

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 911/MP/2025 along with IA (Diary) No. 301/2026

Subject : Petition under Section 79 of the Electricity Act, 2003, read with Article 12 of the Power Purchase Agreement dated 28.11.2023 executed between Eden Renewable Alma Private Limited and Solar Energy Corporation of India Limited, seeking approval of and consequential relief for Change in Law events.

Petitioner : Eden Renewable Alma Private Limited (ERAPL)

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

Date of Hearing : **16.6.2026**

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

Parties Present : Ms. Mazag Andrabi, Advocate, ERAPL
Shri Rikit Shahi, Advocate, ERAPL
Ms. Shikha Ohri, Advocate, SECI
Shri Kartik Sharma, Advocate, SECI

Record of Proceedings

At the outset, the learned counsel for the Petitioner submitted that the Petitioner has moved the IA (Diary) No. 301/2026 seeking amendment of the Petition to include two additional Change in Law claims arising out of the same Power Purchase Agreement and transaction. She submitted that the original Petition covers the Change in Law claims relating to (i) the increase in GST from 5% to 12%, and (ii) cost of installation of bird diverters pursuant to the directions of the Hon'ble Supreme Court, and the proposed amendment seeks to add the Change in Law claims concerning (i) the levy of Social Welfare Surcharge (SWS) on Basic Customs Duty (BCD), and (ii) the GST impact on BCD and SWS, which are also recognised Change in Law events. She further explained that these claims were not raised earlier due to the waiver clause in the PPA regarding BCD impact, but were identified later after SECI issued reverse Change in Law notices. She also contended that the proposed amendments do not alter the nature of the dispute and will avoid the multiplicity of proceedings. Further, no prejudice will be caused to the Respondents, particularly at the present stage of the proceedings.

2. The learned counsel for the Respondent, SECI, opposed the amendment of the application and submitted that the claims/issues sought to be introduced through the amendment were already raised in the Change in Law notice issued in October 2025 and could have been included in the original Petition itself. He further submitted that the proceedings in the Petition have already been delayed, and SECI has filed its reply



to the main Petition; however, the Petitioner has not filed its rejoinder. He submitted that any further delay would result in an increase in the interest component, if any, payable in the matter. He, therefore, requested that the notice be issued on the amendment application and SECI be granted an opportunity to file its reply thereto.

3. After hearing the learned counsels for the parties, the Commission directed as under:

(a) Issue notice on the IA No. 301/2026; and

(b) The Respondents to file their reply, if any, within three weeks, with a copy to the Petitioner, who may file its rejoinder within two weeks thereafter.

4. The Petition, along with the IA, will be listed for hearing on **13.8.2026**.

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