

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.214/MP/2021

- Subject : Petition under Section 79 of the Electricity Act, 2003 for 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 event on account of 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, increase in quantum of social welfare surcharge and IGST in terms of Article 12 of the Power Purchase Agreement dated 10.8.2020 between M/s ReNew Solar Urja Private Limited and Solar Energy Corporation of India Limited.
- Date of Hearing : 10.1.2023
- Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : ReNew Solar Urja Private Limited (RSUPL)
- Respondents : Solar Energy Corporation of India Limited (SECI) and 3 Ors.
- Parties Present : Shri Sujit Ghosh, Advocate, RSUPL
Ms. Mannat Waraich, Advocate, RSUPL
Shri Mridul Gupta, Advocate, RSUPL
Ms. Tanya Sareen, Advocate, SECI
Shri Abhinav Kumar, SECI
Ms. Neha Singh, SECI
Shri Uday Pavan Kumar Kruthiventi, SECI

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed for (i) approval of Change in Law, and (ii) seeking appropriate mechanism for grant of an appropriate adjustment/ compensation to offset financial/ commercial impact of Change in Law event on account of recession of Notification No. 1/20211- Customs dated 6.1.2011 vide Notification No. 7/2021- Customs dated 1.2.2021 which has resulted in increase in rate of basic custom duty on import of solar inverters, increase in quantum of social welfare surcharge and consequently increase in rate of IGST. Learned counsel further requested to issue notice in the matter.

2. Learned senior counsel for the Respondent, SECI accepted the notice and sought time to file reply to the Petition. Learned senior counsel also submitted that concerned distribution licensees also need to be impleaded and the notice may also be issued to them.



3. After hearing the learned senior counsel and learned counsel for the parties, the Commission ordered as under:
- (a) The Petitioner to implead the concerned distribution licensees as party to the Petition and filed revised memo of parties within a week, if not already done.
 - (b) Admit. Issue notice to the Respondents.
 - (c) 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.
 - (d) Parties to comply with the above direction within the specified timelines and no extension of time shall be granted.
4. The Petition shall be listed for hearing on 11.4.2023.

By order of the Commission

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