

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 50/MP/2018

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 12 of the Power Purchase Agreements dated 16.09.2016 executed between the Petitioner and NTPC Ltd., for seeking approval of Change in Law events due to enactment of the GST Laws.

Date of Hearing : 19.4.2018

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

Petitioner : Prayatna Developers Private Limited (PDPL)

Respondents : NTPC Limited and Others

Parties present : Shri Amit Kapur, Advocate, PDPL
Ms. Poonam Verma, Advocate, PDPL
Ms. Abiha Zaidi, Advocate, PDPL
Shri M.G. Ramachandran, Advocate, NTPC
Ms. Ranjitha Ramachandran, Advocate, NTPC
Ms. Anushree Bardhan, Advocate, NTPC
Shri I. Uppal, NTPC
Shri Nishant Gupta, NTPC

Record of Proceedings

Learned counsel for the Petitioner submitted that the present petition has been filed *inter-alia* for seeking declaration that imposition of Integrated Goods and Services Tax Act, 2017, the Central Goods and Service Tax Act, 2017 and Uttar Pradesh Goods and Service Tax Act, 2017 w.e.f. 1.7.2017 is Change in Law event under Article 12 of the PPA dated 16.9.2016. Learned counsel for the Petitioner further requested to restore the Petitioner to same economic condition prior to the occurrence of Change in Law events.

2. Learned counsel for NTPC accepted the notice on behalf of NTPC and requested for four weeks time to file reply to the Petition.

3. After hearing the learned counsels for the Petitioner and NTPC, the Commission admitted the petition and directed to issue notice to the respondents.

4. The Commission directed the Petitioner to serve copy of the Petition on the respondents immediately, if not served already. The respondents were directed to file their replies by, by 24.5.2018, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 21.6.2018. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with. No extension shall be granted on that account.

5. The Petition shall be listed for hearing on 5.7.2018.

By order of the Commission

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