

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 13/MP/2019

Subject : Petition under Section 79 of the Electricity Act, 2003 for claiming relief under Change in Law on account of imposition of Safeguard Duty.

Petitioner : Mahoba Solar (UP) Private Limited (MSUPPL)

Respondent : Solar Energy Corporation of India Limited (SECI)

Date of hearing : 16.4.2019

Coram : Shri P.K. Pujari, Chairperson
Dr. M.K. Iyer, Member
Shri I.S. Jha, Member

Parties present : Shri Sourav Roy, Advocate, MSUPPL
Shri Harsh Anand, Advocate, MSUPPL
Shri Gaurav Majumdar, Advocate, MSUPPL
Shri Rakesh S., MSUPPL
Shri M.G. Ramachandran, Advocate, SECI
Shri Shubham Arya, Advocate, SECI
Ms. Tanya Sareen, Advocate, SECI

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed for seeking relief on account of Change in Law due to imposition of Safeguard Duty on the import of solar modules. Learned counsel further submitted that the approval of compensation methodology would aid the SPDs and the Petitioner in the present case in raising the finance for the increased cost.

2. Learned senior counsel for SECI submitted that there is no dispute on Safeguard Duty Notification being law within the scope of the PPA entered into between the parties. However, whether such law constitutes a Change in law within the scope of Article 12 of the PPA, in the facts and circumstances of the present case needs to be considered in light of the submissions made in the reply filed by SECI.

3. After hearing the learned counsel for the Petitioner and learned senior counsel for SECI, the Commission observed that orders are reserved in other similar Petitions as well.

4. The Petition shall be listed for hearing in due course for which separate notice shall be issued to the parties.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**