

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 211/MP/2019

Subject : Petition under Section 79 the Electricity Act, 2003 read with Article 12 of Power Purchase Agreement dated 27.6.2016 executed between Rattan India Solar 2 Private Ltd. and Solar Energy Corporation of India Ltd. for seeking approval of Change in Law events due to enactment of the GST Laws.

Petitioner : Rattan India Solar 2 Private Ltd.

Respondent : Solar Energy Corporation of India Ltd.

Date of Hearing : 27.9.2019

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

Parties present : Ms. Raveena Dhamiji, Advocate, RS(P) Ltd.
Ms. Ameya Vikram Mishra, Advocate, RS(P) Ltd.
Ms. Poorva Saighal, Advocate, SECI

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed for seeking declaration that imposition of GST is Change in Law event under Article 12 of the PPA dated 27.6.2016 and requested to restore the Petitioner to the same economic position prior to occurrence of Change in Law event. Learned counsel requested the Commission to issue notice to the Respondent.

2. Learned counsel for SECI accepted the notice and submitted that the distribution companies should be made parties to the Petition.

3. After hearing the learned counsels for the Petitioner and SECI, the Commission admitted the Petition and directed to issue notices to the Respondent.

4. The Commission directed the Respondent to submit the list of distribution companies to whom power would be supplied by the Petitioner. The Commission directed the Petitioner to implead the distribution companies as parties to the Petition and to file revised memo of parties by 11.10.2019.

5. The Commission directed the Petitioner to serve the copy of the Petition and the RoP on the Respondent and the distribution companies immediately. The Respondent including distribution companies were directed to file their replies by 31.10.2019, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 10.11.2019. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with. No extension shall be granted on that account.

6. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

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