

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**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)

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 Shashwat Kumar, Advocate, (AP(43)PL)  
Shri Shantanu Singh, Advocate, (AP(43)PL)  
Shri Rahul Chouhan, Advocate, (AP(43)PL)  
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 compensation due to imposition of Safeguard Duty on the import of solar panels and modules. Learned counsel further submitted that the Petitioner entered into two PPAs dated 31.10.2018 with Solar Energy Corporation of India Limited (SECI) for sale of 300 MW power under each PPA with a cumulative capacity of 600 MW. Learned counsel requested to issue notice to the Respondent.

2. Learned counsel for SECI accepted the notice and requested for four weeks time to file reply to the Petition.

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

4. The Commission directed the Respondent, SECI 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 23.4.2019.

5. The Commission directed the Petitioner to serve the copy of the Petition and the RoP on the Respondent and the distribution companies immediately, if not served already. The Respondent including distribution companies were directed to file their replies by 30.4.2019 with an advance copy to the Petitioner who may file its rejoinder, if

any, by 14.5.2019. The Commission directed that due date of filing the reply 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. Rout)  
Chief (Law)**