

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 168/MP/2021**

- Subject : Petition under Section 79 of the Electricity Act, 2003 for (i) approval of 'Change in Law' and (ii) seeking an appropriate mechanism for grant of an appropriate adjustment/ compensation to offset financial/ commercial impact of change in law events on account of imposition of safeguard duty on solar cells/modules and rescission of Notification No. 1/2011-Customs dated 6.1.2011 vide Notification No. 7/2021- Customs dated 1.2.2021, which has resulted in increase in rate of basic customs duty on import of solar inverters, in terms of Article 12 of the Power Purchase Agreement dated 18.11.2019 between ReNew Solar Energy (Jharkhand Three) Private Limited and Solar Energy Corporation of India Limited.
- Date of Hearing : 30.9.2021
- Coram : Shri P. K. Pujari, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner : ReNew Solar Energy (Jharkhand Three) Private Limited (RSEJPL)
- Respondent : Solar Energy Corporation of India Limited (SECI)
- Parties Present : Shri Sujit Ghosh, Advocate, RSEJPL  
Ms. Mannat Waraich, Advocate, RSEJPL  
Shri Toshin Bishnoi, Advocate, RSEJPL  
Ms. Poorva Saigal, Advocate, SECI  
Ms. Tanya Sareen, Advocate, SECI  
Ms. Neha Singh, SECI

**Record of Proceedings**

Case was called out for virtual hearing.

2. The learned counsel for the Petitioner submitted that the present Petition has been filed *inter alia* seeking approval of Change in Law events, namely, Notification No. 2/2020-Customs (SG) dated 29.7.2020 imposing the Safeguard Duty on the imports of solar cells/ modules; and Notification No. 7/2020-Customs dated 1.2.2021 rescinding the earlier Notification No.1/2011-Customs dated 6.1.2021 and resulting into increase in the rate of Basic Custom Duty on import of solar inverters, along with the consequent reliefs thereof.

3. The learned counsel for the Respondent, SECI accepted the notice and submitted that MP Power Management Company Limited ('MPPMCL'), buying entity in the present case, should be impleaded as party to the Petition.

4. In response, the learned counsel for the Petitioner sought liberty to implead MPPMCL as party to the Petition.

5. After considering the submissions made by the learned counsel for the parties, the Commission ordered as under:

(a) Admit;

(b) The Petitioner to implead MPPMCL as party to the Petition and to file revised memo of parties immediately;

(c) The Petitioner to serve copy of the Petition on the Respondents including impleaded Respondent, MPPMCL immediately, if not already served and the Respondents to file their reply, if any, by 18.10.2021 after serving copy of the same to the Petitioner, who may file its rejoinder, if any, by 5.11.2021; and

(d) Parties to comply with above directions within the specified timeline and no extension of time shall be granted.

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)  
Joint Chief (Law)**