

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.206/MP/2021

Subject : Petition under Section 79(1)(a) of the Electricity Act, 2003 read with Article 12.1.1 of the Power Purchase Agreement dated 25.10.2019.

Date of Hearing : **23.8.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioners : NTPC Ltd. (NTPC)

Respondent : Solar Energy Corporation of India Limited (SECI) and Anr.

Parties Present : Shri Venkatesh, Advocate, NTPC
Shri Ashutosh Srivastava, Advocate, NTPC
Shri Kartikay Trivedi, Advocate, NTPC
Shri Anand K Ganesan, Advocate, RUVNL
Shri Amal Nair, Advocate, RUVNL
Ms. Shivani Verma, Advocate, RUVNL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter alia*, seeking a declaration that the imposition of Safeguard Duty by the Ministry of Finance vide Notification dated 29.7.2020 amounts to a Change in Law event under Article 12 of the Power Purchase Agreement dated 25.10.2019 and the Petitioner is entitled to recover the additional cost incurred on account of the above Change in Law event. Learned counsel submitted that the issue involved in the matter is squarely covered by the earlier orders of the Commission.

2. Learned counsel for the Respondent, RUVNL, sought liberty to file a reply to the Petition and submitted that the matter may not require any further oral hearing.

3. Learned counsel for the Petitioner sought liberty to file its rejoinder if required and submitted that the matter may be reserved for order.

4. Considering the submissions made by the learned counsel for the parties, the Commission permitted one last opportunity for all the Respondents to file their reply, if any, within four weeks with a copy to the Petitioner who may file its rejoinder, if any, within two weeks thereafter.



5. Subject to the above, the Commission reserved the matter for order.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)