

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 374/MP/2020**

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 read with Article 17 of the Power Purchase Agreement dated 17.4.2017 executed by the Petitioner, ACME Jaipur Solar Power Private Limited with M.P. Power Management Company Limited and Delhi Metro Rail Corporation Limited and in terms of the directions issued by the Central Government vide its Notification No.23/43/2018-R&R dated 27.8.2018 for allowing pass through of additional expenditure incurred by the generators on account of events pertaining to 'Change in Law' along with the Commission's order dated 9.10.2018.

Petitioner : ACME Jaipur Solar Power Private Limited (AJSPPL)

Respondents : M. P. Power Management Company Limited and Ors.

Date of Hearing : 7.7.2020

Coram : Shri I. S. Jha, Member  
Shri Arun Goyal, Member

Parties present : Shri Hemant Sahai, Advocate, AJSPPL  
Shri Shreshth Sharma, Advocate, AJSPPL

**Record of Proceedings**

The matter was heard through video conferencing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia* seeking declaration that (i) the respondents are liable to pay GST claims against the invoices submitted by the Petitioner for the period during which the Petitioner was not registered under GST but has paid GST to its vendors who are registered with GST, and (ii) the respondents should compensate the Petitioner by considering pre-GST tax rate of 11% on 40% value of services and 15% tax rate on balance 60% value of services which increased to 18% post GST. Learned counsel requested to issue notices to the Respondents.

3. Learned counsel for the Respondent No. 2, Delhi Metro Rail Corporation (DMRC) accepted the notice and requested for three weeks' time to file reply to the Petition.

4. After hearing the learned counsels for the Petitioner and DMRC, the Commission admitted the Petition and directed to issue notice to the Respondents.

5. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately, if not already served. The Respondents were directed to



file their reply by 27.7.2020 with advance copy to the Petitioner who may file its rejoinder, if any, by 10.8.2020. The Commission directed that due date of filing of reply and/or rejoinder should be strictly complied with.

6. The Petition shall be listed for hearing in due course for which separate notice will be issued.

**By order of the Commission**

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

