

No. 283/1/2025-GRID SOLAR

भारत सरकार / Government of India

नवीन और नवीकरणीय ऊर्जा मंत्रालय/ Ministry of New & Renewable Energy (MNRE)

Atal Akshay Urja Bhawan
Lodi Road, New Delhi – 110003

Dated: 12th January 2026

To

- 1. The MD, Solar Energy Corporation of India Limited (SECI)**
- 2. The CMD, NTPC Limited**
- 3. The CMD, NHPC Limited**
- 4. The CMD, SJVN Limited**

ORDER

Sub: Time-extension in Scheduled Commissioning Date of Renewable Energy (RE) Power Projects due to delay in grant of approval under Section 68 of the Electricity Act, 2003, for overhead laying of power transmission line, on account of pendency of Final Judgement by Hon'ble Supreme Court in W.P.(C) 838/2019 – reg.

1. Hon'ble Supreme Court of India vide its Order dated 19.04.2021 in I.A. 85618 of 2020 in W.P.(C) 838/2019 constituted a Three-Member Expert Committee, which gave case-specific ratifications for overhead laying of power transmission lines in Great Indian Bustard (GIB) areas in Rajasthan and Gujarat. Subsequently, Hon'ble Supreme Court, vide its order dated 21.03.2024 in W.P.(C) 838/2019, discontinued the erstwhile Three-Member Expert Committee and constituted a larger broad-based Expert Committee to comprehensively look at the issue and suggest recommendations. The Report of this Expert Committee (Majority Opinion) was broadly accepted by the Hon'ble Supreme Court in its order dated 19.12.2025 in W.P.(C) 838/2019 and the W.P.(C) 838/2019 was disposed off with certain directions, mostly in line with the recommendations of the majority opinion in the Report of the Expert Committee.
2. However, during the intervening period between 21.03.2024 to 19.12.2025, the renewable energy developers, who had applied for grant of approval under Section 68 of the Electricity Act, 2003, for overhead laying of power transmission line in such GIB areas in Rajasthan and Gujarat, which have been subsequently allowed by Hon'ble Supreme Court, for setting up of renewable power projects subject to compliance to directions contained in Hon'ble Supreme Court's Order dated 19.12.2025, could not get approvals under Section 68 and this delay in grant of Section 68 approvals was beyond the reasonable control of the concerned renewable power developers and is akin to '*Force Majeure*'.
3. Representations have been received in Ministry of New & Renewable Energy (MNRE) for grant of appropriate reliefs including extension in Scheduled Commissioning Date (SCD) / Scheduled Commencement of Supply Date (SCSD) for such renewable power projects where the grant of approval under Section 68 of the Electricity Act, 2003, for overhead laying of power transmission line was delayed due to the pendency of final judgement by Hon'ble Supreme Court in W.P.(C) 838/2019.

4. The request has been examined in MNRE and with the approval of the competent authority, it has been decided that:

a) All Renewable Energy implementing agencies of the Ministry of New & Renewable Energy (MNRE), namely Solar Energy Corporation of India Limited (SECI), NTPC Limited, NHPC Limited and SJVN Limited are hereby directed that they shall treat delay in grant of approval under Section 68 of the Electricity Act, 2003, for overhead laying of power transmission line, on account of pendency of Final Judgement by Hon'ble Supreme Court in W.P.(C) 838/2019, as akin to 'Force Majeure' and based on evidences / documents produced by the developers in support of their respective claims of such delay, shall grant time-extension in Scheduled Commissioning Date (SCD) / Scheduled Commencement of Supply Date (SCSD), for the period commensurate to the period counting from:

- i. the date of making application for grant of approval under Section 68 of the Electricity Act, 2003, for overhead laying of power transmission line, or 21.03.2024, whichever is later;

To

- ii. 19.12.2025 [*the date of final judgement by Hon'ble Supreme Court in W.P.(C) 838/2019*]

for all such renewable energy (RE) power projects being implemented by REIAs as Intermediary Procurer, where the grant of approval under Section 68 of the Electricity Act, for overhead laying of power transmission line was delayed on account of pendency of final judgement in Hon'ble Supreme Court in W.P.(C) 838/2019, subject to the concerned renewable energy (RE) power project developer submitting an undertaking to the concerned REIA stating that in case, the route of its project's overhead line(s) [or some portion of the route of overhead line(s)] falls in the Great Indian Bustard (GIB) area, the developer shall comply with the orders of the Hon'ble Supreme Court in the Writ Petition (C) No. 838 of 2019 regarding Great Indian Bustard (GIB) case, and the directions of the technical/expert committee constituted by the Hon'ble Supreme Court, or any other entity authorized by Hon'ble Supreme Court, in this regard.

- b) REIAs shall also commensurately extend the timelines for intermediate milestones, if any applicable, for a project, within the time-extension granted as above.
- c) The developers of projects who have received time-extensions as above, may also pass on the benefit of such time-extension, by way of granting similar time-extensions, to other stakeholders down the value-chain like Engineering Procurement Construction (EPC) contractors, material/equipment suppliers, Original Equipment Manufacturers (OEMs), etc.
- d) Further, all RE project developers claiming aforesaid delay and desirous of time extensions, shall make, a formal application to the concerned REIA (SECI/ NTPC/ NHPC/ SJVN), giving all documentary evidence(s) in support of their claim. The concerned REIA shall examine the claim objectively and grant appropriate Extension of Time (EoT) based on facts. While considering the requests for grant of extension of time on account of

delay in grant of approvals under Section 68 of the Electricity Act 2003, the concerned REIA may fully satisfy itself that the claimants were actually affected due to the delay in grant of approvals under Section 68 of the Electricity Act 2003.

- e) This order shall not apply to those renewable energy (RE) power projects, whose scheduled commissioning date was prior to 21.03.2024.
- f) In case, the renewable energy (RE) power project has already received time-extension due to some other order/ arrangement, the overlap of such time-extensions, shall be discounted from the total time-extension to be given to the renewable power project on account of delay in grant of approval under Section 68 of the Electricity Act, due to pendency of final judgement in Hon'ble Supreme Court in W.P.(C) 838/2019.
- g) Any RE power project developer who has not applied prior to 19.12.2025, for grant of approval under Section 68 of the Electricity Act, 2003, for overhead laying of power transmission line, shall not be eligible for time-extension as per above paragraphs.

5. This issues with the approval of Hon'ble Minister (New & Renewable Energy).

(Sanjay G. Karndhar)

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Copy to:

1. *NIC, MNRE, for hosting on MNRE's website for dissemination of information*
2. *The Secretary, Ministry of Power, is requested to issue orders for similar relief to these renewable power project developers to the extent of force majeure declared for:*
 - a. ***Providing/Extending GNA/Connectivity without any penalty &***
 - b. ***ISTS waiver continuation for the extended project period***
3. *The Chairperson, Central Electricity Authority (CEA)*
4. *The Secretary, CERC*
5. *COO, CTUIL to take similar action on GNA/connectivity.*

Copy for internal circulation to:

1. PS to Hon'ble Minister (NRE)
2. PS to Hon'ble MoS (NRE)
3. Sr. PPS to Secretary, MNRE
4. All Group Heads and Division Heads in MNRE