



**ORDER
OF THE
WEST BENGAL ELECTRICITY REGULATORY
COMMISSION**

IN CASE NO. OA – 550 / 25 – 26

**ADOPTION OF TARIFF DISCOVERED UNDER TARIFF BASED
COMPETITIVE BIDDING PROCESS UNDER SECTION 63 OF THE
ELECTRICITY ACT, 2003 FOR A CONTRACTED CAPACITY OF 1508
MW POWER TO BE PURCHASED BY WEST BENGAL STATE
ELECTRICITY DISTRIBUTION COMPANY LIMITED FROM SECOND
GREENFIELD THERMAL POWER PROJECT OF 2 X 800 MW (1600
MW) INSTALLED CAPACITY TO BE SET UP ON DESIGN, BUILD,
FINANCE, OWN AND OPERATE (DBFOO) MODEL**

DATE : 12.02.2026



Adoption of tariff discovered under Tariff Based Competitive Bidding process for a contracted capacity of 1508 MW power under long term arrangement to be purchased by West Bengal State Electricity Distribution Company Limited from Second Greenfield thermal power project of 2 x 800 MW (1600 MW) Installed Capacity to be set up on Design, Build, Finance, Own and Operate (DBFOO) model

Facts in brief:

- 1.0 West Bengal State Electricity Distribution Company Limited (WBSEDCL) submitted a petition on 05.02.2026 under Section 63 read with Section 86(1)(b) of the Electricity Act, 2003 seeking adoption of tariff discovered under Tariff Based Competitive Bidding (TBCB) Process in terms of regulation 2.1.3 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011, as amended from time to time, (hereinafter to be referred as "Tariff Regulations") for a contracted capacity of 1508 MW to be purchased by WBSEDCL under long term arrangement from Second Greenfield Thermal Power Project of 2 x 800 MW Installed Capacity to be set up on Design, Build, Finance, Own and Operate (DBFOO). Subsequently, WBSEDCL has submitted a supplementary petition on 10.02.2026 with some additional documents. The petition dated 05.02.2026 along with the supplementary petition dated 10.02.2026 has been admitted by the Commission in Case No. OA – 550 / 25 – 26.
- 2.0 In the petition, WBSEDCL has inter-alia stated the following:
- a) To meet the growing power demand in future years as envisaged in the Report of Resource Adequacy Plan prepared by the Central Electricity Authority (CEA) and to ensure 24 x 7 power supply to its consumers, WBSEDCL proposed to procure 1600 MW power from a Thermal Power Project (Second Greenfield Project) to be setup in the state of West Bengal under section 63 of the Electricity Act, 2003 through DBFOO model. In this regard, WBSEDCL proposed two stage bidding including e-reverse auction and related deviations in the Model Bidding Documents which were approved by the Commission vide order dated 20.08.2025 in Case No. OA – 527/ 25 – 26 and order dated 14.11.2025 in Case No. OA – 539/ 25 – 26.
 - b) The Department of Power, Government of West Bengal, being the 'Nodal Agency' had published a notice on 25.08.2025 in 5 (five) Daily Newspapers for the selection of bidder for setting up of 2 x 800 MW Thermal Power Project on DBFOO basis in the State of West Bengal. Thereafter on 26.08.2025, the Nodal Agency had issued the Request for Qualification (RFQ) Documents with Tender Search Code DOP-2025-TN000004 on the Telecommunications Consultants India Limited (TCIL) portal.



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- c) The Department of Power, GoWB on 08.10.2025 read with Corrigendum dated 03.12.2025 had formed an Evaluation Committee to evaluate the tenders relating to the proposed 2 x 800 MW Power Plant.
 - d) Four (04) applicants viz. JSW Energy Limited, Torrent Power Limited, Adani Power Limited and DB Power Limited participated in the RFQ stage and found qualified.
 - e) Subsequently, in RFP stage, only three (03) bidders had participated and submitted sealed financial bids in the TCIL portal. In RFP a-two stage bidding were conducted, where L1 price discovered in first stage was considered as ceiling price for the e-reverse auction (2nd stage). The Evaluation Committee found M/s JSW Energy Limited as L1 bidder after the reverse auction with quoted tariff of Rs. 5.81 per kWh.
 - f) In compliance with clause 3.3.5 of RFP, WBSEDCL vide letter dated 31.12.2025 had issued Letter of Award (LOA) to the selected bidder i.e., JSW Energy Limited. Further, JSW Energy Limited had sent their acceptance on 31.12.2025.
- 3.0 In view of the above, WBSEDCL in terms of regulation 2.1.3 of Tariff Regulations read with Section 63 of the Electricity Act, 2003 has submitted this application for adoption of tariff discovered under TBCB process for a contracted capacity of 1508 MW to be purchased by WBSEDCL under Long Term arrangement from Second Greenfield thermal power project of 2 x 800 MW Installed Capacity to be set up by JSW Energy Limited on DBFOO basis.

Point of Determination:

- 4.0 Section 63 of the Electricity Act, 2003 provides as under:

"Notwithstanding anything contained in section 62, the Appropriate Commission shall adopt the tariff if such tariff has been determined through transparent process of bidding in accordance with the guidelines issued by the Central Government."

- 5.0 Thus, in terms of Section 63 of the Act, the Commission is required to adopt the tariff on being satisfied that the transparent process of bidding in accordance with the Guidelines issued by the Government of India under Section 63 of the Act has been followed in the determination of such tariff.



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- 6.0 The Ministry of Power, Government of India has issued the 'Guidelines for Long Term Procurement of Electricity from Thermal Power Stations set up on DBFOO basis and sourcing Fuel as provided under Model Bidding Documents including allocation of coal under B(I), B (III) and B(IV) of SHAKTI policy' under Section 63 of the Act on 06.03.2019 along with Model Bidding Documents comprising of Model Request for Qualification, Model Request for Proposal and Model Power Supply Agreement. The Guidelines state that any deviation from the Model Bidding Documents shall be made only with the prior approval of the Appropriate Commission.
- 7.0 WBSEDCL vide petitions dated 18.07.2025 and 11.11.2025 approached the Commission for approval of deviations from the Model Bidding Documents. The Commission observed that the proposed deviations are primarily related to the power plant capacity, its location, additional time for commencement of the project considering domestic supply of Boiler Turbine Generator and evaluation of bid through e-reverse bidding along with providing additional clarity to the bidders incorporating recent sectoral changes. The Commission had accordingly approved the Bidding Documents viz. Request for Qualification (RFQ), Request for Proposal (RFP) and Power Supply Agreement (PSA) vide order dated 20.08.2025 in Case No. OA – 527/ 25 – 26 and order dated 14.11.2025 in Case No. OA – 539/ 25 – 26.
- 8.0 Thus, the tariff is to be adopted if it is determined in line with the Guidelines of the Ministry of Power dated 06.03.2019 read with the approved RFQ, RFP and PSA approved by the Commission.

Observations of the Commission:

- 9.0 The Department of Power, Government of West Bengal has acted as a Nodal Agency to carry out the Bidding Process on behalf of the Utility i.e., WBSEDCL for selection of the Successful Bidder. The Nodal Agency has adopted a two-stage e-reverse bidding process for selection of the bidder. Further, the Department of Power, Government of West Bengal has also arranged Coal Linkage under para B(IV) of SHAKTI Policy for the 2 x 800 MW power plant. The key milestones in the bidding process were as under:



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Sl No.	Particulars	Details
1	Publication of Notice in Newspaper	25.08.2025
2	Date of Publication of RFQ in portal	26.08.2025
3	Pre-Application Conference	19.09.2025
4	Application Due Date of RFQ	10.10.2025
5	Tender Opening Event	10.10.2025
6	Meeting of Tender Evaluation Committee	14.10.2025
7	Announcement of Pre-Qualified Applicants	17.10.2025
8	Date of Publication of RFP and PSA in portal	18.10.2025
9	Pre-Bid Conference	07.11.2025
10	Mock E-Reverse Bidding	14.11.2025
11	Bid Due Date	04.12.2025
12	Opening of Bids	04.12.2025
13	E-Reverse Bidding	05.12.2025
14	Letter of Award	31.12.2025

10.0 The Commission notes that the Nodal Agency has published the Notice for Request for Qualification for setting up 2 x 800 MW Thermal Power Project on DBFOO basis in the State of West Bengal under section 63 of the Act in 5 daily newspapers viz. the Bartaman, The Hindu, the Hindustan Times, The Mint and the Times of India and giving publicity of the tendering process to be conducted in the TCIL portal.

11.0 The Department of Power, Government of West Bengal vide Notification No. 1479-POW-13099/4/2025-SECTION (POWER) dated 08.10.2025 read with Corrigendum Notification No. 1726-POW-13099/4/2025 dated 03.12.2025 had constituted an Evaluation Committee consisting of 5 members to evaluate the tenders relating to the proposed 2 x 800 MW Power Plant.

12.0 The Committee had opened the Applications on 10.10.2025 at 14:00 Hrs in terms of clause 2.17.1 of the RFQ and found 4 number of applications were received. The Committee in its Resolution dated 16.10.2025 has observed that the Applicants had provided the requisite hard copies of the documents submitted on the portal in terms of clause 2.13.3 of the RFQ. The Committee had also evaluated the applications and found that the following 4 (four) applicants are responsive in terms of clause 2.19 of the RFQ. The Committee decided to qualify the 4 applicants for the RFP stage.

Sl No.	Name of the Applicant
1	JSW Energy Limited
2	Torrent Power Limited
3	Adani Power Limited
4	D B Power Limited



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13.0 The Nodal Agency vide letters dated 17.10.2025 had notified the applicants in terms of clause 2.21 of the RFQ regarding qualification as a Bidder to participant in the RFP stage. The bidders were also requested to deposit the fees for procuring the RFP documents.

14.0 WBSEDCL submitted that, as per clause 2.11.1 and 2.11.2 of the RFP, the Tender Bid Security (Bank Guarantee) were required to be submitted offline and Financial Bid was accepted through online mode only in TCIL portal. The Sealed Financial Bid was submitted by 3 bidders on 04.12.2025 as tabulated below. The lowest bid of Rs. 6.182 per kWh has been served as the Ceiling Tariff for the E-Reverse Bidding in terms of clause 3.1.4 of the RFP:

Bidder Name	Fixed Charge (Rs. / kWh)	Total Fuel Charges (Rs. / kWh)	Total Tariff (Rs. /kWh)	Remarks
JSW Energy Limited	4.30	1.882	6.182	Ceiling Tariff for E-Reverse
Torrent Power Limited	4.38	1.906	6.286	
DB Power Limited	4.35	1.888	6.238	

15.0 The E-Reverse Bidding has conducted on 05.12.2025 taking Rs. 6.18 per kWh as Ceiling Tariff (rounded upto two decimal places). After conclusion of the E-Reverse Bidding, JSW Energy Limited became the L-1 bidder with quoted tariff of Rs. 5.81 per kWh. The details of tariff post competition of E-Reverse bidding process is given hereunder:

Bidder Name	Fixed Cost (Rs. / kWh)	Total Fuel Charge (Rs. / kWh)	Total Tariff (Rs. /kWh)	Remarks
JSW Energy Limited	4.06	1.75	5.81	L-1
Torrent Power Limited	4.26	1.91	6.17	
DB Power Limited	4.15	1.85	6.00	

16.0 WBSEDCL in its petition submitted that, the Resolution of the Evaluation Committee dated 09.12.2025, where the Committee confirms that all the 3 (three) bids were responsive in terms of clause 3.2.1 of the RFP and, after e-reverse bidding, JSW Energy Limited has been identified as L1 bidder in terms of clause 3.3.1 of the RFP.

17.0 WBSEDCL vide letter dated 31.12.2025 had issued the Letter of Award to JSW Energy Limited and JSW Energy Limited had accepted the same on date.

18.0 WBSEDCL, in their another petition dated 05.02.2026 for approval of Power Supply Agreement, has submitted that, in last 2 – 3 years, distribution licensee of three (3) different states viz. Madhya Pradesh, Bihar and Assam have completed competitive



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bidding process under DBFOO model, & tariff quoted by successful bidders are ranges from Rs. 5.81 per kWh to Rs. 6.30 per kWh. WBSEDCL also submits that, in the past years, it has to purchase power from open market at a very high rate during summer and festive season to meet the power demand. Thus, the instant power purchase will help the consumers of WBSEDCL for 24 x 7 power supply in future years.

19.0 The Commission notes that the Nodal Agency on behalf of WBSEDCL has conducted transparent process of competitive bidding which is in accordance with the guidelines notified by the Ministry of Power, GoI. Further, 3 Bids have been received which represent the competition amongst the bidders. Hence, the mandate of competitive bidding guidelines has been duly fulfilled.

20.0 In view of the aforesaid discussions, it emerges that the selection of the successful bidders has been done, and the tariff of Power Developers has been discovered by the Nodal Agency on behalf of WBSEDCL through a transparent process of competitive bidding in accordance with the DBFOO model as per Ministry of Power guidelines dated 06.03.2019 under Section 63 of the Act.

Order:

21.0 Therefore, in terms of section 63 of the Act read with regulation 2.1.3 of Tariff Regulations, the Commission adopts the tariff of Rs. 5.81 per kWh of L-1 bidder, i.e., JSW Energy Limited, accepted vide the Letter of Award dated 31.12.2025.

22.0 A copy of the order shall be posted in the website of the Commission.

23.0 WBSEDCL shall download the copy of the order from the website of the Commission and act on it. Certified copy of the order, if applied for, be given to the parties on completion of formalities laid down in the West Bengal Electricity Regulatory Commission (Conduct of Business) Regulations, 2013, as amended and on submission of necessary fees.

**Sd/-
(DR. MALLELA VENKATESWARA RAO)
CHAIRPERSON**

Dated: 12.02.2026

**Sd/-
DEPUTY DIRECTOR , WBERC**