

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 91/MP/2024

- Subject : Petition under section 79 of the Electricity Act 2003 before this Commission for (i) an in-principle approval of certain events as events of Change in Law and (ii) an appropriate mechanism for appropriate adjustment/ compensation to offset financial/ commercial impact of change in law events in terms of Article 12 of the Power Purchase Agreements signed between the Petitioners and Solar Energy Corporation of India Limited along with carrying cost and interest on carrying cost.
- Petitioners : ACME Deoghar Solar Power Pvt. Ltd. and Ors.
- Respondents : Solar Energy Corporation of India Limited (SECI) and Ors.
- Date of Hearing : **19.9.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
- Parties Present : Ms. Mannat Waraich Advocate, ACME
Ms. Ananya Goswami, Advocate, ACME
Ms. Shikha Ohri, Advocate, SECI
Shri Kartik Sharma, Advocate, SECI
Ms. Ritika Singh, Advocate, SECI

Record of Proceedings

Learned counsel for the Petitioners submitted that the instant Petition had been filed *inter alia* seeking compensation on account of a Change in Law consequent to (i) imposition of Basic Customs Duty on import of inverters vide Notification No.7/2021-Customs dated 7.2.2021, (ii) increase in the rate of Goods and Service Tax vide Notification No.8/2021-Central Tax (Rate) and Notification No.8/2021-Intergrated Tax (Rate) dated 30.9.2021, and (iii) imposition of Basic Customs Duty on import of Solar Modules vide Notification No. 15/2022-Customs dated 1.2.2022. Learned counsel further submitted that vide additional affidavit dated 16.9.2024, the Petitioners have also placed on record the supporting documents pertaining to their Change in Law claims including the CA certificate certifying the claims of the Petitioners.

2. Learned counsel for the Respondent, SECI accepted the notice and sought time to file a 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 just exceptions;
 - (b) The Respondents to file their reply, if any, within three weeks with a copy to the Petitioners, who may file their rejoinder, if any, within three weeks thereafter;

(c) The Petitioners to clarify the status of commissioning of their Project(s) and reasons for extension in SCOD of the Project(s), on an affidavit, within two weeks.

4. The Petition will be listed for hearing on **28.11.2024**.

By order of the Commission

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