



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

IN CASE NO: PPA-153/(VOL-I)/26-27

SUPPLEMENTARY POWER PURCHASE AGREEMENT DATED 21.05.2026 BETWEEN CESC LIMITED, PURVAH GREEN POWER PRIVATE LIMITED AND BHOJRAJ RENEWABLES ENERGY PRIVATE LIMITED FOR 300 MW WIND-SOLAR HYBRID POWER.

DATE: 14.08.2026



CASE IN BRIEF

- 1.0 CESC Limited ("CESC" or "the Petitioner") submitted a petition on 07.07.2026 for approval of the Supplementary Power Purchase Agreement (in the form of a Tripartite Assignment and Substitution Agreement) dated 21.05.2026, executed by and between CESC, Purvah Green Power Private Limited ("Purvah"/"Respondent No. 1") and Bhojraj Renewables Energy Private Limited ("BREPL"/"Respondent No. 2"), to the Power Purchase Agreement ("PPA") dated 16.04.2026 for long-term procurement of 300 MW Wind-Solar Hybrid ("WSH") Power, in terms of regulation 7.4.1 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011, as amended (hereinafter referred to as "Tariff Regulations").
- 2.0 The Commission admitted the petition in Case No. PPA-153/(VOL-I)/26-27.
- 3.0 CESC in its petition inter alia submitted the following:
 - 3.1 Tariff Based Competitive Bidding was conducted by CESC for procurement of 600 MW WSH power under the Competitive Bidding Guidelines dated 21.08.2023 issued by the Ministry of Power, as amended, (in short "MOP Guidelines dated 21.08.2023"). Purvah was one of the Successful Bidders for 300 MW WSH capacity and executed a PPA with CESC on 16.04.2026. PPA was approved by the Commission vide Order dated 08.06.2026 in Case No. PPA-153/(VOL-I)/26-27.
 - 3.2 As per Article 15.1 of the approved PPA, assignment of the PPA is permissible with the mutual consent of the parties in writing, subject to compliance of the provisions contained in the PPA, and more specifically Article 4.1.1 thereof. Further, in terms of Article 17.1.1 of the PPA, the Agreement may be amended or supplemented only by a written agreement between the parties.
 - 3.3 Purvah proposed to assign and transfer the PPA, along with all rights and obligations thereunder, to BREPL, a wholly-owned subsidiary of Purvah, for implementation of the Project. BREPL has agreed to accept such assignment and to assume all rights and obligations under the PPA. CESC accorded its prior written consent to such assignment vide letter ED(PM)/2026-27/151 dated 18.05.2026.



- 3.4 Simultaneously, Purvah/BREPL proposed a change in location of the 300 MW Wind Component of the Project from Devireddipalli, Ananthapuram, Andhra Pradesh (with connectivity at Ananthapur-II Pooling Station, 220 kV) to Sitamau, Mandsaur, Madhya Pradesh (with connectivity at Mandsaur Pooling Station, 220 kV). The 150 MW Solar Component located at Karnisar Bhatiyani and nearby villages, Bikaner District, Rajasthan (with interconnection at Bikaner-III, 220 kV) remains unchanged.
- 3.5 The change in location has been proposed to enable early flow of power. While the scheduled commissioning date of the original connectivity location (Ananthapur-II) was 31.03.2027 with a Connectivity Start Date of 01.04.2027, the scheduled commissioning date of the revised sub-station at Mandsaur is 15.10.2026, with an early Connectivity Start Date of 31.12.2026. In terms of Article 3.1.2 of the PPA and Clause 6.3.3 of the Request for Selection ("RfS"), such change of location is permissible provided the commissioning date of the new ISTS sub-station is earlier than that of the originally identified Delivery Point, which condition stands satisfied in the present case.
- 3.6 BREPL has obtained the Final Grant of Connectivity bearing reference CTU/WR/CONN-INT-1C/2200000899 dated 26.11.2024 for 300 MW Wind capacity at Mandsaur. BREPL shall utilize the 150 MW Solar connectivity granted to Deshraj Solar Energy Private Limited ("DSEPL"), a wholly-owned subsidiary of Purvah, for supply of power under the Project.
- 3.7 Accordingly, CESC, Purvah and BREPL executed the Tripartite Assignment and Substitution Agreement dated 21.05.2026, being the Supplementary PPA, which, inter alia, provides for:
- i. Assignment and substitution of BREPL in place of Purvah as the Hybrid Power Developer ("HPD") under the PPA with effect from the Effective Date, subject to fulfilment of the Conditions Precedent, including submission of documentary evidence that BREPL is a wholly-owned subsidiary of Purvah, Board Resolutions of Purvah and BREPL, payment of facilitation fee to CESC under Article 15.1 of the PPA, replacement of Performance Bank Guarantee in the name of BREPL, and submission of the Final Grant of Connectivity for the revised locations of both Wind and Solar components.
 - ii. BREPL shall be deemed a party to the PPA in place of Purvah from the Effective Date and shall assume and perform all rights and obligations of the HPD thereunder,



while Purvah shall remain liable for all obligations, breaches, defaults, liabilities, indemnities, claims, damages and accrued obligations arising up to the Effective Date.

- iii. Revision of the location of the 300 MW Wind Component from Devireddipalli, Ananthapuram, Andhra Pradesh to Sitamau, Mandsaur, Madhya Pradesh and the corresponding interconnection point from Ananthapur-II @ 220 kV to Mandsaur @ 220 kV.
- iv. All other provisions of the PPA dated 16.04.2026 shall remain unchanged.
- v. Purvah shall maintain at least 51% shareholding in BREPL until one year after the Scheduled Commencement of Power Supply Date, except with CESC's prior approval, in accordance with Article 4.1.1(viii) of the PPA and Clause 21.5 of the RfS.

4.0 In view of the above, CESC submitted the present petition under Sections 63, 86(1)(b) and 86(1)(e) read with other applicable provisions of the Electricity Act, 2003 and the applicable Regulations of the Commission, seeking approval of the Supplementary PPA dated 21.05.2026 to the PPA dated 16.04.2026, in terms of regulation 7.4.1 of the Tariff Regulations.

Observation of the Commission

- 5.0 Clause (b) of sub-section (1) of section 86 of the Electricity Act, 2003 (hereinafter referred to as "the Act") inter alia specifies that, while discharging its functions, the State Commission shall regulate electricity purchase and procurement process of distribution licensees including the price at which electricity shall be procured from the generating companies or licensees or from other sources through agreements for purchase of power for distribution and supply within the State. Further, clause (e) of sub-section (1) of section 86 of the Act inter alia specifies that the State Commission shall promote co-generation and generation of electricity from renewable sources of energy.
- 6.0 Regulation 7.4.1 of the Tariff Regulations provides that every agreement or arrangement for power procurement by a licensee from any source of supply entered into after 09.02.2007 shall come into effect only with the prior approval of the Commission. The proviso to the said



regulation further clarifies that prior approval of the Commission shall also be required for any change to an existing arrangement or agreement for power procurement, whether or not the Commission approved such existing arrangement or agreement.

- 7.0 The Commission notes that the original PPA dated 16.04.2026 between CESC and Purvah for procurement of 300 MW WSH power, forming a part of the total 600 MW WSH procurement pursuant to competitive bidding, was approved by the Commission on 08.06.2026 vide Order in Case No. PPA-153/26-27.
- 8.0 The Commission has examined the terms of the Supplementary PPA (Tripartite Assignment and Substitution Agreement) dated 21.05.2026 and notes that the same gives effect to two changes:
- (a) assignment and substitution of BREPL, a wholly-owned subsidiary of Purvah, in place of Purvah as the HPD under the PPA, which is permissible in terms of Article 15.1 read with Article 4.1.1 of the PPA and Clause 12.1 of the Guidelines/Clause 21.5 of the RfS, which permit implementation of the Project through a Special Purpose Vehicle; and
- (b) change in location of the 300 MW Wind Component from Ananthapuram, Andhra Pradesh to Mandsaur, Madhya Pradesh, which is permissible in terms of Article 3.1.2 of the PPA since the scheduled commissioning date of the revised ISTS sub-station at Mandsaur (15.10.2026) is earlier than that of the originally identified Delivery Point at Ananthapur-II (31.03.2027).
- 9.0 The Commission further notes that the change in location of the Wind Component would result in an earlier Connectivity Start Date of 31.12.2026 as against 01.04.2027 under the original PPA, thereby enabling early flow of renewable power, which is in the interest of consumers and furthers the object of promoting generation of electricity from renewable sources of energy under clause (e) of sub-section (1) of section 86 of the Act.
- 10.0 The Commission notes that all other terms and conditions of the PPA dated 16.04.2026 remain unchanged pursuant to the Supplementary PPA.
- 11.0 The Commission notes that the effectiveness of the Supplementary PPA is subject to fulfilment of the Conditions Precedent stipulated therein, including submission of documentary evidence of BREPL being a wholly-owned subsidiary of Purvah, Board



Resolutions of Purvah and BREPL, payment of the facilitation fee, replacement of Performance Bank Guarantee in the name of BREPL, and submission of the Final Grant of Connectivity for the revised Wind and Solar connectivity locations.

- 12.0 This procurement of power will help CESC meet its Renewable Purchase Obligation (RPO) under the West Bengal Electricity Regulatory Commission (Cogeneration and Generation of Electricity from Renewable Sources of Energy) Regulations, 2013, as amended.

Order

- 13.0 The Commission, after careful consideration of the submission of CESC and observations recorded above, accords its approval to the Supplementary PPA dated 21.05.2026, executed by and between CESC Limited, Purvah and BREPL, to the PPA dated 16.04.2026 for long-term procurement of 300 MW WSH Power, subject to fulfilment of the Conditions Precedent stipulated in the Supplementary PPA, in terms of regulation 7.4.1 of the Tariff Regulations. All other terms and conditions of the PPA dated 16.04.2026 shall remain unchanged.

- 14.0 The petition is thus disposed of.

- 15.0 A copy of the order shall be posted on the website of the Commission.

- 16.0 CESC Limited, Purvah Green Power Private Limited and Bhojraj Renewables Energy Private Limited shall download a copy of the order from the website of the Commission and act on it. Certified copy of the order, if applied for, shall 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 from time to time, and on submission of necessary fees.

Sd/-

(DR. MALLELA VENKATESWARA RAO)

CHAIRPERSON

Dated: 14.08.2026

Sd/-

DEPUTY DIRECTOR, WBERC