

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 219/MP/2022

- Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 read with Article 12.2 of the Power Purchase Agreement dated 18.11.2019 between the Petitioner and the Respondent No. 1 seeking relief on account of Change in Law events, viz., the imposition of Safeguard Duty as well as increase in the Integrated Goods and Services Tax, and grant of consequential reliefs therefor.
- Date of Hearing : 13.10.2022
- Coram : Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Ayana Renewable Power One Private Limited (ARPOPL)
- Respondents : Solar Energy Corporation of India Limited and Anr.
- Parties Present : Shri Aniket Prasoon, Advocate, ARPOPL
Shri Rishabh Bhardwaj, Advocate, ARPOPL

Record of Proceedings

The learned counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking relief on account of occurrence of Change in Law events viz. the imposition of Safeguard Duty and increase in rate of Integrated Goods and Service Tax (IGST) by Notification No.2/2020-Customs (SG) dated 29.7.2020 and Notification dated 8/2021 -Intergrated Tax (Rate) dated 30.9.2021 respectively issued by Department of Revenue, Ministry of Finance, Govt. of India. The learned counsel also pointed out that both the above Change in Law events are of prior to the notification of the Electricity (Timely Recovery of Costs due to Change in Law) Rules, 2022 and that the Project of the Petitioner has already achieved the commercial operation.

2. 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, if any, within four 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 specified timeline and no extension of time shall be granted.



3. The Petition shall be listed for hearing on 17.1.2023.

By order of the Commission

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