

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 219/MP/2023

Subject : Petition under Section 79 (1) (a) of the Electricity Act, 2003 read with Article 10 of the Power Usage Agreements executed between NTPC Ltd. and Telangana State Distribution Companies Limited, seeking compensation due to increase in costs on account of change in rate of Goods & Services Tax as well as increase in basic custom duty amounting to a Change in Law event with respect to the 7 Solar PV Power Project having Project capacity of totalling to 1616 MW under CPSU scheme phase-II tranche-I & II and the tariff was adopted by CERC vide order dated 13.12.2021 in Petition No. 174/AT/2021.

Petitioner : NTPC Green Energy Limited (NGEL)

Respondents : Telangana State Southern Power Distribution Co. Ltd. and Ors.

Date of Hearing : **19.8.2025**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Adarsh Tripathi, Advocate, NGEL
Shri Ajitesh Garg, Advocate, NGEL
Shri Omesh Kumar, NGEL
Shri D. Abhinav Rao, Advocate, Telangana Discoms
Shri H Raghav Bherwani, Advocate, Telangana Discoms

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed seeking the compensation due to increase in the costs on account of Change in Law events viz. (i) change in the rate of Goods & Services Tax as notified by the Ministry of Finance, Govt. of India's Notification No.8/2021-Intergrated Tax (Rate) dated 30.9.2021, and (ii) change in the applicable rate of Basic Custom Duty as brought about by the Ministry of Finance, Govt. of India's Notification DOF No.334/02/3030-TRU dated 1.2.2021. Learned counsel further submitted that both of the above events have occurred after the signing of the Power Usage Agreements with the Respondents, Telangana Discoms and squarely qualify as a Change in Law as defined therein. Learned counsel also added that the Respondents, in their reply, have also adverted to the delay in achieving the commercial operation of the Projects. However, the said delay is squarely covered by the extensions granted by the Ministry of New and Renewable Energy, Govt. of India.



2. Learned counsel for the Respondents, Telangana Discoms, however, prayed for an adjournment on the ground of non-availability of the arguing counsel.

3. In response, the learned counsel for the Petitioner submitted that the issues involved in the instant case already stand addressed by the Commission in its previous orders, and the matter may, therefore, be reserved for order while permitting the Respondents to make their submissions by way of written submissions.

4. Considering the submissions made by the learned counsels for the parties, the Commission deemed it appropriate to allow the last opportunity to the Respondents to make the oral arguments and accordingly, adjourned the matter.

5. The matter will be listed for hearing on **11.9.2025**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)