

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 468/MP/2019

- Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act,2003 for (i) approval of 'Change in Law'; and (ii) consequential relief to compensate for the increase in capital cost due to introduction of the Central Goods and Services Tax Act, 2017, the Integrated Goods and Services Tax Act, 2017 and the State Goods and Services Tax Acts enacted by respective States, in terms of Article 17 of the power purchase agreement dated 17.4.2017 between Mahindra Renewables Private Limited and M.P. Power Management Company Limited and power purchase agreement dated 17.4.2017 between Mahindra Renewables Private Limited and Delhi Metro Rail Corporation.
- Petitioner : Mahindra Renewables Private Limited (MRPL)
- Respondents : Madhya Pradesh Power Management Company Limited (MPPMCL) and Anr.
- Date of Hearing : 26.5.2020
- Coram : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
- Parties present : Shri Apurva Misra, Advocate, MRPL
Shri Aditya, Advocate, MRPL

Record of Proceedings

The matter was listed for hearing through video conferencing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking declaration that GST Laws qualify as Change in Law events in terms of Article 17 of Power Purchase Agreements (PPAs) executed between the Petitioner and the Respondents. Learned counsel for the Petitioner submitted that the issues raised in the Petition are already covered in the Commission's earlier orders relating to Change in Law arising out of enactment of GST laws. Learned counsel for the Petitioner requested to issue notice to the Respondents.
3. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the Respondents.
4. The Commission directed the Petitioner to serve a copy of the Petition on the Respondents immediately, if not already served. The Respondents were directed to



file their reply by 18.6.2020 with an advance copy to the Petitioner who may file its rejoinder, if any, by 30.6.2020. The Commission directed that due date of filing of reply and/or rejoinder should be strictly complied with.

5. 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)**

