



Petition No. 1540 of 2019

BEFORE

THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Date of Order: 12 .06.2020

**PRESENT:**

1. Hon'ble Sri Raj Pratap Singh, Chairman
2. Hon'ble Sri Kaushal Kishore Sharma, Member
3. Hon'ble Sri V. K. Srivastava, Member (Law)

**IN THE MATTER OF:** PPA dated 03.12.2015 executed between M/s TA Greentech Pvt. Ltd. (a project company formed by M/s Technical Associate Ltd.) and UP Power Corporation Ltd. seeking approval of Change in law events due to promulgation of GST laws and Safe Guard Duty.

1. M/s TA Greentech Pvt. Ltd.,  
8<sup>th</sup> KM. Faizabad Road, Vijapur,  
Gomti Nagar,  
Lucknow
2. M/s Technical Associates Ltd.,  
8<sup>th</sup> KM. Faizabad Road, Vijapur,  
Gomti Nagar,  
Lucknow

----- Petitioner

**AND**

1. The Chief Engineer,  
UP Power Corporation Ltd.,  
14<sup>th</sup> Floor, Shakti Bhawan Extn.,  
14-Ashok Marg,  
Lucknow-226001
2. Director,  
UP New & Renewable Energy Development Agency (UPNEDA),  
Vibhuti Khand, Gomti Nagar,  
Lucknow

-----Respondents

Following were present:


1. Sri Deepak Raizada, RE-PPA, UPPCL
2. Smt. Namrata Kalra, SPO, UPNEDA




3. Sri Vinamra Agarwal, M/s Technical Associates Ltd.
4. Sri Amarjeet Singh Rakhra, Advocate, UPPCL
5. Sri Dhruv Mathur, Advocate, M/s TA Greentech Pvt. Ltd.

**ORDER**  
**(Date of Hearing 11.06.2020)**

1. The Petitioner has Commissioned 10 MW solar project in the bid invited by UPNEDA.
2. Sri Dhruv Mathur, Legal Counsel of the petitioner submitted that the petition has been filed for declaring the following two events as Change in Law and allow consequential claim of the petitioner.
  - a. Imposition of Safeguard Duty.
  - b. Introduction of GST.
3. Sri Deepak Raizada, RE-PPA submitted that the copy of petition is yet to be received by UPPCL for filing Counter Affidavit. He also stated that since the bidding was done by UPNEDA, they may be requiring certain information from UPNEDA. Therefore, four-week time may be allowed to file Counter Affidavit in the matter.
4. Smt. Namarta Kalra, SPO, UPNEDA also submitted that copy of the petition has not been received by them. She also sought four week time to file Counter Affidavit in the case.
5. The Commission directed the petitioner to serve electronic copy to the Respondent-UPPCL and UPNEDA. Both the Respondents are allowed four-week time to file the Counter Affidavit.
6. The case shall be listed on 28<sup>th</sup> July 2020.

  
(V. K. Srivastava)  
Member (Law)

  
(Kaushal Kishore Sharma)  
Member

  
(Raj Pratap Singh)  
Chairman

**Place:** Lucknow

**Date:** 12.06.2020