



JSA Newsletter Environmental Disputes and ESG Regulatory

September 2025 Edition

Supreme Court judgement

Supreme Court sets aside the National Green Tribunal's orders

The Supreme Court of India, in its judgement dated September 1, 2025, in the case of *M/S. Triveni Engineering and Industries Ltd. vs. State of Uttar Pradesh And Others*,¹ has set aside the National Green Tribunal, Principal Bench, New Delhi (“NGT Delhi”) orders imposing environmental compensation of INR 18 crore (Indian Rupees eighteen crore) for alleged illegal discharge of untreated effluents, due to non-compliance with proper procedure. Emphasizing the importance of the principles of natural justice and statutory procedure, the Supreme Court held that the NGT Delhi cannot delegate its investigative and adjudicatory functions to administrative committees or bypass legal safeguards. The Court reinforced the need to adhere to the procedure for investigation prescribed under the Water (Prevention and Control of Pollution) Act, 1974, as well as compliance with the principles of natural justice. Given the procedural lapses, the Court declared the NGT Delhi orders illegal. Separately, the Supreme Court granted liberty to the Uttar Pradesh Pollution Control Board to inspect and take remedial action against the appellant, in accordance with applicable law.

National Green Tribunal order

National Green Tribunal grants 2 (two) months for demolition of illegally constructed promenade on Aksa Beach

The National Green Tribunal, Western Zone Bench, Pune (“NGT Pune”), *vide* order dated September 16, 2025, in the case of *Banda Nagaraj Kumar and Anr vs. Maharashtra Maritime Board and Others*², ordered the demolition of a concrete promenade constructed by the Maharashtra Maritime Board (“MMB”) on Aksa Beach in Mumbai, finding it to be in violation of the Coastal Regulation Zone Notification, 2011 (“CRZ Notification”). The NGT Pune observed that in terms of the CRZ Notification, 2011 and the CRZ Clearance granted to the project, the MMB was only permitted to construct an anti-sea erosion bund, beyond which, no permanent construction could have been erected at the site, which falls within the CRZ area. Accordingly, the NGT Pune, while noting that the construction of the promenade exceeded the authority conferred on the Board by the Maharashtra Coastal Zone Management Authority, directed its removal within 2 (two) months.

¹ 2025 INSC 1060

² Original Application No.77 of 2023 (WZ)

Regulatory updates

Securities and Exchange Board of India (Delisting of Equity Shares) (Amendment) Regulations, 2025

Securities and Exchange Board of India (“SEBI”), *vide* notification dated September 2, 2025, has issued the SEBI (Delisting of Equity Shares) (Amendment) Regulations, 2025, amending the SEBI (Delisting of Equity Shares) Regulations, 2021. Special provisions dealing with delisting of public sector undertakings are inserted. Some of the key provisions are as follows:

1. they apply to delisting of equity shares of public sector undertakings, other than banks, non-banking financial companies and insurance companies, subject to certain conditions;
2. equity shares of a public sector undertaking can be delisted from all the recognised stock exchanges, subject to certain conditions, such as:
 - a) the aggregate shareholding of the acquirer along with other public sector undertaking(s) equals or exceeds 90% of the total issued shares of that class;
 - b) the delisting is approved by the shareholders of the public sector undertaking by way of a special resolution passed through postal ballot or e-voting; and
 - c) the delisting is undertaken through the fixed price process; and
3. voluntary strike-off (effected after 1 (one) year from the date of delisting but not later than 30 (thirty) days from the expiry of such one-year period) initiated by a public sector undertaking, whose shares have been delisted will be subject to fulfilment of certain conditions, such as:
 - a) any money owed to public shareholders who have not tendered their shares in the delisting process must be transferred to a designated account of the stock exchange;
 - b) if unclaimed after 7 (seven) years, the money must be transferred to the Investor Education and Protection Fund (“IEPF”) under the Companies Act, 2013; and
 - c) if transfer to IEPF fails, the amount will be transferred to SEBI’s investor protection and education fund. Investors can claim their dues from the stock exchange, which will then seek reimbursement from the relevant fund as per SEBI’s specified procedures.

SEBI (Listing Obligations and Disclosure Requirements) (Third Amendment) Regulations, 2025

SEBI, *vide* notification dated September 8, 2025, has issued the SEBI (Listing Obligations and Disclosure Requirements) (Third Amendment) Regulations, 2025, amending the SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 (“**LODR Regulations**”). Some of the key amendments are as follows:

1. Regulation 39(2A) is inserted stating that a listed entity must issue securities pursuant to any scheme of arrangement or any subdivision, split or consolidation of securities only in the dematerialised form. The listed entity must open a separate demat account for such securities of investors not having a demat account; and
2. Regulation 91E(2A) is inserted stating that social enterprises registered on a Social Stock Exchange (“SSE”) without raising funds must submit a self-certified annual impact report. Provided that a Not-for-Profit Organisation (“NPO”) that is registered on an SSE will be permitted not to raise funds through it for a maximum period of 2 (two) years from the date of registration or such duration as may be specified by SEBI. Provided further that upon expiry of the period of 2 (two) years from the date of registration, the NPO must have at least 1 (one) listed project, failing which it will cease to be registered.

Environment (Protection) Seventh Amendment Rules, 2025

MoEFCC, *vide* notification dated September 4, 2025, has notified the Environment (Protection) Seventh Amendment Rules, 2025. Amendments are made to the effluent standards for pulp and paper industry under entry no. 14 under Schedule-I of the Environment (Protection) Rules, 1986.

Electricity (Amendment) Rules, 2025

Ministry of power, *vide* notification dated September 19, 2025, has notified the Electricity (Amendment) Rules, 2025. The amendments provide clarification on the rules around energy storage, grid connectivity, and renewable energy. Some of the key amendments are as follows:

1. the owners of Energy Storage Systems (“ESS”) are now allowed to sell, lease, or rent their storage capacity to other entities, including consumers, utilities, or other service providers;
2. ESS can now be deployed either independently or as a part of generation, transmission, or distribution infrastructure. Generating companies, transmission and distribution licensees, consumers, system operators, or independent ESS providers are now allowed to develop, own, lease or operate ESS assets; and
3. clarification is provided on the legal status of ESS assets. If an ESS is co-located with a generation or distribution asset, it will carry the same legal status as the asset owner. In cases where the ESS is not co-located but is still owned by a generating station or distribution licensee, it will be considered part of the owner's assets, though its scheduling and dispatch will remain separate.

Operational Guidelines for deployment of EV Public Charging Stations under the PM E-DRIVE Scheme

Ministry of Heavy Industries, *vide* notification dated September 26, 2025, has notified the Operational Guidelines for deployment of EV Public Charging Stations under the PM E-DRIVE Scheme. The Government of India approved the PM Electric Drive Revolution in Innovative Vehicle Enhancement (PM E-DRIVE) Scheme with an outlay of INR 10,900 crore (Indian Rupees ten thousand nine hundred crore), *vide* notification dated September 29, 2024. One of the objectives of the Scheme is to expedite the adoption of EVs by facilitating the establishment of EV public charging stations. The Scheme envisages support of INR 2,000 crore (Indian Rupees two thousand crore) for setting up of adequate public charging infrastructure for various categories of vehicles to instil confidence amongst EV users. The norms recommend a tiered subsidy structure to be followed to support the installation of EV charging infrastructure across different locations. The Scheme provides varying levels of subsidy depending on the location:

- (a) 100% subsidy on infrastructure and equipment for government premises with public access;
- (b) 80% on infrastructure and 70% on equipment at public sector-controlled locations such as airports, railway stations, metro stations, and fuel outlets;
- (c) 80% subsidy on infrastructure for other locations in cities and highways; and
- (d) 80% subsidy on infrastructure for BSS/BCS installations.

Other developments

Goods and Services Tax reforms in mining sector to boost housing and small-scale enterprises

The 56th meeting of the Goods and Services Tax (“GST”) Council was held in New Delhi on September 11, 2025 under the chairpersonship of the Union Finance and Corporate Affairs Minister Smt. Nirmala Sitharaman. Recommendations were made relating to changes in GST tax rates and slabs for items related to mining sector which will have a positive

impact on housing industry and small-scale enterprises. Under the new rates, Marble and travertine blocks and Granite Blocks will now attract GST rate of 5% compared to the earlier rate of 12%. This reduction in GST rates will benefit the housing sector as these marble and granite are used largely in housing industry. Granite and marble extraction are happening in States like Rajasthan, Gujarat and Karnataka. In addition to this, reduction of GST rates on Sand lime bricks or Stone inlay work will help lower the construction cost of low-cost housing, especially in rural areas. The GST rates of such items are also being brought down to 5% from 12%.

HCL and OIL Sign MoU for Collaboration in Exploration and Development of Critical and Strategic Minerals

To strengthen India's self-reliance in critical and strategic mineral sourcing, Oil India Limited (“OIL”) and Hindustan Copper Limited (“HCL”) signed a Memorandum of Understanding (“MoU”) on September 19, 2025, to co-operate and collaborate for exploration and development of critical and strategic minerals including Copper and associated minerals. HCL, a Miniratna Public Sector Undertaking (“PSU”) under the Ministry of Mines, is engaged in mining, production, processing, and marketing of copper and related products. The company is currently focused on mining and beneficiation of copper ore and the sale of copper concentrate. OIL, a Maharatna PSU under the Ministry of Petroleum & Natural Gas, is a premier integrated oil and gas company with proven expertise in exploration, development, production, and transportation of crude oil and natural gas. Recognizing the growing importance of critical minerals, OIL has diversified into this sector to complement its core energy portfolio. The MoU between HCL and OIL represents a crucial milestone in India’s pursuit of mineral security. Aligned with the objectives of the Government of India’s National Critical Mineral Mission, this partnership will play a pivotal role in securing strategic mineral resources essential for the nation’s energy security, industrial growth, and technological advancement.

Environment, ESG and Climate Change Practice

The Firm advises and represents clients in environmental disputes before the National Green Tribunal, High Court(s) and the Supreme Court of India. We also advise clients on environment, social and governance (ESG) issues and assist them in ensuring compliance with the relevant laws. The firm has been regularly advising clients in matters relating to climate change and energy transition.

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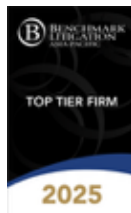
14 Practices and
12 Ranked Lawyers



12 Practices and 50 Ranked
Lawyers



20 Practices and
22 Ranked Lawyers



8 Practices and
10 Ranked Lawyers
Highly Recommended in 5 Cities



Recognised in World's 100 best
competition practices of 2025



Among Best Overall
Law Firms in India and
14 Ranked Practices



Asia M&A Ranking 2024 – Tier 1

Employer of Choice 2024



Ranked Among Top 5 Law Firms in
India for ESG Practice

9 winning Deals in
IBLJ Deals of the Year

Energy and Resources Law Firm of
the Year 2024



11 A List Lawyers in
IBLJ A-List - 2025

Litigation Law Firm
of the Year 2024

Ranked #1
Best Law Firms to Work

Innovative Technologies Law Firm of
the Year 2023

Top 10 Best Law Firms for
Women

Banking & Financial Services
Law Firm of the Year 2022

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