

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.226/MP/2021**

Subject : Petition under Section 79 of the Electricity Act, 2003 for approval of Change in Law and seeking an appropriate mechanism for grant of an appropriate adjustment/ compensation to off-set 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 Solar Inverters imported into India, in terms of Article 12 of the Power Purchase Agreement dated 17.9.2019 executed between Azure Power Corporation of India Limited.

Petitioner : Azure Power Forty One Private Limited (APFOPL) and Anr.

Respondents : Solar Energy Corporation of India Limited (SECI) and 3 Ors.

**Petition No.227/MP/2021**

Subject : Petition under Section 79 of the Electricity Act, 2003 for approval of Change in Law and 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 Custom Duty on Solar Inverters imported to India, in terms of Article 12 of the Power Purchase Agreement dated 27.11.2019 executed between Azure Power Maple Private Limited and Solar Energy Corporation of India Limited.

Petitioner : Azure Power Maple Private Limited (APMPL) and Anr.

Respondents : Solar Energy Corporation of India Limited (SECI) and 3 Ors.

Date of Hearing : **12.9.2023**

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

Parties Present : Shri Shashwat Kumar, Advocate, Azure Power  
Shri Rahul Chouhan, Advocate, Azure Power  
Ms. Shikha Sood, Advocate, Azure Power  
Ms. Tanya Sareen, Advocate, SECI



Ms. Surbhi Kapoor, Advocate, SECI  
Shri Arijit Maitra, Advocate, BRPL

**Record of Proceedings**

At the outset, learned counsel for Respondent No.3, BRPL, in Petition No. 226/MP/2021 sought liberty to file its vakalatnama and reply in the matter. Learned counsel for the Respondent, SECI also sought the liberty to upload its reply on the e-filing portal of the Commission in these matters.

2. Learned counsel for the Petitioners sought liberty to file rejoinder(s) in the matters.
3. Considering the above, the Commission permitted the Respondents in these matters to file their reply, if any, within four weeks with a copy to the Petitioner, who may file its rejoinder, within three weeks thereafter.
4. The Petitions will be listed for hearing on **10.11.2023**.

**By order of the Commission**

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