



Petition No. 1764 of 2021
BEFORE
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW

(Date of Order: 08.12.2022)

PRESENT:

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

IN THE MATTER OF: Petition under Section 86 of the Electricity Act, 2003 read with Article 12 of the Power Purchase Agreement dated 12.02.2019 seeking issuance of appropriate order(s)/ direction(s) for a mechanism for recovery of the compensation to offset financial/ commercial impact of Change in Law Events on account of increase in customs duty on import of solar inverters due to Notification No. 7/2021- customs dated 01.02.2021 and Notification No. 3/2021- 3/2021 customs dated 01.02.2021 issued by the Department of Revenue, Ministry of Finance, Government of India.

Jakson Power Private Limited (JPPL)

A-626, 6th Floor, DLF Tower A, Jasola, New Delhi - 110025

.....Petitioner

Versus

1. Uttar Pradesh Power Corporation Limited (UPPCL)

Shakti Bhawan, 14 Ashok Marg, Lucknow - 226001

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

Vibhuti Khand, Gomti Nagar, Lucknow - 226010

.....Respondent(s)

The following were present:

1. Shri. Mahendra Singh, SE, UPPCL
2. Shri. Palash Banerjee, Advocate, UPPCL
3. Ms. Anukriti Jain, Advocate, JPPL

ORDER
(Date of Hearing - 01.12.2022)



1. The Commission vide order dated 29.11.2022 held that notification no. 7/2021 dated 01.02.2021 and notification no. 3/2021 dated 01.02.2021 issued by Department of Revenue, Ministry of Finance, Government of India as a Change in Law event for the Petitioner.

The Matter came up for hearing today.

2. During the Proceedings, Shri Palash Banerjee, Counsel of UPPCL submitted that the Sr. Counsel of UPPCL is not present today due to unavoidable circumstances and sought for next date of hearing.
3. Ms. Anukriti Jain, Counsel of JPPL submitted that they have no objection to the request of UPPCL.
4. After hearing the Parties, the Commission adjourned today's hearing and directed UPPCL and JPPL to file the submissions, if any.

List the matter for next hearing on 19.01.2023.

(Vinod Kumar Srivastava)
Member (Law)

(Raj Pratap Singh)
Chairman

Place: Lucknow

Dated: 08.12.2022