



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2173 of 2024

QUORUM

Hon'ble Shri Arvind Kumar, Chairman
Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition under Section 86(1)(e), (f) and (k) of the Electricity Act 2003 read with Article 12 of the PPA for 75MW Solar Project at Village- Gurhah, Tehsil – Orai, District – Jalaun, dated 03.02.2022 signed between SJVN Green Energy Limited and UPPCL, seeking appropriate relief on account of Change in Law due to increase in rates of Goods and Services Tax (GST) on Solar Generating Station.

AND

IN THE MATTER OF

SJVN Green Energy Ltd. (SGEL),

SJVN Limited, Shakti Sadan, Shanan, P.O.- Sanjauli. Shimla, HP- 171006

..... Petitioner

VERSUS

1. U.P. Power Corporation Ltd. (UPPCL),

Shakti Bhawan, 14-Ashok Marg, Lucknow - 226001

2. U.P. New and Renewable Energy Development Agency (UPNEDA),

Vibhuti Khand, Gomti Nagar, Lucknow - 226010

..... Respondents

FOLLOWING WERE PRESENT

1. Shri Deepak Raizada, CE-PPA, UPPCL
2. Shri Vikram Awasthi, Manager, SGEL
3. Shri Ajay Gupta, DGM, SGEL
4. Shri Hare Krishna Singh, DGM, SGEL

by





5. Shri Himanshu Mishra, Consultant, SGEL

ORDER

(DATE OF HEARING: 18.02.2025)

1. The Petitioner, SGEL has filed instant Petition seeking declaration of Change in Law event on account of increase in rates of GST and relief of the same for the 50MW Solar Power project at Gurhah. The Petitioner has made the following prayer(s):
 - a) Admit the Petition.
 - b) Hold and declare that the imposition of GST tariff hike is an event of under Change in Law under Article 12 of the PPA.
 - c) Restore SGEL to the same economic condition prior to occurrence of the Changes in Law by way of adjustment in Tariff along with Carrying Cost in terms of Article 12 of the PPA as prayed for in the present Petition.
 - d) Pending proceedings, direct the Respondent No. 1 to pay to the Petitioner, *pendente lite*, the amount claimed under the Change in Law which shall be subject to adjustment based on the final order passed by the Commission.
 - e) Allow the legal and administrative costs incurred by the Petitioner in pursuing the instant petition; and
 - f) To pass any Order(s) and further orders as this Commission may deems appropriate and fit under the facts and circumstances of the present case.
2. During the hearing today, Sh. Himanshu Mishra, Consultant of SGEL submitted that instant Petition was filed for seeking appropriate relief on account of change in law event i.e., increase in GST rates, under Article 12 of the PPA. Sh. Deepak Raizada on behalf of UPPCL submitted that they had not received the copy of Petition and requested four weeks' time to file its reply. Sh. Mishra sought one week time to file its rejoinder.
3. After hearing the parties, the Commission admitted the Petition and directed the Petitioner to share copy of Petition with the Respondent(s). Further, the Commission

by,



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granted four weeks' time to Respondent(s) to file their reply and one weeks' time to Petitioner for filing its rejoinder thereafter.

List the matter for next hearing on 03.04.2025.

(Sanjay Kumar Singh)

Member

(Arvind Kumar)

Chairman

Place: Lucknow

Dated: 20.02.2025



