

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.257/MP/2024

Subject : Petition under Section 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 for declaration of 'abolition of Safeguard Duty w.e.f. 30.07.2021' as a 'Change in Law' event and seeking compensation amounting to Rs. 85,28,38,326.10/- (Rupees Eighty-Five Crores Twenty-Eight Lakhs Thirty-Eight Thousand Three Hundred Twenty-Six point 10 paise only) along with carrying cost on account of the benefit directly accrued upon Respondent No. 1 due to abolition of Safeguard Duty.

Petitioner : Chhattisgarh State Power Distribution Co. Ltd. (CSPDCL)

Respondents : Adani Solar Energy Jaisamler One Pvt. Ltd. (ASEJOPL) and Ors.

Date of Hearing : **22.11.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Harish Dudani, Member

Parties Present : Shri Ravi Sharma, Advocate, CSPDCL
Ms. Sakshi Kapoor, Advocate, ASEJOPL
Shri Adarsh Tripathi, Advocate, SECI

Record of Proceedings

None was present on behalf of the Petitioner when the matter was called out. However, subsequently, learned counsel for the Petitioner, while tendering his apology, mentioned the matter and submitted that the present Petition had been filed *inter alia* for declaration of the abolition of the Safeguard Duty w.e.f. 30.7.2021 as a Change in Law event and seeking compensation amounting to Rs. 85,28,38,326.10/- along with carrying cost on account of benefit directly accrued upon Respondent No.1 due to the abolition of Safeguard Duty.

2. Learned counsels for Respondent No.1, ASEJOPL and Respondent No.2, SECI, sought liberty to file their reply in the matter. Learned counsel for Respondent No.2 also submitted that since the role of Respondent No.2 is of a facilitator in the entire transaction, Respondent No.2 may be permitted to file its reply after Respondent No.1 has filed its reply.

3. Considering the submissions made by the learned counsel for the parties, the Commission ordered as under:

(a) Admit and issue notice to the Respondents, subject to the just exceptions; and

(b) The Respondent Nos. 1 & 3 to file their respective replies, if any, within four weeks. As prayed for, Respondent No.2 is to file its reply, if any, within two weeks

thereafter, and the Petitioner is to file its rejoinder, if any, within two weeks thereafter.

4. The Petition will be listed for the hearing on **20.2.2025**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)