

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.327/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. 91,82,07,956.11 (Rupees Ninety-One Crore Eighty-Two Lakh Seven Thousand Nine Hundred and Fifty-Six and paise eleven Only 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 : Rising Sun Energy (K) Private Limited (RSEKPL) and Ors.
- Date of Hearing : **14.1.2025**
- Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member
- Parties Present : Shri Ravi Sharma, Advocate, CSPDCL  
Shri Rajesh Srivastava, CSPDCL  
Shri Adarsh Tripathi, Advocate, NTPC  
Shri Ajitesh Garg, Advocate, NTPC  
Shri Syed Jafar Alam, Advocate, RSEKPL  
Shri Ashwin Ramanathan, Advocate, RSEKPL  
Shri Shivang Berry, Advocate, RSEKPL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present Petition had been filed *inter alia* for declaration of the abolition of Safeguard Duty w.e.f. 30.07.2021 as a 'Change in Law' event and seeking compensation amounting to Rs. 91,82,07,956.11/- along with carrying cost on account of the benefit directly accrued upon Respondent No. 1 due to abolition of the Safeguard Duty.

2. Learned counsel for Respondent No.1 submitted that the Respondent is objecting to the maintainability of the present Petition.

3. Learned counsel for Respondent No. 2, NTPC, accepted the notice and sought liberty to file a reply, after the contesting Respondent No.1 having filed its reply in the matter.

4. 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) Respondent No.1 to file its comprehensive reply on the maintainability as well as merits, if any, within four weeks, and Respondent No. 2 to file its reply within a week thereafter. The Petitioner may file its rejoinder, if any, within four weeks thereafter.
5. The Petition will be listed for hearing on **22.4.2025**.

**By order of the Commission**

**Sd/-**

**(T.D. Pant)**

**Joint Chief (Law)**