

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**DATE OF HEARING: 10.4.2018**

**Petition No. 34/MP/2018**

Petitioner : Azure Power Jupiter Private Limited (APJPL)

Respondents : NTPC Limited and Another

Subject : Petition under Section 79 of the Electricity Act, 2003 and Article 12 read with Article 16.3.1 of the PPA executed by the Petitioner and NTPC Limited dated 29.4.2016 seeking relief on account of a 'Change in Law' viz. the introduction of Goods and Services Tax Laws at the Central and State levels, resulting in additional recurring and non-recurring expenditure in the form of an additional tax burden to be borne by the Petitioner after the effective date of the PPAs.

**Petition No. 47/MP/2018**

Petitioner : Azure Power Thirty Six Private Limited (APTSPL)

Respondent : Solar Energy Corporation of India Limited

Subject : Petition under Section 79 of the Electricity Act, 2003 and Article 12 read with Article 16.3.1 of the PPA executed by the Petitioner and Solar Energy Corporation of India Limited dated 29.4.2016 seeking relief on account of a 'Change in Law' viz. the introduction of Goods and Services Tax Laws at the Central and State levels, resulting in additional recurring and non-recurring expenditure in the form of an additional tax burden to be borne by the Petitioner after the effective date of the PPA.

Coram : Shri P.K. Pujari, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member

Parties present : Shri Jafar Alam, Advocate, APJPL & APTSPL  
Shri Vishal Binod, Advocate, APJPL & APTSPL  
Shri M.G. Ramachandran, Advocate, NTPC  
Ms. Anushree Bardhan, Advocate, NTPC  
Ms. Poorva Saigal, Advocate, NTPC  
Shri Nishant Gupta, NTPC

**Record of Proceedings**

Learned counsel for the Petitioners submitted that the present Petitions have been filed *inter-alia* for seeking relief on account of a 'Change in Law' viz. the introduction of

Goods and Services Tax Laws at the Central and State levels, resulting in additional recurring and non-recurring expenditure in the form of an additional tax burden to be borne by the Petitioner after the effective date of the PPAs.

2. Learned counsel for NTPC Limited accepted the notice on behalf of NTPC Limited and submitted that the distribution companies should be made parties to the petitions.

3. After hearing the learned counsels for the Petitioners and NTPC, the Commission admitted the Petitions and directed to issue notices to the respondents.

4. The Commission directed the respondents to submit the list of distribution companies to whom power would be supplied by the Petitioners. The Commission directed the Petitioners to implead the distribution companies as parties to the petitions and to file revised memo of parties by 25.4.2018.

5. The Commission directed the Petitioners to serve the copies of the Petitions and the RoP on the respondents and the distribution companies immediately. The respondents including distribution companies were directed to file their replies by 1.5.2018, with an advance copy to the Petitioners, who may file their rejoinders, if any, by 24.5.2018. The Commission directed that due date of filing the replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

6. The Petitions shall be listed for hearing on 31.5.2018.

**By order of the Commission**

**Sd/-  
(T. Rout)  
Chief (Law)**