



Petition No. 1540/2019

BEFORE

THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Date of Order: 05.08.2021

PRESENT:

Hon'ble Shri Raj Pratap Singh, Chairman
Hon'ble Shri Kaushal Kishore Sharma, Member
Hon'ble Shri Vinod Kumar Srivastava, Member (Law)

IN THE MATTER OF: Petition under section 86 (1) (b) and Section 86 (1) (f) of the Electricity Act, 2003 read with Article 12 of the Power Purchase Agreement dated 03.12.2015 executed between M/s T A Greentech Private Limited (a Project Company formed by M/s Technical Associates Ltd.) and Uttar Pradesh Power Corporation Limited seeking approval of Change in Law events due to promulgation of GST Laws and Safe Guard Duty.

1. M/s T A Greentech Private Limited
8th km, Faizabad Road, Vijaypur, Gomti Nagar, Lucknow-226010
2. M/s Technical Associates Limited
8th Km., Faizabad Road, Vijaypur,
Gomti Nagar, Lucknow, U.P. - 226010

..... **Petitioner**

AND

1. Uttar Pradesh Power Corporation Limited
Shakti Bhawan, 14 Ashok Marg, Lucknow - 226001
2. The Uttar Pradesh New & Renewable Energy
Development Agency (UPNEDA)
Vibhuti Khand, Gomti Nagar, Lucknow - 226010

..... **Respondents**

The following were present:

1. Shri Deepak Raizada, CE, UPPCL
2. Ms. Namrata Kalra, Sr. Project Officer, UPNEDA
3. Shri Pranav Agarwal, Counsel, T.A Greentech Pvt. Ltd.
4. Shri Vinamra Agarwal, T.A Greentech Pvt. Ltd
5. Shri Amarjeet Singh Rakhra, Advocate, UPPCL



ORDER
(Date of Hearing 03.08.2021)

1. The Commission vide Order dated 18.06.2021 directed the Petitioner to furnish the following:
- (i) The details of taxes prevailing at the time of tariff bidding considered and its changes due the introduction of GST along with supporting documents.
 - (ii) The detailed calculation of the net effect on the introduction of GST.
 - (iii) Legible Copies of invoices of Safeguard Duty and GST and proof of payment actually paid to the authority, after taking credit of domestic component / service tax, if any.

The matter came up for hearing today.

2. Shri Pranav Agarwal, the counsel of the Petitioner submitted that in compliance of the Commission's order dated 18.06.2021, the details have been submitted.
3. The representative of Respondent, UPPCL argued that the said details has been filed two days before and therefore requested the Commission for 3 weeks' time to file reply on the same. Further, Ms. Namrata Kalara submitted that UPNEDA has received the details on 30th July 2021 and requested the Commission 3 week time for filing reply.
4. After hearing the parties, the Commission allowed three-week time to the Respondents to submit their reply and two-week time to the Petitioner for filing of rejoinder thereafter, if any.

List the matter for next hearing on 14.09.2021.

(Vinod Kumar Srivastava)
Member

(Kaushal Kishore Sharma)
Member

(Raj Pratap Singh)
Chairman

Place: Lucknow
Dated: 05.08.2021