, 122001 for the purpose of vesting the functions of 'Central Transmission Utility' in accordance with Section 38 of the Act;

(e) "**Effective Date of Division**" means 1st April 2021.

(f) "**Liabilities**" means all liabilities, debts, duties, obligations and other out-standings including statutory liabilities and Government levies of whatever nature and contingent liabilities which may arise in regard to the dealings before the Effective Date of the Division in respect of the relevant Undertaking, as specified in this Scheme.

(g) "**Part A Undertakings**" means the undertakings together with such Assets, Liabilities, Personnel and Proceedings as per this Scheme and the Schedule annexed herewith to discharge the functions of 'Central Transmission Utility' under the Electricity Act, 2003; and functions assigned under regulations/directions by Central Commission/Authority and also any other directions/functions assigned by the Central Government.

(h) "**Part B Undertakings**" mean all the remaining undertakings consisting of all the functions, Assets, Liabilities, Personnel and Proceedings other than those provided in sub-clause (g) above, namely, other than those specified in the Schedule to this scheme;

(i) "**Power Grid Corporation of India Limited**" or "**POWERGRID**", as the case may be, means:

- i. before the Effective Date of Division, the Power Grid Corporation Of India Limited, an existing company under the Companies Act, 2013 with registered office at B-9, Qutab Institutional Area, Katwaria Sarai, New Delhi-110016 with the functions of Central Transmission Utility; and
- ii. from and including, the Effective Date of Division the said Power Grid Corporation Of India Limited, a deemed transmission licensee without the functions of Central Transmission Utility.

(j) "**Personnel**" means all workmen, employees, staff and officers by whatever name called and includes probationers, working on the Effective Date of Division in the Undertaking(s) of POWERGRID;

(k) "**Proceedings**" means the proceedings of whatever nature including suits, appeals, complaints, petitions, applications, conciliatory, arbitration whether civil or criminal or otherwise;

(l) "**Schedule**" means the Schedule appended to this Scheme;

(m) "**Undertakings**" mean the functions, business and a block or blocks of properties, interest, rights, assets, liabilities, obligations, proceedings and personnel to the extent and in the manner specified and such other properties, interests, rights, assets,