



THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2269 of 2025

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) & (k) of the Electricity Act, 2003 read with Article 11 & 12 of the PPA dated 28.04.2022 executed between Bundelkhand Saur Urja Limited and UPPCL for 65 MW Kalpi Solar Power Plant in District Jalaun seeking (i). declaration of Change in Law event due to change in rate of GST on the EPC contract vide Ministry of Finance's Notification No. 08/2021 Central Tax dated 30.09.2021 and approval of additional cost/compensation incurred due to said change in the rate of GST on the Project and (ii). additional Cost towards the capital expenditure on account of extension of SCOD due to COVID-19.

AND

IN THE MATTER OF

Bundelkhand Saur Urja Ltd. (BSUL),

TC-43/V, Vibhuti Khand, Gomti Nagar, Lucknow – 226010

..... Petitioner

Versus

Uttar Pradesh Power Corporation Ltd. (UPPCL),

Shakti Bhawan, 14-Ashok Marg, Lucknow-226001

.....Respondent

FOLLOWING WERE PRESENT

1. Sh. Utkarsh Singh, Advocate, BSUL
2. Sh. Dileep Yadav, Sr. Manager, BSUL
3. Sh. Ahid AG Siddiq, CFO, BSUL

64





ORDER
(DATE OF HEARING: 16.10.2025)

1. The Petitioner, Bundelkhand Saur Urja Ltd. (hereinafter referred to as BSUL) has filed this Petition seeking declaration of 'Change in Law' event and approval of additional cost/compensation under the PPA dated 28.04.2022 executed between UPPCL and BSUL.
2. The prayers of the Petitioner are as follows:
 - a) Allow the present Petition.
 - b) Declare the increase in the rate of Good and Services tax vide GST Notification dated 30.09.2021 as Change in Law event under Article 12 of the PPA and hold that the BSUL is entitled to appropriate compensation for the financial/commercial impact of the said Change in Law event along with carrying cost/interest as sought in the present Petition.
 - c) Grant the IDC and IEDC amount as sought in the present Petition, along with carrying cost/interest.
 - d) Pass such other further orders which this Commission may deem just in the facts and circumstances of the present case.
3. During the hearing today, Counsel of BSUL submitted that instant Petition was filed for declaration of change in law event on account of increase in GST rate and approval of additional expenditure towards delay in SCOD under the PPA dated 28.04.2022. Executive Engineer-PPA of UPPCL submitted that copy of Petition was not shared by BSUL and requested four weeks' time to file its reply in the matter. Counsel of BSUL assured to share the Petition within a week.
4. After hearing the parties, the Commission admits the Petition and allows UPPCL to file its reply within four weeks' time, after receipt of Petition. Further, the Commission directs BSUL to file its rejoinder within four weeks' time thereafter.

14.



2



5. List the matter for next hearing on 06.01.2026.

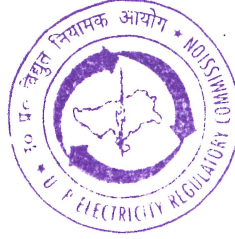
Sanjay

(Sanjay Kumar Singh)

Member

Place: Lucknow

Dated: 28.10.2025



Arvind

(Arvind Kumar)

Chairman

