

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.197/MP/2023**

Subject : Petition under Section 79 of the Electricity Act, 2003 for seeking an appropriate adjustment/ compensation to offset financial/ commercial impact of Change in Law event on account of Hon'ble Supreme Court of India's Order dated 19.04.2021 in Writ Petition (Civil) No. 838 of 2019 titled M.K. Ranjitsinh & Ors. v. Union of India & Ors. whereby it has issued certain directions in terms of which all existing and future overhead low and high voltage power lines in the Priority and Potential habitats of Great-Indian Bustard are necessarily required to be laid under-ground, in terms of Article 12 of the Power Purchase Agreement dated 27.11.2019 between Azure Power Maple Private Limited and Solar Energy Corporation of India Limited.

Petitioner : Azure Power Maple Private Limited (APMPL)

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

**Petition No.206/MP/2023**

Subject : Petition under Section 79 of the Electricity Act, 2003 for seeking an appropriate adjustment/ compensation to offset financial/ commercial impact of Change in Law event on account of Hon'ble Supreme Court of India's Order dated 19.04.2021 in Writ Petition (Civil) No. 838 of 2019 titled M.K. Ranjitsinh & Ors. v. Union of India & Ors. whereby it has issued certain directions in terms of which all existing and future overhead low and high voltage power lines in the Priority and Potential habitats of Great-Indian Bustard are necessarily required to be laid under-ground, in terms of Article 12 of the Power Purchase Agreement dated 17.09.2019 between Azure Power Forty One Private Limited and Solar Energy Corporation of India Limited.

Petitioner : Azure Power Forty One Private Limited (APFOPL)

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

Date of Hearing : **5.12.2023**

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

Parties Present : Shri Buddy Ranganadhan, Advocate, APMPL  
Ms. Mannat Waraich, Advocate, APMPL & APFOPL  
Shri Mridul Gupta, Advocate, APMPL & APFOPL  
Ms. Anusha Nagarajan, Advocate, SECI  
Shri Rahul Ranjan, Advocate, SECI  
Ms. Pallavi Maitra, Advocate, BRPL



## Record of Proceedings

Learned counsel for the Petitioners submitted that present Petitions have been filed seeking compensation to offset the financial/commercial impact of the Change in Law event on account of the Hon'ble Supreme Court of India's Order dated 19.4.2021 in Writ Petition (Civil) No. 838 of 2019 titled M. K. Ranjitsinh & Ors. v. Union of India & Ors. whereby the Hon'ble Supreme Court has issued certain directions in relation to the overhead laying of all existing and future low and high voltage power lines in the priority and potential habitats of Great Indian Bustard and Lesser Floricans in the States of Rajasthan and Gujarat.

2. Learned counsel for the Respondent, SECI prayed for additional time for appointing an arguing counsel in these matters.

3. Learned counsel for the Petitioners, however, submitted that the pleadings in the matters are already completed and, in the past, the Commission has already held that the measure undertaken on account of the preservation of GIB is a Change in Law event. In response, the learned counsel for SECI submitted that if the Commission is not inclined to adjourn these matters, SECI may be permitted to file its written submissions, pointing out its concerns including the methodology for the payment of Change in Law compensation and discounting factor, etc. in these matters.

4. Learned counsel appearing on behalf of Respondent No.3, BRPL in Petition No. 206/MP/2023 sought liberty to file vakalatnama in the matter and a direction upon the Petitioners to furnish the details of actual cost incurred supported by the auditor certificate.

5. Considering the submissions made by the learned counsel for the parties and keeping in view that vide Record of Proceedings for the hearing dated 3.8.2023, the Respondents were already given time to complete the pleadings in the matters, the Commission found it appropriate to permit the parties to file their submissions/ additional submissions, if any, by way of written submissions. Accordingly, the Commission permitted the Respondents to file their reply/written submissions, if any, within three weeks with a copy to the Petitioners who may file their rejoinder/written submissions within two weeks thereafter.

6. The Petitions shall be listed for the hearing on 16.2.2024.

**By order of the Commission**

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

