CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

Petition No. 168/MP/2023

Subject : Petition under Section 79(1)(b),(c) & (f) of the Electricity Act, 2003 read with Regulation 111 of the CERC (Conduct of Business) Regulations, 1999 and Article 17 of Power Purchase Agreements dated 25.11.2021 seeking rise in custom duty of solar PV cells and other components as Change in Law event.

Petitioner : TP Surya Limited (TPSL)

Respondent : Rewa Ultra Mega Solar Limited (RUMSL) & Ors.

Petition No. 775/MP/2025

Subject : Petition under Section 79(1)(b) & (f) of the Electricity Act, 2003 read with Regulation 65 of the CERC (Conduct of Business) Regulations, 2023 and Article 17 of Power Purchase Agreements dated 25.11.2021 seeking approval of the increase in rates of GST on the supply of renewable energy devices and parts used for construction by Solar Power Generations as a Change in Law event and consequential approval of the costs incurred by the Petitioner due to such Change in Law event.

Petitioner : TP Surya Limited (TPSL)

Respondent : Rewa Ultra Mega Solar Limited (RUMSL) & Ors.

Date of Hearing : **27.10.2026**

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

Parties Present : Shri Venkatesh, Advocate, TPSL
Shri Suhael Buttan, Advocate, TPSL
Shri Abhishek Nangia, Advocate, TPSL
Shri Nikunj Bhatnagar, Advocate, TPSL
Shri Aashish Anand Bernard, Advocate, MPPMCL
Shri Paramhans Sahani, Advocate, MPPMCL

Record of Proceedings

At the outset, learned counsel for the Petitioners submitted that these Petitions have been filed seeking reliefs on account of Change in Law events, and pointed out that despite specific direction to file comprehensive replies on jurisdiction and merits vide Record of Proceedings dated 29.6.2026, the Respondent, MPPMCL, has filed a reply confined only to jurisdiction. Learned counsel further pointed out that despite being given multiple opportunities in Petition No. 168/MP/2023, none of the Respondents, except MPPMCL, had

filed their replies. Accordingly, the learned counsel urged that the right of the other Respondents to file their replies in Petition No. 168/MP/2023 be closed.

2. In response, the learned counsel for the Respondent, MPPMCL, submitted that MPPMCL had filed its reply addressing both the jurisdiction and the merits of the matters. The learned counsel further submitted that the parties had already argued the issue of jurisdiction at length on 20.8.2026 in Petition No. 358/MP/2023, which was reserved for orders on the same date. Learned counsel further pointed out that the said Petition involved the same parties and PPAs, and that similar objections had been raised therein. Accordingly, the learned counsel urged that these matters may be taken up after deciding Petition No.358/MP/2023 .

3. In rebuttal, the learned counsel for the Petitioners submitted that Petition No. 358/MP/2023 had been filed seeking an extension of the SCOD, whereas the present Petitions sought relief on account of Change in Law events, which constituted an entirely distinct cause of action. Further, the said Petition was also heard on jurisdiction and merits together. The learned counsel further referred to the pleadings and made detailed submissions on the aspect of Change in Law involved in Petition No. 168/MP/2023. The learned counsel also sought liberty to file a short note of submissions in the said Petition.

4. The learned counsel for the Respondent, MPPMCL, sought liberty to make his submissions on the next date of hearing and to file a short reply in Petition No. 775/MP/2025.

5. After hearing the learned counsel for the parties, the Commission deemed it appropriate to extend a final opportunity to the Respondents, RUMSL, Indian Railways, and MPPMCL in Petition No. 775/MP/2025, to file their respective replies, if any, within three weeks, with a copy to the Petitioner, who may file its rejoinders, within two weeks thereafter.

6. The matters remained part-heard and will be listed for hearing on **22.12.2026.**

By order of the Commission

Sd/-
(T.D. Pant)
Joint Chief (Law)