

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.91/MP/2024 along with IA Nos. 60/2025 & 61/2025

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 : **19.8.2025**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Sujit Ghosh, Sr. Advocate, ACME
Ms. Mannat Waraich, Advocate, ACME
Ms. Ananya Goswami, Advocate, ACME
Shri Tushar Goyal, ACME
Shri Manish Kumar Choudhary, Advocate, Bihar Discoms
Ms. Shrishti Choudhary, Advocate, Bihar Discoms
Shri Anand Kumar Shrivastava, Advocate, TPDDL
Shri Chetan Saxena, Advocate, TPDDL
Ms. Shikha Ohri, Advocate, SECI
Shri Kartik Sharma, Advocate, SECI
Shri Aditya Singh, Advocate, HPPC
Shri Vijayendra Pratap Singh, Advocate, BYPL & BRPL
Miss Urvashi Mishra, Advocate, BYPL & BRPL
Ms. Khushi Mittal, Advocate, BYPL & BRPL

Record of Proceedings

At the outset, the learned senior counsel for the Petitioners submitted that pursuant to the liberty granted by the Commission, the Petitioners have moved IA No. 60 of 2025 seeking amendment of the Petition to incorporate the details of entire additional expenditure incurred by them on account of the Change in Law events, i.e., increase in the rate of GST and imposition of BCD. In response, the learned counsels for the Respondents pointed out that the said IA is yet to be allowed by the Commission and as such, the Respondents have no objections if the said IA is allowed, subject to just exceptions. Learned counsels for the Respondents also sought



liberty to file their respective replies to the amended Petition. In response, learned senior counsel for the Petitioners submitted that the issues involved in the present case squarely stand settled in terms of the previous orders of this Commission and since, by way of the said amendment, the Petitioners have only sought to place on record the details of expenditure incurred by them, they do not wish to file any rejoinder to the replies to be filed by the Respondents as above and accordingly, urged to list the matter for hearing on merits at the earliest.

2. Learned senior counsel for the Petitioners further submitted that since Power Supply Agreements (PSAs) executed between SECI and Respondents, BRPL & BYPL have been terminated and the corresponding capacity has been re-allocated to Bihar Discoms under the additional PSA, the Petitioners have also moved IA No. 61 of 2025 seeking deletion of Respondent Nos. 6 & 7 from the array of parties in the present case. Learned senior counsel submitted that Respondent Nos. 6 & 7 are neither necessary nor proper parties and made elaborate submissions in this regard. *Per contra*, learned counsel for Respondent Nos. 6 & 7 vehemently opposed the prayer of the Petitioners for deletion of their names from the array of parties and also made elaborate submissions in this regard. Whereas, the learned counsel for the Respondent, SECI, supported the said IA and further added that the aspect of termination of the PSAs with Respondent Nos. 6 & 7 has already been placed on record by SECI *vide* affidavit dated 23.12.2024.

3. Considering the submissions made by the learned senior counsel and learned counsel for the parties, the Commission allowed the IA No.60 of 2025, subject to just exceptions and directed that the amended Petition filed by the Petitioners be taken on record. All the Respondents, except for Respondents BRPL & BYPL, were permitted to file their respective replies to the amended Petition, if any, within three weeks, with a copy to the Petitioners. As to the request of Respondents, BRPL & BYPL to permit them to file their reply to the amended Petition, the Commission observed that such request shall be dealt with in IA No. 61 of 2025.

4. The Commission further permitted the Petitioners and Respondents, BRPL & BYPL, to file their respective written submissions in IA No. 61 of 2025, within two weeks, with a copy to the other side. Subject to the above, the Commission reserved the order in the IA.

5. The matter will be listed for the hearing in due course.

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