



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2174 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 50MW Solar Project at Village - Gujrai, Tehsil – Akbarpur, District – Kanpur Dehat, 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),

728, Block-C, Scheme-II, Sujatganj, Shyam Nagar, Kanpur-208013, Uttar Pradesh

..... 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

..... Respondent(s)

FOLLOWING WERE PRESENT

1. Shri Divyanshu Bhatt, Advocate, UPPCL

2. Shri Shashwat Singh, Advocate, UPPCL

3. Shri Deepak Raizada, CE-PPA, UPPCL

4. Shri Himanshu Mishra, Consultant, SGEL

by.





5. Shri Vikram Awasthi, Manager, SGEL
6. Shri Hare Krishna Singh, DGM, SGEL

ORDER

(DATE OF HEARING: 15.05.2025)

1. The Commission, vide its earlier Order dated 30.04.2025, had granted two weeks' to UPPCL to file its reply and one week thereafter to SGEL for filing its rejoinder. On 13.05.2025, UPPCL filed its reply. On 14.05.2025, SGEL filed its rejoinder to the UPPCL's reply.
2. During the hearing today, Sh. Himanshu Mishra, Consultant of SGEL submitted that the matter could be argued as the pleadings were complete. Counsel of UPPCL submitted that since the instant matter was adjudicatory in nature, having been filed under Section 86(1)(f) of the Electricity Act, 2003, the matter could not be decided in the absence of Member (Law). Sh. Mishra argued that the Commission had already decided the MoF notification dated 30.09.2021 regarding GST rates to be 'change in law' event in the Petition No. 1961/2023 & 2006/2023. Therefore, the Commission may proceed to grant consequential relief to the Petitioner.
3. After hearing the parties, the Commission decided to list the matter at appropriate time after going through the pleadings and examining the referred cases by the Petitioner.


(Sanjay Kumar Singh)
Member




(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 16.05.2025