



**Petition No. 1340 of 2021**

**BEFORE**

**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION**

**LUCKNOW**

**(Date of Order: 17.05.2022)**

**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 81(1) and (b) of the Electricity Act, 2003 and Article 12 read with Article 16.3.1 of the PPA executed between the Petitioner and UPPCL dated 27.12.2013 seeking relief on account of a "Change in Law" viz. the introduction of GST laws at the central level and change in rate of Service Tax, resulting in additional recurring expenditure in the form of an additional tax burden to be borne by the Petitioner after the Effective Date of PPA.

**Azure Surya Private Limited**

Southern Park, 5<sup>th</sup> Floor,  
D-II, Saket Place, Saket, New Delhi – 110017

.....Petitioner

Versus

**Uttar Pradesh Power Corporation Limited (UPPCL)**

7<sup>th</sup> Floor, Shakti Bhawan Extn,  
14 Ashok Marg, Lucknow – 226001

.....Respondent

The following were present:

1. Shri. Shashwat Singh, Advocate, Azure Power
2. Shri. Vishal Binod, Advocate, Azure Power
3. Shri. Divyanshu Bhatt, Advocate, UPPCL
4. Shri. Deepak Raizada, CE-PPA, UPPCL
5. Shri. Mahendra Singh, SE, UPPCL



**ORDER**  
**(Date of Hearing - 10.05.2022)**

1. Pursuant to last hearing dated 29.03.2022, the Commission vide Order dated 07.04.2022 allowed the Petitioner further 10 days' time as the last opportunity to submit the information as sought by the Commission vide order dated 16.02.2022, with a copy to the Respondent for filing their reply.

The matter came up for hearing today.

2. During the Proceedings, Shri Vishal Binod, Counsel of Azure Surya submitted that the information sought by the Commission vide order dated 16.02.2022 has been submitted by the Petitioner on 6<sup>th</sup> May in soft copy. In this regard, the Commission observed that the Petitioner has not submitted the hard copy of the information. The Commission directed the Petitioner to submit the hard copy of the information to the Commission along with a copy to the Respondent for filing their reply.

3. Mr. Divyanshu Bhatt, Counsel, UPPCL, requested the Commission to allow two weeks' time to file their reply to the information submitted by the Petitioner.

4. After hearing both the parties, the Commission granted two-weeks' time to UPPCL to file its reply to information filed by the Petitioner and one week time thereafter, the Petitioner may submit rejoinder to UPPCL's reply.

List the matter for next hearing 09.06.2022.

**(Vinod Kumar Srivastava)**  
**Member (Law)**

**(Kaushal Kishore Sharma)**  
**Member**

**(Raj Pratap Singh)**  
**Chairman**

Place: Lucknow

Dated: 17.05.2022