

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 19/MP/2019

Subject : Petition seeking relief under Change in Law on account of imposition of Safeguard Duty on the import of solar cells and modules.

Petitioner : ACME Jaipur Solar Power Private Limited

Respondents : MP Power Management Co. Limited (MPPMCL) and Others

Petition No. 46/MP/2019

Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 for the declaration of 'Change in Law' event and grant of consequential relief to compensate for the increase in capital cost due to introduction and imposition of Safeguard Duty by way of Notification No. 01/2018-Customs SG dated 30.7.2018 issued by the Department of Revenue, Ministry of Finance, Government of India, in terms of Article 17 of the Power Purchase Agreements dated 17.4.2017 executed between the Petitioner and the Respondent No. 1 and 2.

Petitioner : Arinsun Clean Energy Private Limited (ACEPL)

Respondents : MP Power Management Co. Limited (MPPMCL) and Others

Date of Hearing : 17.7.2019

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

Parties present : Shri Hemant Sahai, Advocate, ACME and ACEPL
Shri Apoorva Mishra, Advocate, ACME and ACEPL
Ms. Himangini Mehta, Advocate, ACME and ACEPL
Shri M. G. Ramachandran, Sr. Advocate, MPPMCL
Ms. Poorva Saigal, Advocate, MPPMCL
Ms. Tanya Sareen, Advocate, MPPMCL
Shri Tarun Johiri, Advocate, DMRC
Shri V. Bharadwaj, MPPMCL



Record of Proceedings

Learned counsel for the Petitioners and the learned counsel for the Respondent, Madhya Pradesh Power Management Company Limited referred to the Commission`s order on the similar issue and advanced their extensive arguments in support of their contentions and reiterated the submissions made in their pleadings. Learned counsel for Delhi Metro Rail Corporation adopted the arguments advanced by the learned counsel for MPPMCL and also reiterated the submissions made in the pleadings.

2. After hearing the learned counsels for the Petitioners and the Respondents, the Commission directed the Petitioners and the Respondents to file their respective written submissions with copy to each other by 31.7.2019.

3. Subject to the above, the Commission reserved the order in the Petitions.

By order of the Commission

**Sd/-
(T.D.Pant)
Deputy Chief (Law)**

