

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.207/MP/2021

- Subject : Petition under Section 79(1)(b), Section 79(1)(f) and Section 79(1)(k) of the Electricity Act, 2003 read with Article 12 of the Power Purchase Agreement(s) dated 25.06.2019 seeking issuance of appropriate order(s) / direction(s) / declaration from this Commission that the imposition of safeguard duty on the import of solar cells, whether or not assembled in modules or panels, vide Notification No. 2/2020-Customs (SG) dated 29.07.2020 issued by the Department of Revenue, Ministry of Finance (Government of India) is an event of Change in Law and for seeking approval to the quantum and mechanism of compensation (along with interest) as submitted along with the present Petition in line with the methodology as settled by this Commission vide its order dated 20.08.2021 in Petition No. 536/MP/2020.
- Date of Hearing : 13.12.2022
- Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Eden Renewable Cite Pvt. Ltd.
- Respondents : Solar Energy Corporation of India Limited and 2 Ors.
- Parties Present : Shri Hemant Sahai, Advocate, ERCPL
Shri Nitish Gupta, Advocate, ERCPL
Ms. Parichita Chowdhury, Advocate, ERCPL
Shri M. G. Ramachandra, Sr. Advocate, SECI
Ms. Tanya Sareen, Advocate, SECI
Ms. Srishti Khindaria, Advocate, SECI

Record of Proceedings

Learned counsel for the Petitioner submitted that present Petition has been filed seeking declaration/ approval that imposition of Safeguard Duty on the import of solar cell whether or not assembled in modules or panels vide Notification No.2/2020-Customs (SG) dated 29.7.2022 issued by Department of Revenue, Ministry of Finance is an event of Change in Law under the Power Purchase Agreement dated 25.6.2019 and for seeking appropriate relief and approval of the quantum & mechanism of compensation as submitted along with the present Petition in line with the methodology approved by the Commission vide order dated 20.8.2021 in Petition No. 536/MP/2020. Learned counsel further submitted that the Petitioner has already impleaded the distribution licensee/buying entities as party to the Petition and the Commission may issue notice in the matter.

2. Learned senior counsel appearing on behalf of the Respondent No.1, SECI accepted the notice and sought time to file reply to the Petition.

3. After hearing the learned counsel for the Petitioner, the Commission ordered as under:

(a) Admit. Issue notice to the Respondents.

(b) The Petitioner to serve copy of the Petition on the Respondents and the Respondents to file their reply to the Petition within three weeks after serving copy of the same to the Petitioner, who may file its rejoinder within three weeks thereafter.

(c) Parties to comply with the above directions within the above timelines and no extension of time shall be granted.

4. The Petition shall be listed for hearing on 7.3.2023.

By order of the Commission

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