

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.78/MP/2023

- Subject : Petition under Section 79 of the Electricity Act, 2003 and Article 12 read with Article 16.3.1 of the Power Purchase Agreement dated 20.8.2021 executed by the Petitioner and Solar Energy Corporation of India, seeking relief on account of a Change in Law viz. increase in the rate of Goods and Services Tax.
- Date of Hearing : **16.5.2023**
- Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Thar Surya 1 Private Limited (TSPL)
- Respondents : Solar Energy Corporation of India Limited (SECI) and 2 Ors.
- Parties Present : Shri Saahil Kaul, Advocate, TSPL
Ms. Tanya Sareen, Advocate, SECI
Ms. Surbhi Kapoor, Advocate, SECI
Ms. Srishti Khindaria, Advocate, SECI

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed seeking relief on account of Goods and Services Tax (GST) rates relating to setting up of Solar Power Generating Stations with effect from 1.10.2021 vide Notification No.8/2021- Central Tax (Rate) and Notification No. 8/2021- Integrated Tax (Rate) dated 30.9.2021 by the Ministry of Finance, Government of India and Notification No. 8/2021-State Tax (Rate) by the Department of Finance, Government of Rajasthan in accordance with Article 12 of the Power Purchase Agreement dated 20.8.2021 executed with Respondent, SECI.

2. Learned senior counsel for the Respondent SECI accepted the notice and requested for four weeks to file reply to the Petition.
3. After hearing the learned counsel for the Petitioner, the Commission ordered as under:
 - (a) Admit. Issue notice to the Respondents.
 - (b) The Petitioner to serve copy of the petition on the Respondents and the Respondents to file their reply, if any, within four weeks with copy to the Petitioner who may file its rejoinder, within four weeks thereafter.
 - (c) Parties to comply with the above directions within the specified timeline and no extension of time shall be granted.



3. The Petition be listed for hearing on 20.9.2023.

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