

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 65/MP/2025 along with IA No. 121/2025

Subject : Petition under Section 79 of the Electricity Act, 2003 for seeking an appropriate adjustment/ compensation to offset financial/ commercial impact of Change in Law event on account of Hon'ble Supreme Court of India's Order dated 19.04.2021 in Writ Petition (Civil) No. 838 of 2019 titled M.K. Ranjitsinh & Ors. v. Union of India & Ors. with respect to undergrounding of power lines in the Priority and Potential habitats of Great-Indian Bustard and compensation to offset financial/ commercial impact of Change in Law events on account of increase in the rate of goods and services tax from 5% to 12 % by way of Notification No. 8/2021- central tax (rate) dated 30.09.2021, in terms of Article 12 of the Power Purchase Agreement dated 07.04.2022 between ReNew Surya Aayan Private Limited and Solar Energy Corporation of India Limited.

Petitioner : ReNew Surya Aayan Private Limited (RSAPL)

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

Date of Hearing : **10.2.2026**

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

Parties Present : Ms. Mannat Waraich, Advocate, RSAPL
Ms. Ashabari Thakur, Advocate, RSAPL
Ms. Shikha Ohri, Advocate, SECI
Shri Kartik Sharma, Advocate, SECI

Record of Proceedings

Learned counsel for the Petitioner, RSAPL, submitted that the present Petition seeks Change in Law compensation on account of two events, namely, the Priority and Potential Habitats of the Great Indian Bustard, as well as the increase in GST rate from 5% to 12%, in terms of Article 12 of the Power Purchase Agreement dated 7.4.2022 between the Petitioner and Respondent No. 1, Solar Energy Corporation of India Limited (SECI).

2. Leaned counsel for the Petitioner also pressed on its IA seeking release of 75% of the additional amount incurred till 31.12.2024 due to Change in Law events during the pendency of Petition No. 65/MP/2025 in the interim, noting that reconciliation has remained pending for nearly one year despite the Petition being filed in December 2024 and reconciliation commencing in January 2025. She submitted that the distribution licensee, i.e., Kerala State Electricity Board Ltd. (KSEB), initially did not participate in reconciliation and that only in November 2025, it has now sought to object to the entire reconciliation, contending that the events do not constitute Change in Law events as the PSA was executed subsequently and the tariff incorporated GST, which is an untenable proposition.

Consequently, SECI has informed the Petitioner that further reconciliation is stalled due to KSEB's stance, placing the Petitioner in severe financial distress as on date.

3. Whereas, learned counsel for the Respondent, SECI, submitted that it has received the rejoinder only yesterday and sought time to obtain instructions. Learned counsel pointed out that KSEB has not yet filed its reply, and since its stand on the Change in Law is also relevant, a final opportunity may be granted to it to file a reply.

4. Considering the submissions made by the learned counsel for the parties, the Commission permitted the Respondent, KSEB, a last opportunity to file its reply, if any, within three weeks, with a copy to the Petitioner, who may file its rejoinder, if any, within two weeks thereafter.

5. The Petition, along with IA, will be listed for hearing on **9.4.2026**.

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