

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 150/MP/2019

Subject : Petition under Section 79 of the Electricity Act, 2003 and Article 12 read with Article 16.3.1 of the Power Purchase Agreements dated 3.5.2016 and 8.5.2016 executed by the Petitioner with the Respondents, seeking relief on account of a 'Change in Law' viz. the introduction of Goods and Services Tax laws at the Central level and change in the rate of Service Tax, resulting in additional recurring expenditure in the form of an additional tax burden to be borne by the Petitioner after the Effective Date of the Power Purchase Agreements.

Petitioner : Azure Power Uranus Private Limited

Respondents : Ordnance Factory Bhandara and Another

Date of hearing : 4.7.2019

Coram : Shri P.K. Pujari, Chairperson
Dr. M.K. Iyer, Member
Shri I.S. Jha, Member

Parties present : Shri Saahil Kaul, Advocate, Azure Power

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed *inter-alia* for seeking approval that the introduction of the GST Laws is a Change in Law event under Article 12 of the PPAs dated 3.5.2016 and 8.5.2016 executed between the Petitioner and the Respondents. Learned counsel requested to issue notice to the Respondents.

2. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the Respondents.

3. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately. The Respondents were directed to file their replies, by 26.7.2019, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 16.8.2019. 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.

4. The Petition shall be listed for hearing in due course for which separate notice shall be issued to the parties.

By order of the Commission

**Sd/-
(T.D. Pant)
Deputy Chief (Law)**