

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 356/MP/2018**

- Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 and Article 12 read with Article 16.3.1 of the PPA executed by the Petitioner and Solar Energy Corporation of India Limited dated 27.4.2018 seeking relief on account of a 'Change in Law' viz. the introduction of Safeguard Duty, resulting in additional recurring and non-recurring expenditure in the form of an additional tax burden to be borne by the Petitioner after the effective date of the PPA.
- Petitioner : Azure Power India Private Limited (APIPL)
- Respondents : Solar Energy Corporation of India Limited (SECI) and Anr.

**Petition No. 51/MP/2019**

- Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 for the declaration of 'Change in Law' event 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 12 of the Power Purchase Agreements dated 31.10.2018 executed between the Petitioner and the Respondent.
- Petitioner : Azure Power Forty Three Private Limited (AP(43)PL)
- Respondents : Solar Energy Corporation of India Limited (SECI) and Ors.
- 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 Buddy A. Ranganadhan, Advocate, APIPL & AP(43)PL  
Shri Vishvendra Tomar, Advocate, APIPL  
Shri Rounak Jain, Advocate, APIPL  
Shri Rahul Chouhan, Advocate, APIPL & AP(43)PL  
Shri Shantanu Singh, Advocate, AP(43)PL  
Shri Dinesh Pardasani, Advocate, AP(43)PL  
Shri M. G. Ramachandran, Sr. Advocate, SECI  
Ms. Poorva Saigal, Advocate, SECI  
Ms. Tanya Sareen, Advocate, SECI



## **Record of Proceedings**

Learned counsel for the Petitioners and the learned counsel for the Respondent, Solar Energy Corporation of India Limited advanced their extensive arguments in support of their contentions by relying upon the various clauses of Power Purchase Agreement, Guidelines issued by the Government of India, judgments of the Hon`ble Supreme Court and APTEL and the Commission's orders and reiterated the submissions made in their respective pleadings.

2. Learned counsel for the Petitioner requested to adjourn the matter to advance its rebuttal/rejoinder arguments. Request was allowed by the Commission.
3. The Petitions shall be listed for hearing in due course for which or which separate notice will be issued.

**By order of the Commission**

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

