



June 2025

Power is among the most vital components of infrastructure, critical for the economic growth and welfare of nations. The existence and development of adequate power infrastructure are essential for sustained growth of the Indian economy. To enhance the growth potential and global competitiveness, the Budget for 2025-26<sup>1</sup>, aims to initiate transformative reforms in various domains including 'power sector' during the next 5 (five) years. The power sector reforms will improve financial health and capacity of electricity companies by incentivising the electricity distribution reforms and augmenting of intra-state transmission capacity by the States.

In terms of capacity building, India added a total power generating capacity of 13,495 (thirteen thousand four hundred and ninety-five) Megawatts ("**MW**") in the first quarter of 2025. Renewables accounted for 78.9% of all new capacity additions. Further, India's total electricity generation from all sources during the first quarter of 2025 was 445.49 (four hundred and forty-five point four nine) Billion Units ("**BUS**"), marking a 3.6% increase over the 429.85 (four hundred and twenty-nine point eight five) BUS generated in the first quarter of 2024.<sup>2</sup> This growth reflects both increasing demand and a transition in the energy mix.

This newsletter captures the significant judgments of the Hon'ble Supreme Court of India ("**Supreme Court**"), various High Courts of India and the Appellate Tribunal for Electricity ("**APTEL**"), along with the key regulatory developments in the Indian power and electricity sector during the last 3 (three) months of 2025 i.e. March, April and May 2025.

In the last 3 (three) months i.e., March, April, and May 2025, key regulatory reforms in the electricity and power sector have been introduced aimed at improving financial efficiency, promoting renewables, strengthening inter-state and intra-state supply, and enhancing energy governance. These include reforms by:

1. the Ministry of Power ("**MoP**"), which, *inter alia*:
  - a) issued guidelines for determination of compensation for laying Inter-State Transmission System ("**ISTS**") lines, in addition to the compensation for normal crop and tree damages;
  - b) issued amendments in Standard Bidding Documents for procurement of Inter-State Transmission Services through Tariff Based Competitive Bidding ("**TBCB**") process;
  - c) notified the Electricity (Late Payment Surcharge and Related Matters) (Amendment) Rules, 2025; and
  - d) issued directions to Gas-Based Stations under Section 11 of the Electricity Act, 2003 ("**Electricity Act**");
2. the Ministry of New and Renewable Energy ("**MNRE**"), which, *inter alia*: -
  - a) issued Domestic Content Requirement ("**DCR**") norms for solar Photovoltaic ("**PV**") cells for the schemes/programmes being implemented by MNRE; and

<sup>1</sup> Budget 2025-2026; Speech of Smt. Nirmala Sitharaman, Hon'ble Minister of Finance dated February 1, 2025.

<sup>2</sup> Press Information Bureau, Government of India – Energizing the Future: POWERup Q1 2025 Highlights dated May 6, 2025.

- b) revised the guidelines for small hydro power schemes considering the challenges faced by the stakeholders in the Small Hydro Power sector
3. the Central Electricity Authority (“CEA”), which, *inter alia*, issued a clarification regarding co-locating energy storage systems with solar power projects to enhance grid stability and cost efficiency.

## Judgments by the Supreme Court

### The Supreme Court upholds the authority of Rajasthan Electricity Regulatory Commission to regulate intra-state aspects of open access transactions even when electricity is sourced from another State

The Supreme Court by its judgment dated April 1, 2025, in *Ramayana Ispat (P) Limited vs. State of Rajasthan*<sup>3</sup>, *inter alia*, held that the Rajasthan Electricity Regulatory Commission (“RERC”) has jurisdiction under the Electricity Act to regulate intra-state aspects of ‘Open Access’ transactions, even when electricity is sourced from another State. This authority aligns with the objectives of the Electricity Act and ensures effective regulatory oversight.

The issue involved was in respect of the validity of RERC (Terms and Conditions for Open Access) Regulations, 2016 framed by RERC in exercise of powers under Sections 42 and 181 of the Electricity Act. Judgment clarifies that the key determinants that demarcate responsibilities between the Central Electricity Regulatory Commission’s (“CERC”) and State Electricity Regulatory Commission (“SERC”) is not the source of power but its delivery, end-user, and consumption within the intra-state grid. Framework of the Electricity Act ensures that the intra-state aspects of electricity regulation remain within the purview of SERCs.

### The Supreme Court settles the law on ‘rate’ and ‘effective date’ of carrying cost while allowing Adani Power Rajasthan Limited to recover carrying cost at the rate of Late Payment Surcharge provided in the Power Purchase Agreement, on compounding basis

The Supreme Court by its judgment dated May 23, 2025, in *Jaipur Vidyut Vitran Nigam Limited vs. Adani Power Rajasthan Limited*<sup>4</sup> upheld APTEL’s judgment dated April 18, 2024, in Appeal No. 237 of 2023 while laying down the following position of law:

1. **Rate of carrying cost granted as part of restitution on account of change in law event:** Carrying cost must be paid at the rate of Late Payment Surcharge (“LPSC”) provided under the Power Purchase Agreement (“PPA”), on compounding basis;
2. **Effective date from which carrying cost will be paid:** From the date the change in law occurs i.e., from the date of promulgation of the change in law;
3. **When a supplementary bill for change in law can be raised:** It can be raised only after due adjudication by the competent forum;
4. **Parameters for entertaining a civil appeal under Section 125 of the Electricity Act:** When a finding is: (i) perverse; or (ii) rendered contrary to the records, or without assigning any reason, and/or on a total misconception of the fact seen apparently on the face of the record; and
5. principle of restitution incorporated into the PPAs, must be given effect to in letter and spirit on account of change in law.

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<sup>3</sup> 2025 SCC OnLine SC 687

<sup>4</sup> Civil Appeal No. 4336 of 2025

APTEL by its judgment had held that the levy of evacuation facility charges by Coal India Limited *vide* notification dated December 19, 2017, qualifies as a change in law event, entitling Adani Power Rajasthan Limited to carrying cost at the rate of LPSC, on compounding basis. The above position was upheld by the Supreme Court in the judgment dated May 23, 2025, while applying the principle of restitution.

## The Supreme Court holds that the CERC has regulatory authority under Section 79 of the Electricity Act, which is not limited to adjudicatory orders

The Supreme Court by its judgment dated May 15, 2025, in ***Power Grid Corporation of India Limited vs. Madhya Pradesh Power Transmission Company Limited and Others***<sup>5</sup> interpreted the scope of Sections 79 and 178 of the Electricity Act and held that the CERC has regulatory powers under Section 79 of the Electricity Act, which are not limited to only adjudicatory orders, but also includes administrative functions.

Supreme Court *inter alia* addressed the following issues:

1. whether CERC, while exercising its functions under Section 79(1) of the Electricity Act, is circumscribed by statutory regulations enacted under Section 178 of the Electricity Act?
2. whether CERC exercises regulatory or adjudicatory functions under Section 79 of the Electricity Act? In other words, what is the scope of the CERC's power to regulate inter-state transmission of electricity and determine tariff for the same under Section 79(1)(c) and (d) of the Electricity Act?

It was held that:

1. the absence of a regulation under Section 178 does not preclude CERC from exercising its powers under Section 79(1) to make specific regulations or pass orders between the parties before it;
2. CERC is enabled to exercise its regulatory powers by way of orders under Section 79 of the Electricity Act, and the purview of Section 79 of the Electricity Act is not only limited to adjudicatory orders but includes administrative functions as well; and
3. The Electricity Act makes no distinction between the regulatory and adjudicatory functions vested in the CERC, which is a quasi-judicial body enjoined to regulate and administer the subject of generation, transmission, and distribution.

## Judgments by the High Courts

### Delhi High Court holds that a Distribution Company/Distribution Licensee is not obligated to sanction electricity connection beyond its designated area of supply

The Hon'ble High Court of Delhi ("**Delhi HC**") by judgment dated March 24, 2025, in ***BYPL vs. Gyanender and Anr.*** and connected matters<sup>6</sup> held that the Consumer Grievance Redressal Forum ("**CGRF**") cannot direct a Distribution Company/Distribution Licensee ("**Discom**") to sanction electricity connection to a premises falling outside the Discom's area of supply. Notably, the CGRF by its order dated February 22, 2023, in CG No. 176 of 2022 had directed the petitioner, BSES Yamuna Power Limited ("**BYPL**") to sanction electricity connection to a premises falling within the territory of the State of Uttar Pradesh and outside the area of supply of BYPL.

The Delhi HC *inter alia* held that the CGRF constituted by the Discom under Section 42(5) of the Electricity Act could not have issued directions in respect of premises falling beyond the Discom's designated area of supply. Such direction will be in violation of the provisions of the Electricity Act and the distribution and retail supply license issued to the Discom by the Delhi Electricity Regulatory Commission. It was also directed that, before issuing any such directions,

<sup>5</sup> Civil Appeal No. 6847 of 2025 (Arising from SLP No. 7605 of 2021)

<sup>6</sup> W.P. (C) No. 7736 of 2023 and connected matters

CGRF must first obtain reports from the Revenue Department, Government of National Capital Territory of Delhi (“GoNCTD”) to assess whether the premises fall within the jurisdiction of the Discom.

### Patna High Court holds that consumers are entitled to remission if Discom fails to supply contracted demand

The Hon’ble High Court of Judicature at Patna (“Patna HC”) by its judgment dated March 25, 2025, in ***South Bihar Power Distribution Company Limited vs. The State of Bihar, Department of Energy and Anr.***<sup>7</sup>, upheld the order dated February 26, 2014, passed by the CGRF granting remission to Dina Metal Limited, an industrial consumer, for severely restricted supply by South Bihar Power Distribution Company Limited ranging from 1.5 MVA (one point five Mega Volt-Amperes) to 3.5 MVA (three point five Mega Volt-Amperes), against the contracted demand of 9.6 MVA (nine point six Mega Volt-Amperes).

By its order dated February 26, 2014, the CGRF had held that Dina Metal Limited was entitled to proportionate remission due to the Discom’s failure to supply energy at the contracted demand. The Patna HC affirmed the CGRF’s decision, which was premised on principles laid down in *Raymond Limited vs. MPEB*<sup>8</sup> and *Tata Iron and Steel Company vs. BSEB*<sup>9</sup>, holding that consumers are entitled to remission when the electricity provider fails to meet the contracted demand.

### Kerala High Court holds that the jurisdiction of Civil Court is not barred under Section 145 of the Electricity Act where action taken is beyond powers conferred under the Electricity Act

The Hon’ble High Court of Kerala by its judgment dated April 4, 2025, in ***Kerala State Electricity Board and Anr. vs. Gopalakrishnan and Ors.***<sup>10</sup>, *inter alia*, held that Section 145 of the Electricity Act does not bar the jurisdiction of Civil Courts for action taken beyond the provisions of the Electricity Act.

It was also held that the action of drawing electric lines through private property, without obtaining prior consent of the landowner or permission from the District Magistrate specifically when such action is objected by the landowner, does not constitute an action taken in pursuance of any power conferred by or under the Electricity Act and hence, does not attract the bar under Section 145 of the Electricity Act. Instead, such action by the Kerala State Electricity Board would attract provision of Section 6(1) of the Indian Telegraph Act, 1885 or First Proviso to Rule 3(1) of the Works of Licensees Rules, 2006.

### Rajasthan High Court grants protection against electricity disconnection pending final assessment under Section 126(3) of the Electricity Act

The Hon’ble High Court of Rajasthan (“Rajasthan HC”), Jodhpur Bench by its order dated April 4, 2025, in ***Hotel Darshan Palace vs. Ajmer Vidhyut Vitran Nigam Limited and Anr.***<sup>11</sup> directed Ajmer Vidhyut Vitran Nigam Limited to follow the process of Assessment under Section 126(3) of the Electricity Act for passing the final order of assessment before recovering any amount as per provisional assessment or disconnecting electricity supply.

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<sup>7</sup> Civil Writ Jurisdiction Case No. 15623 of 2014

<sup>8</sup> 2001 (1) SCC 534

<sup>9</sup> AIR 1989 Patna 119

<sup>10</sup> RSA No. 131 of 2024

<sup>11</sup> 2025 SCC OnLine Raj 958

## Rajasthan HC declines to intervene in NTPC Limited and Rajasthan Rajya Vidyut Utpadan Nigam Limited joint venture while holding that tariff determination cannot be gone into by High Courts

The Rajasthan HC, Jaipur Bench by its order dated April 17, 2025, in *Ajay Chaturvedi vs. State of Rajasthan and Ors*<sup>12</sup> dismissed a Public Interest Litigation (“PIL”) challenging the joint venture between Rajasthan Rajya Vidyut Utpadan Nigam Limited and NTPC Limited for establishment, operation, and maintenance of additional 660 (six hundred and sixty) MW/800 (eight hundred) MW super-critical units at the Chhabra Thermal Power Plant. Ajay Chaturvedi (petitioner), a retired chief engineer, contended that the joint venture would result in higher electricity tariff which would be contrary to public interest. The Rajasthan HC dismissed the PIL to hold that tariff determination depends upon many factors which cannot be gone into by the Rajasthan HC.

## Punjab and Haryana High Court holds that the bar on jurisdiction of a civil court under Section 145 of the Electricity Act extends to matters falling under Sections 135 to 140 and Section 150 of the Electricity Act

The hon’ble Punjab and Haryana High Court (“**Punjab and Haryana HC**”) by its judgment dated May 14, 2025, in *Mahesh Kumar vs. Sub Divisional Officer & Another*<sup>13</sup> and connected matters, held that bar on jurisdiction of a civil court under Section 145 of the Electricity Act extends to matters falling under Sections 135 to 140 and Section 150 of the Electricity Act.

Substantial question of law involved in the matter was whether the bar contained in Section 145 of the Electricity Act, on the jurisdiction of the civil court, would be restricted only to proceedings arising from an order passed by the assessing officer under Section 126 and an appellate authority under Section 127, or, in view of the language contained in Sections 154 and 155, (read with Section 145), such bar would extend to matters falling under Sections 135 to 140 and Section 150 of the Electricity Act also?

The Punjab and Haryana HC *inter alia* concluded that the sweep and plenitude of Section 145 completely ousts the jurisdiction of civil courts even in respect of matters under Sections 135 to 140 and Section 150.

## Judgments by APTEL

### APTEL holds that submission of schedule of power to Haryana Discom is mandatory for Haryana open access consumers as per Regulation 42 of Haryana Electricity Regulatory Commission Open Access Regulations, 2012

APTEL by its judgment dated March 5, 2025, in *Ranee Polymers Pvt. Limited vs. Haryana Electricity Regulatory Commission and Ors.* and *Hindustan Gum and Chemicals Limited vs. Haryana Electricity Regulatory Commission and Ors.*<sup>14</sup>, held that the open access consumers in the State of Haryana were required to submit to the Discom i.e., Dakshin Haryana Bijli Vitran Nigam Limited, a schedule of power to be obtained through open access for all the 96 (ninety-six) slots of a particular day by 10 a.m. of the day preceding the day of transaction. This is the mandate of amended Regulation 42 of Haryana Electricity Regulatory Commission (Terms and Conditions for Grant of Connectivity and Open Access for intra-State Transmission and Distribution System) Regulations, 2012 (“**Open Access Regulations, 2012**”) specified by Haryana Electricity Regulatory Commission (“**HERC**”).

The appellants - Ranee Polymers Private Limited and Hindustan Gum and Chemicals Limited argued that compliance with amended Regulation 42 of the Open Access Regulations, 2012 is merely directory in nature and not mandatory.

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<sup>12</sup> D.B. (PIL) Civil Writ Petition No. 3658 of 2025

<sup>13</sup> RSA No. 4181 of 2016

<sup>14</sup> Appeal Nos. 61 and 62 of 2022

While dismissing the appeals, APTEL also observed that HERC has consciously used the word ‘shall’ in the amended Regulation 42 of the Open Access Regulations, 2012 to make the compliance mandatory. This was done in public interest to save the consumers from being burdened with distribution losses caused due to open access consumers and to ensure grid discipline. The judgment highlights the importance of systematic planning and scheduling of power by open access consumers so that Discoms can manage their drawl from the grid while maintaining grid discipline.

### **APTEL holds that project-specific tariff determined under Section 62 of the Electricity Act must be uniquely tailored to economic and operational realities of a particular project and must reflect actual cost incurred**

APTEL by its judgment dated April 23, 2025, in *Greenyana Solar Private Limited vs. HERC and Ors.*,<sup>15</sup> *inter alia*, held that project-specific tariff determination under Section 62 of the Electricity Act must be uniquely tailored to the economic and operational realities of a particular project and must reflect actual costs incurred subject to prudence check.

APTEL also placed reliance on its earlier judgment dated October 25, 2024, in *Amplus Sun Solutions Private. Limited vs. HERC and Ors.*<sup>16</sup> which *inter alia* held that the ratio of Alternating Current (“AC”) to Direct Current (“DC”) modules, the associated capital cost, and the resultant Capacity Utilisation Factor (“CUF”) are interlinked since achievement of higher CUF requires a higher AC:DC ratio and allowance of cost of additional DC capacity.

## **Regulatory updates**

### **Supplementary guidelines for payment of compensation in regard to right of way for transmission lines**

MoP by its communication dated March 21, 2025, has issued the ‘Supplementary Guidelines for Determination of Market Rate and RoW Compensation for ISTS Lines’ (“**Supplementary Guidelines**”) for assessing the market rate of land for payment of Right of Way (“**RoW**”) compensation while laying down ISTS lines. The Supplementary Guidelines are applicable in cases where landowners have objected to RoW compensation because circle rates are below the market rates and also where State Governments are yet to specify the manner of determination of market value of land.

Notably, if the actual RoW compensation paid by the Transmission Service Provider (“**TSP**”) due to implementation of the supplementary guidelines or the extant guidelines/policy of the appropriate Government differs from the base RoW compensation determined for the ISTS Scheme as per Tariff Based Competitive Bidding Guidelines, which will be eligible for pass-through under change in law by the CERC.

### **Amendment to standard bidding documents for procurement of ISTS through tariff based competitive bidding process**

MoP *vide* its communication dated March 27, 2025, has amended the standard bidding documents (comprising of Request for Proposal (“**RfP**”) and Transmission Service Agreement (“**TSA**”)) for procurement of ISTS through TBCB process issued on August 6, 2021 (as amended on June 13, 2022, and June 16, 2023).

Para 1.6.1.1 of the RfP and Para 5.1.4(a) of the TSA have been amended to provide that the actual location of Greenfield Substation (Switching Station or High Voltage Direct Current Terminal or Inverter Station) in the scope of **TSP** for: -

<sup>15</sup> Appeal No. 302 of 2024

<sup>16</sup> Appeal Nos. 326 & 149 of 2021

1. a Generation Pooling Substation, will not be beyond the 3 (three) Kilometer ("**Km**") radius of the location proposed by the Bid Process Coordinator ("**BPC**") in their survey report;
2. load serving substation within the scope of TSP, will not be beyond the 5 (five) Km radius of the location proposed by the BPC in their survey report; and
3. an intermediate substation, will not be beyond 10 (ten) Km radius of the location proposed by the BPC in their survey report.

### DCR norms for solar PV cells

MNRE *vide* its Office Memorandum dated March 11, 2025, has issued the DCR norms for solar PV Cells for the schemes/programmes being implemented by MNRE. As per the norms:

1. a solar PV cell (based on crystalline-silicon technology) will be domestically manufactured only if the same has been manufactured in India, using un-diffused silicon wafer (generally called Black Wafer), classifiable under Customs Tariff Head 3818 and all steps/processes required for manufacturing solar PV cell from the un-diffused silicon wafer have been carried out in India;
2. if diffused silicon wafer is imported to be used as raw material for the manufacturing of solar PV cells in India, such solar PV cells will not qualify as domestically manufactured solar PV cells, for the purpose of MNRE's schemes/programmes mandating use of domestically manufactured solar PV cells.
3. It is reiterated that thin film solar PV modules manufactured in an integrated factory located in India are eligible for deployment in projects under MNRE's schemes/programmes where the DCR provisions mandate deployment of domestically manufactured solar PV modules, as stated in MNRE's office memorandum dated May 9, 2024.

### MNRE revises Small Hydro Power Scheme Guidelines

MNRE by its office memorandum dated May 26, 2025, has revised the guidelines for Small Hydro Power Schemes considering the challenges faced by the stakeholders in the small hydro power sector. The amendments are as under:

1. The criteria for the release of balance Central Financial Assistance ("**CFA**") have been revised. Projects can qualify for the release of balance CFA: (a) if project achieves 80% or more of the projected generation for any 1 (one) month (earlier this was 3 (three) consecutive months) as per the Detailed Project Report ("**DPR**"); (b) if the above condition is not met, CFA will be proportionately reduced in the second instalment of eligible CFA; and (c) developer must provide proof of energy generation. The timeline for completion of projects remains 5 (five) years from the date of award of the contract. However, extensions by the Secretary, MNRE, in case of delays, will be granted based on justified reasons and subject to the achievement of 50% aggregate physical progress (the previous requirement of over 70% progress for extension consideration has been lowered).
2. For the release of CFA, developers must now meet specific milestones. These include placement of orders for electro-mechanical equipment, disbursement of 50% of term loan, 50% expenditure of the project cost supported by the audited statement of expenditure and achievement of 50% progress on the project, certified by the state nodal agency for considering the release of the first instalment of CFA. After commissioning the project, developers must undergo physical verification and submit certificates confirming that major equipment used conform to the standards set by organisations as decided by the MNRE. For the release of the second/final instalment of CFA, submission of documents such as commissioning certificate, utilisation certificate, audited statement of expenditure, and 3 (three) months' generation data is mandatory.

## Clarification regarding co-locating energy storage systems with solar power projects

On April 1, 2025, the CEA issued a clarification with reference to its advisory issued on February 18, 2025, regarding co-locating energy storage systems with solar power projects to enhance grid stability and cost efficiency. The CEA has clarified that all ongoing schemes of the Government of India (including the PM Surya Ghar Muft Bijli Yojana) will continue to be governed by the existing provisions of the schemes.

## Mandatory use of energy efficient appliances in Government buildings/Government aided institutions/boards/corporations

GoNCTD, *vide* its notification dated March 7, 2025, issued directions for mandatory use of energy efficient brushless DC fans, air conditioners of ratings 5 (five) star or above, and other star rated energy-efficient appliances in new as well as existing Government buildings/Government-aided institutions/boards/corporations. In existing buildings, the defective induction motor fans and air conditioners, when replaced, would be replaced with such energy-efficient appliances only.

## MoP notifies the Electricity (Late Payment Surcharge and Related Matters) (Amendment) Rules, 2025

The MoP by its Notification dated May 2, 2025, has notified the Electricity (Late Payment Surcharge and Related Matters) (Amendment) Rules, 2025 to amend Rule 1(3) of the Electricity (Late Payment Surcharge and Related Matters) Rules, 2022 (“**LPSC Rules, 2022**”) wherein the words ‘*generating companies inter-state transmission licensees*’ have been substituted with the words ‘*generating companies, transmission licensees*.’

While the LPSC Rules, 2022 specifically mentioned ‘inter-state transmission licensees’, the amendment extends the applicability of the LPSC Rules, 2022 to intra-state transmission licensees. Accordingly, the LPSC Rules, 2022 will now apply to all transmission licensees, regardless of whether their operations span across States or are confined within a single State.

## MoP issues directions to Gas-Based Stations under Section 11 of the Electricity Act

MoP has issued order dated May 16, 2025, under Section 11 of the Electricity Act with directions to all Gas-Based Generating Stations (“**GBS**”) to operate from May 26 to June 30, 2025, to ensure maximum electricity generation. Key provisions of the order are as under:

1. based on monthly demand assessment, the order mandates that GRID-India will notify GBSs at least 14 (fourteen) days in advance of high-demand days. GBSs will be notified and scheduled by GRID-INDIA on a day-ahead basis and will be guaranteed dispatch at a minimum of 50% capacity round-the-clock during the high-demand period. Further: (i) GBSs will first offer power to respective PPA holders; (ii) if a PPA holder fails to schedule power, then unutilised power will be offered to other PPA holders; (iii) if unutilised power is not scheduled by any other PPA holders, it will be supplied to any other Discom; (iv) if no Discom schedules power, it will be supplied in the power market; and (v) any surplus capacity will be made available to GRID-INDIA;
2. GBS will offer supply to PPA holders at Energy Charge Rate (“**ECR**”) as determined by the Appropriate Commission and non-PPA holders at benchmark ECR determined by a committee comprising of: (i) chairperson of CEA; (ii) member (engineering and construction), CEA; (iii) additional secretary (thermal and operations and maintenance), MoP, (iv) executive director (marketing), Gas Authority of India Limited; and (v) chief engineer (financial and commercial appraisal division), CEA;

3. the mandate of the above-mentioned committee will ensure that the benchmark rates for procured power cover all the prudent costs incurred by GBSs which will be reviewed every 15 (fifteen) days considering the change in prices of transport, natural gas, etc.;
4. GBSs will offer power to power exchanges at a rate not exceeding 120% ECR + intra-state transmission charges as applicable. In cases where GBSs supply to PPA holders, any realisation exceeding the ECR will first be applied towards recovery of the fixed costs. Any portion of the fixed costs that remain unrecovered through market sales or dispatch for grid support, will continue to be the liability of the PPA holder, in accordance with the terms of the PPA.
5. other miscellaneous directions as per the order include as follows: (a) applicability of the payment security mechanism under the LPSC Rules, 2022 will be on weekly basis; (b) rebate will be in accordance with CERC norms or as stipulated in the PPA, whichever is higher; (c) Payment for the power dispatched by GRID-INDIA will be paid from the statutory pool as per CERC's regulations; and (d) GBS will operate as per the above directions irrespective of PPA or any prior outstanding dues which will be dealt with separately,

The aforesaid order will apply notwithstanding any contrary provisions in the PPA(s). The generators must submit a weekly report to GRID-INDIA for the generation and sale of power from the GBS.

## Electricity and Power Practice

JSA is the leading national practice in the power sector – conventional and non-conventional. JSA provides legal services at all stages of the value chain in the sector - across the spectrum of contractual, commercial, policy, regulatory and legal issues. We represent clients in all segments: generation, transmission, distribution and trading. JSA serves its clients by transaction-specific integrated teams across various locations and practice areas (Banking & Finance, Mergers & Acquisition and Private Equity, Projects and project related contracting, Dispute Resolution, Taxation, Regulatory proceedings and Policy advisory).

JSA has been regularly engaged in; (a) providing policy advice to Governments of Bangladesh and Maldives, as also the Government of India besides various Indian states. Also, JSA partners have presented expert testimony to the Parliamentary Standing Committees and the Forum of Regulators on challenges faced by the power sector and proposed legislative and policy changes, development financial institutions like the World Bank, the Asian Development Bank, DfID, USAID regulatory authorities and industry bodies; (b) advising project developers, investors, suppliers and contractors on commercial / transactional issues and all aspects of licensing, market structures, competition, performance standards and tariffs; (c) advising financial institutions and borrowers in relation to financing transactions; (d) Advising clients on sustainable development issues like clean development mechanism and environmental compliances; and (e) specialised dispute resolution.

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18 Practices and  
41 Ranked Lawyers



7 Ranked Practices,  
21 Ranked Lawyers



14 Practices and  
12 Ranked Lawyers



12 Practices and 50 Ranked  
Lawyers



20 Practices and  
22 Ranked Lawyers



8 Practices and  
10 Ranked Lawyers  
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