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Legal Updates

The Andhra Pradesh Electricity Regulatory Commission (“**APERC**”) has issued the Draft APERC (Framework for Resource Adequacy) Regulation, 2026 (“**Draft Regulation**”) on 06.03.2026 wherein it has proposed a structured planning framework to ensure long-term reliability of electricity supply in the State. This Regulation is being introduced in supersession of the earlier APERC Regulation, including the 2000 Guidelines for Load Forecasts, Resource Plans, and Power Procurement Process.

The draft introduces a systematic approach for forecasting electricity demand and assessing the adequacy of generation, storage, and transmission resources to meet projected load and seeks to support secure, cost-efficient, and renewable-integrated power supply. The proposed Regulation will be applicable to all relevant grid-connected entities and stakeholders, including Generating Companies, Distribution Licensees, the State Transmission Utility, and the State Load Despatch Centre.

Under the Draft Regulation, the Distribution Licensees are required to undertake a rolling ten-year resource adequacy assessment framework, to be updated annually, including a systemic process involving multiple stages – (a) Demand assessment and forecasting, (b) Generation resource planning, (c) Planning of transmission network augmentation/ strengthening, (d) Planning of distribution network augmentation/ strengthening, (e) Procurement planning, and (f) Monitoring and compliance.

The Distribution Licensees are mandated to prepare long-term, medium-term, and short-term, resource adequacy plans, demonstrating how utilities intend to meet projected demand, their plan to meet peak demand and energy requirement with a mix of long-term, medium-term, and short-term contracts, including procurement from Power Exchanges to secure the required capacity.

**APERC issues Draft
APERC (Framework for
Resource Adequacy)
Regulation, 2026**

The Draft Regulation also aims to maintain planning reserve margins to ensure that adequate surplus capacity is maintained above peak demand, thereby safeguarding against supply disruptions and demand uncertainties and provides for capacity credit assessment to determine the share of a power project's installed capacity that can be counted toward resource adequacy requirements.

The Commission has invited stakeholders to submit comments and suggestions on the Draft Regulation on or before 27.03.2026.

A copy of the public notice dated 06.03.2026 can be accessed _____. A copy of the Draft Regulations can be accessed _____.

The Maharashtra Electricity Regulatory Commission (“**MERC**”) vide order dated 06.03.2026 in Case No. 246 of 2025, approved MSEDCL's procurement of 2000 MW / 4000 MWh (1 cycle/day) Battery Energy Storage System (BESS) capacity for 15 years and has adopted the discovered tariff of Rs. 1,65,998/- per MW per month under Section 63 of the Electricity Act, 2003. The approved allocation covers seven successful bidders, with the procured storage capacity being eligible for meeting MSEDCL's Energy Storage Obligation (ESO).

The Commission has held that MSEDCL had conducted a fair and transparent competitive bidding process, noting that the tender was carried out through a detailed RfS, pre-bid clarifications, techno-commercial evaluation, and an e-reverse auction with participation from 46 bidders, which demonstrated adequate competition. The Commission also observed that the discovered tariff was consistent with prevailing market conditions and, in fact, lower than comparable BESS tariffs discovered in recent procurements by other utilities.

The Commission further dealt with objections relating to L1 matching, non-issuance of Letters of Award, and the proposed increase in operating cycles to 6300 cycles. On the cycle issue, MERC accepted MSEDCL's submission that the original RfS condition of 1 cycle/day remained unchanged, and that the Ministry of Power's reference to 6300 cycles was only a contractual right linked to VGF eligibility, not a mandatory additional obligation on successful bidders. On that basis, the Commission held that there was no change to the bidding conditions and that the tariff could be adopted without modification.

The tariff adoption, however, has been made subject to the final outcome of Onward Solar vs MSEDCL, W.P. No. 245/2026, which is pending before the Bombay High Court.

The Ministry of Power (“**MoP**”) has, vide notification dated 13.03.2026, notified the Electricity (Amendment) Rules, 2026 whereby Rule 3 of the Electricity Rules, 2005 has been amended.

The following are the amendments which have been introduced in Rule 3:

- i. **Sub-rule (1)** defines the terms ‘captive user’, ‘subsidiary company’, ‘holding company’, ‘ownership’ and ‘Special Purpose Vehicle’ (“**SPV**”).
- ii. **Sub-rule (2) (a)** provides that no power plant shall qualify as a captive generating plant unless a minimum of 26% of the ownership is held by captive user(s), and a minimum of 51% of the aggregate electricity generated in such plant, during the financial year, is consumed for captive use.
- iii. **Sub-rule (2) (b)** provides that in case of a generating station owned by a company formed as a SPV, the twin conditions specified in sub-rule (2) (a) shall apply to the unit(s) identified for captive use, and not to the station as a whole.
- iv. **Explanation (1) to sub-rule (2) (b)** provides that the electricity required to be consumed by captive users shall be determined with reference to the aggregate generation of the unit(s) identified for captive use and not the station as a whole.

MERC adopts Tariff for 2000 MW / 4000 MWh BESS Procurement by MSEDCL

Ministry of Power has notified the Electricity (Amendment) Rules, 2026

- v. **Explanation (2) to sub-rule (2) (b)** provides that the equity shares to be held by the captive user(s) shall not be less than 26% of the proportionate equity of the company corresponding to the unit(s) identified as the captive generating plant.
- vi. **Sub-rule (2) (c)** provides that in case of a power plant set up by a registered co-operative society, the twin conditions specified in sub-rule (2) (a) shall be satisfied collectively by the members.
- vii. **Sub-rule (2) (d)** relates to a power plant set up by an association of persons.
 - (a) The twin conditions specified in sub-rule (2) (a) shall be satisfied collectively by all the captive users. For the verification of compliance, the aggregate consumption by all such users shall be considered.
 - (b) The captive consumption by an individual user shall be admissible only up to 100% of its proportionate consumption, calculated with reference to its share in the total captive ownership however, this shall not be applicable where the user holds not less than 26% ownership in the power plant.
 - (c) Proportionate entitlement of each captive user shall be determined based on the weighted average shareholding of such captive user during the financial year where the ownership pattern varies during this period.
 - (d) For calculating proportionate consumption, a captive user, its subsidiaries and its holding company (along with its other subsidiaries) shall be collectively treated as a single captive user.
- viii. **Sub-rule (3)** provides that the captive user(s) shall ensure that the conditions are complied with during the financial year. Where the minimum captive consumption requirement is not met during such period, the entire electricity generated by the power plant shall be treated as supply of electricity by a generating company. Further, in the case of a power plant set up by an association of persons, any consumption by an individual captive user in excess of 100% of its proportionate consumption shall be treated as supply of electricity by a generating company. In both cases, cross subsidy surcharge and additional surcharge will be applicable.
- ix. **Sub-rule (4)** provides for verification of captive status.
 - (a) Power plant and the captive user(s) located in the same State – verification to be done by the nodal agency designated by the State Government as per the procedure issued by the nodal agency.
 - (b) Power plant and the captive user(s) located in different States – verification to be done by the National Load Despatch Centre (NLDC) as per the procedure issued by it with approval of the Central Government.
 - (c) Appeal against the verification shall lie before a Grievance Redressal Committee constituted by the Appropriate Government.
 - (d) Cross-subsidy and additional surcharges shall not be levied pending verification, subject to a declaration being furnished by the user(s) as prescribed. If the plant fails verification, the same will be payable along with applicable carrying costs calculated at the base rate of Late Payment Surcharge as per the Electricity (Late Payment Surcharge and Related Matters) Rules, 2022.

Copy of the Electricity (Amendment) Rules, 2026 can be accessed [_____](#).

The MoP has, vide notice dated 12.03.2026, issued the Draft Electricity (Rights of Consumers) Amendment Rules, 2026 (“**Draft Rules**”) and invited comments on the same, which need to be submitted by 11.04.2026.

The following amendments have been proposed to the Electricity (Rights of Consumers) Rules, 2020 (“**2020 Rules**”):

**MoP has invited
comments on the Draft
Electricity (Rights of
Consumers) Amendment
Rules, 2026**

- i. **Insertion of the definition of “Demand Response” [Rule 2 (1) (ga)]** – Managing electricity demand on the grid by encouraging consumers to shift their electricity usage to periods when supply is high or demand is low, using price signals or financial incentives.
- ii. **Substitution of Rule 4 (11)** – As per Rule 4 (11), the Commission is required to specify the maximum time period, from the date of submission of an application within which the distribution licensee has to provide a new connection or modify an existing connection. The maximum period of 3 days in metropolitan areas has now been made applicable to municipal corporation areas as well.
- iii. **Insertion of Rule 6 (13)** – The distribution licensee is required to make suitable arrangements in the billing system to identify cases of deviation in the consumption pattern of a consumer and resolution of such cases within thirty (30) days of generation of bill. However, this provision shall come into force within six (6) months from the date the 2026 Rules come into force or earlier, once the distribution licensee makes necessary arrangements. Further, there shall be no disconnection if the consumer continues to pay charges based on the average consumption of the previous six billing cycles until the issue is resolved.
- iv. **Substitution of Rule 8A** – The deadline for implementation of Time of Day tariff for industrial and commercial consumers has been extended from 01.04.2024 to 01.04.2027 and for other consumers, except agricultural consumers, it has been extended from 01.04.2025 to a date to be decided by the State Commission, but not later than 01.04.2028.
- v. **Substitution of Rule 11 (4)** – After the first proviso, a new proviso has been added which provides for allowing net-metering for any prosumer subject to a charge as specified by the Commission. No such charge shall be applicable to an installed Solar PV capacity up to five (5) kilowatts. Further, for capacities above five (5) kilowatts, the charge may be levied progressively based on the imputed costs of storage and network loss adjustments.
- vi. **Insertion of Rule 11 (4A)** – The State Commission may mandate the installation of energy storage system of appropriate capacity by the Prosumer where the installed capacity of renewable energy generation exceeds five hundred (500) kilowatts.
- vii. **Substitution of Rule 15 (1)** – Provides for establishment of Consumer Grievance Redressal Forum (CGRF) by each Distribution Licensee at the company level and at the district / municipality level, as specified by the Commission.
- viii. **Substitution of Rule 15 (2)** – Provides for the timeline within which the grievances need to be resolved and the remedy of approaching the company level forum if a consumer is not satisfied with the decision at the district or municipal level.
- ix. **Substitution of Rule 15 (4) and 15 (5)** – Provides for publicity of the details of the forum, creation and upgradation of web portal and mobile app, availability of status of grievance online etc.
- x. **Insertion of Rule 17** – Provides for the Commission specifying the framework for implementation of Demand Response.

A copy of the draft 2026 Rules can be accessed [_____](#).

PNGRB issues advisory on Reasonable Meter Rental Charges for Domestic Piped Natural Gas Connections

The Petroleum and Natural Gas Regulatory Board (“PNGRB”) has, vide public notice dated 12.03.2026, issued an advisory to City Gas Distribution (“CGD”) entities regarding the standardization of meter rental charges for Domestic Piped Natural Gas connections.

Under Section 11(a) of the PNGRB Act, 2006, PNGRB is mandated to protect consumer interests by promoting fair trade and competition among regulated entities. The CGD entities provide Domestic Piped Natural Gas connections under the PNGRB (Authorizing Entities to

Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008 (“**2008 Regulations**”). At present, Regulation 14(1) of the 2008 Regulations allows CGD entities to collect an interest-free refundable security deposit of Rs. 6,000/- for standard meters and Rs. 9,000/- for smart meters from consumers toward equipment security.

In practice, several CGD entities have introduced meter rental schemes, including EMI-based and fixed monthly/daily rental plans as an alternative to the one-time security deposit to make Domestic Piped Natural Gas connections more accessible. However, PNGRB observed significant variation in rental charges, with fixed monthly rentals ranging from Rs. 30/- to Rs. 90/- (excluding taxes) across different CGD entities, which may lead to excessive recovery beyond the equivalent security deposit amount, potentially resulting in consumer disadvantage. Thus, PNGRB has advised that meter rental charges should remain reasonable and broadly uniform across CGD entities and geographic areas. In view of the same, PNGRB has advised CGD entities to review their meter rental schemes and ensure that rental charges do not exceed the levels specified in the advisory.

The Board emphasized that such schemes should function as an enabling mechanism to promote wider adoption of Domestic Piped Natural Gas connections while safeguarding consumer interests.

A copy of the advisory dated 12.03.2026 can be accessed [_____](#).

Supreme Court holds cancellation of Coal Block as “Change in Law”, generator is entitled to compensation from 2014

The Supreme Court of India, in _____, held that the cancellation of the Ganeshpur coal block pursuant to the Court’s decision in Manohar Lal Sharma v. Principal Secretary constitutes a “Change in Law” under the Power Purchase Agreement. The Court held that the cancellation materially affected the generator’s ability to procure coal from the captive block, thereby entitling Adhunik Power & Natural Resources Ltd. to compensation along with carrying costs from 25.08.2014. The Court upheld the findings of the Appellate Tribunal for Electricity and directed the Central Electricity Regulatory Commission to modify its consequential order within four weeks.

However, the Court clarified that compensation cannot be granted for higher coal costs incurred prior to 25.08.2014, as the contractual framework protected the procurer, West Bengal State Electricity Distribution Company Limited, from escalation in energy charges where coal was sourced from sources other than the captive block. The Court also rejected the contention that the captive coal source was not identified in the agreement, holding that contemporaneous records clearly established the Ganeshpur coal block as the intended captive source for the project.

APTEL orders CEA review of design energy impact in Appeal filed by JSW for adjustment of tariff due to change in law event

The Appellate Tribunal for Electricity (“**Tribunal**”), vide judgment dated 09.03.2026 in Appeal No. 327 of 2021 (JSW Hydro Energy Limited v. Secretary, Himachal Pradesh Electricity Regulatory Commission & Anr), set aside the Order dated 28.09.2021 issued by the Himachal Pradesh Electricity Regulatory Commission (“**HPERC**”) in Petition No.10 of 2021 (“Impugned Order”) to the extent it denied adjustment of tariff to JSW Hydro Energy Limited (“JSW Hydro”)

HPERC vide the Impugned Order held that the amendment/modifications pertaining to the requirement of minimum water discharge of 15% instead of discharge of 5 cusecs, flowing from Notifications dated 16.07.2005 and 09.09.2005 issued by Department of Pollution Control, Government of Himachal Pradesh read with order dated 07.09.2020 passed by Nation Green Tribunal (NGT) in OA no.425/2019, constitutes change in law event. However, HPERC denied the claim for revision of energy charges for the Project on account of increased mandatory release. The Commission held that the enhanced minimum water discharge obligation did not result in any additional cost, as the Project’s actual generation exceeded the design energy, and therefore there was no reduction in design energy generation as contemplated under the PPA.

While determining the issue of tariff adjustment, the Tribunal referred to the Order dated 01.04.2025 passed by HPERC in proceedings relating to determination of tariff for the fifth control period (FY 2024-25 to FY 2028-29) for the Project of JSW Hydro. HPERC vide Order dated 01.04.2025 had emphasised that since the design energy of the Project had been fixed by Central Electricity Authority (“CEA”), the CEA alone was competent to review or revise the design energy based on the hydrological data and the energy generated over and above the design energy by the Project.

Accordingly, the Tribunal set aside the Impugned Order to the extent it denied adjustment of tariff to JSW Hydro. Taking into account that the reassessment of the design energy for the fifth control period of the Project was already under consideration with the CEA, the Tribunal directed that the committee constituted by CEA as per Order dated 01.04.2025 analyse past hydrological data and compute the impact of the change in law event on the project’s design energy and net saleable energy with effect from January 2021 also. The Tribunal further directed the committee to submit its report to CEA within three months, pursuant to which HPERC shall determine the consequential tariff adjustment, if any.

The Tribunal vide judgment dated 11.03.2026 in Appeal No. 279 of 2017 (Municipal Corporation of Greater Mumbai v. Maharashtra Electricity Regulatory Commission & Ors.), upheld the decision of the Maharashtra Electricity Regulatory Commission (“MERC”) approving the distribution network of Tata Power Company Limited in supply areas overlapping with the Brihanmumbai Electric Supply and Transport Undertaking in Mumbai.

The Appeal arose from a common order dated 12.06.2017 passed by MERC in Case Nos. 182 of 2014 and 40 of 2015 (“Impugned Order”), whereby the Commission approved TPCL’s network rollout plan in two phases over a period of seven years. MERC vide its Order dated 14.08.2014 had granted a single consolidated distribution licence to Tata Power Company Limited (“TPCL”), superseding the four separate distribution licences previously held by TPCL prior to the enactment of the Electricity Act, 2003. The areas covered under the licences overlapped with the supply area of the Brihanmumbai Electric Supply and Transport Undertaking (“BEST”).

Pursuant to the grant of the distribution licence, TPCL filed Case No. 182 of 2014 before MERC seeking approval of its network rollout plan. MERC vide the Impugned Order approved the plan, permitting phased development of the distribution network. As per the approved plan, TPCL was required to roll out its network in two phases, ‘Development of existing Distribution System’ in Phase I, followed by the ‘development of new DSS along with its downstream Distribution System’ in Phase II. BEST contended that the Impugned Order contravened the Universal Service Obligation under Section 43 of Electricity Act, resulting in cherry picking of customers by TPCL. On the other hand, TPCL contended that the Appeal before the Tribunal was infructuous as it has already complied with the Impugned Order and the USO ready and has network to supply power to any applicant in the concerned area of supply.

The Tribunal upheld TPCL’s phased seven-year network development, observing that the rollout had been substantially completed and no deficiencies were identified by the State Commission. It further held that the phased approach was cost-effective, ensured broad consumer coverage, prevented selective bias, and aligned with the requirements of Sections 14 and 43 of the Electricity Act, as the contention for cherry-picking was unsubstantiated.

On the issue of whether TPCL’s phased development of network was contravened the conditions of its Distribution License, the Tribunal held that the existing Change-over Protocol, in operation since 2009 without any functional difficulty, was rightly applicable.

The Tribunal further, on the issue pertaining to changeover during pending litigation and subsequent issue of meter tempering, held that pending litigation does not justify denial of changeover. Dues payable after switchover can be recovered in accordance with the prescribed dispensation. The plea regarding stranded assets was also rejected, considering that the presence of multiple distribution licensees in the same area of supply is legally permissible.

APTEL upholds MERC approval of phased distribution network rollout by TPCL in Mumbai



CERC issues regulations governing trading of Carbon Credit Certificates

The CERC, vide its notification dated 27.02.2026, has issued the Central Electricity Regulatory Commission (Terms and Conditions for Purchase and Sale of Carbon Credit Certificates) Regulations, 2026 to operationalize the trading framework under the Carbon Credit Trading Scheme, 2023. The Regulations establish the legal and operational framework governing the purchase and sale of Carbon Credit Certificates (“CCCs”) in the Indian Carbon Market. Under the framework, the Bureau of Energy Efficiency (“BEE”) has been designated as the Administrator, responsible for developing detailed procedures for trading, registration of market participants, and monitoring implementation, while the Grid Controller of India Limited will function as the Registry, maintaining electronic accounts of participants and recording transfers of certificates arising from trading transactions.

Salient Features

- Carbon Credit Certificates will be traded through power exchanges registered with CERC. Exchanges intending to facilitate CCC trading must obtain prior approval of the Commission for their rules, bye-laws, and business procedures governing such trading.
- Both Obligated Entities (with emission or energy efficiency compliance obligations) and Non-Obligated Entities (voluntary participants) may participate in the carbon market. Registration with the Registry maintained by Grid Controller of India Limited is mandatory.
- The Registry will maintain accounts of all registered entities, record issuance and ownership of CCCs, and automatically debit and credit certificates to seller and buyer accounts following successful trades on power exchanges. It will also verify bids to ensure that entities do not offer more certificates than available in their accounts.
- The market will operate broadly through a Compliance Market (for obligated entities meeting regulatory targets) and an Offset Market (for voluntary participation). Each CCC represents one metric tonne of carbon dioxide equivalent reduced, removed, or avoided.
- Prices will be discovered through market-based bidding on power exchanges. To ensure market stability, CERC may determine a Floor Price and Forbearance Price for certificates traded under the compliance mechanism, based on proposals from BEE.
- Entities cannot place sale bids exceeding the number of certificates available in their Registry accounts. If an entity attempts to sell excess certificates more than three times in a quarter, it will be barred from trading for six months.
- CERC, assisted by BEE, will monitor trading activity and may intervene in cases of abnormal price movements, irregularities, or disruptions affecting orderly market functioning. Power exchanges are required to provide trading data to facilitate such oversight.
- After trades are executed, the details are transmitted to the Registry, which updates the accounts of buyers and sellers and maintains the official record of ownership of CCCs.

Fees for operating the Registry and its software platform will be determined by CERC in consultation with BEE. The Regulations came into force upon their publication in the Official Gazette.

Copy of the Central Electricity Regulatory Commission (Terms and Conditions for Purchase and Sale of Carbon Credit Certificates) Regulations, 2026 can be accessed [_____](#).

**RERC issues draft RERC
(Terms and Conditions for
Tariff determination from
Renewable Energy
Sources) Third
Amendment Regulations,
2026**

Rajasthan Electricity Regulatory Commission (“**RERC**”) has issued the draft RERC (Terms and Conditions for Tariff determination from Renewable Energy Sources) Third Amendment Regulations, 2026 (“draft Regulations”).

It substitutes the main provision of the existing sub-regulation 1.2 of the Rajasthan Electricity Regulatory Commission (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulations, 2020 (“Principal Regulations”) which mentions that the Regulations shall be applicable for the determination of tariff from 01.04.2020 up to 31.03.2028. It substitutes the main provision of the existing sub-regulation 5.1 of the Principal Regulations and mentions that the Control Period under the Regulations shall be of 8 financial years commencing from 01.04.2020 till 31.03.2028.

It further adds a new regulation regarding calculation of capacity utilization factor and plant load factor. Capacity utilization factor and plant load factor shall be reckoned on an annual basis. The number of hours in a year for calculation of the capacity utilization factor and plant load factor, shall be considered as 8766. It further amends Regulation 23.1 of the Principal Regulations which deal with the Late payment surcharge. It mentions that in case the payment of any bill for charges payable under the Regulations is delayed beyond a period of 45 days from the date of presentation of bills, a late payment surcharge shall be levied by the generating company. It further amends Regulation 85 of the Principal Regulations which deals with the storage efficiency and mentions that RERC shall approve the storage efficiency only for project specific tariff, provided that the minimum efficiency for storage based on technology of solid-state batteries shall be 85%.

In this regard RERC has invited comments from the stakeholders and the last date for submission of the comments is 27.03.2026.

Copy of Third Amendment Regulation, 2026 can be accessed [_____](#).

**Bihar Electricity
Regulatory Commission
issues consultative paper
on draft Bihar Electricity
Supply Code, 2026**

Bihar Electricity Regulatory Commission (“**BERC**”) has issued the draft Bihar Electricity Supply Code, 2026. (“draft Code”).

The draft Code entails the obligations of the licensee and consumers vis-à-vis each other and specifies the set of practices that shall be adopted by the licensee to provide efficient, cost-effective, reliable and consumer friendly service to the consumers. It also provides the procedure for connection, disconnection, reconnection, assessment of load, changes in existing connections (load modifications, change of name, change of tariff category etc. and practices relating to consumer metering, billing and payment of bills. The draft code is applicable to all distribution licensees and all consumers of electricity in the State of Bihar.

The rights and obligations of distribution licensees and consumers shall mean to develop and maintain an efficient, coordinated and economical distribution system in its area of supply and to supply electricity in accordance with the provisions of the Electricity Act, 2003; to act as a common carrier providing non-discriminatory open access to any person; to display on its website and on the notice board in all its offices detailed procedure for grant of new connection, temporary connection, shifting of meter or, service line, change of consumer category, enhancement of load, reduction of load or change in name, transfer of ownership and shifting of premises etc. It further provides for the conditions for grant of supply, procedure for electricity services, procedure for providing temporary supply, procedure for modification in existing connections etc.

In this regard BERC has invited comments from the stakeholders and the last date for submission of the comments is 07.04.2026 and an e-hearing in the matter will be conducted on 16.04.2026.

Copy of consultive paper on draft Bihar Electricity Supply Code, 2026 may be accessed [_____](#).

**GERC issued Draft
Gujarat Electricity
Regulatory Commission
(Terms and Conditions for
Green Energy Open
Access) (Fourth
Amendment) Regulations,
2026**

The Gujarat Electricity Regulatory Commission (“**GERC**”) on 11.03.2026 issued Draft Gujarat Electricity Regulatory Commission (Terms and Conditions for Green Energy Open Access) (Fourth Amendment) Regulations, 2026, proposing limited modifications to the existing GERC (Terms and Conditions for Green Energy Open Access) Regulations, 2024, (“Principal Regulations”). The draft regulation will come into force from the date of their publication in the Official Gazette.

The proposed amendment primarily addresses the banking charge applicable to green energy open access transactions. In this regard, Regulation 1(4) of the Principal Regulations is proposed to be substituted in order to clarify the duration for which the current banking charge will remain in force. The revised provision stipulates that the banking charge specified under Regulation 17.6 will remain effective from the date of notification of the amendment regulations until 30.06.2026, or until such earlier date on which the Commission may notify revised charges through a separate regulatory notification.

Consequently, Regulation 17.6 (viii), which governs the banking facility and charges, is also proposed to be substituted. The draft amendment provides that the banking charge shall continue to be levied at Rs. 1.50 per unit from the date of notification of the amendment regulations up to 30.06.2026, unless the Commission determines and notifies a revised charge earlier through separate regulations. Following such notification, the applicable banking charges will be governed by the new regulatory framework issued by the Commission.

Overall, the draft amendment effectively extends the applicability of the existing banking charge of Rs. 1.50 per unit for green energy open access, while retaining regulatory flexibility for the Commission to revise the charge through a separate notification before the specified date. The amendment is intended to provide interim regulatory certainty for stakeholders participating in green energy open access transactions in the State.

Copy of the Draft Gujarat Electricity Regulatory Commission (Terms and Conditions for Green Energy Open Access) (Fourth Amendment) Regulations, 2026 can be accessed [_____](#).

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