

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 356/MP/2018

Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 and Article 12 read with Article 16.3.1 of the PPA executed by the Petitioner and Solar Energy Corporation of India Limited dated 27.4.2018 seeking relief on account of a 'Change in Law' viz. the introduction of Safeguard Duty, resulting in additional recurring and non-recurring expenditure in the form of an additional tax burden to be borne by the Petitioner after the effective date of the PPA.

Petitioner : Azure Power India Private Limited

Respondent : Solar Energy Corporation of India Limited (SECI)

Date of hearing : 7.2.2019

Coram : Shri P.K. Pujari, Chairperson
Dr. M.K. Iyer, Member
Shri I.S. Jha, Member

Parties present : Shri Buddy Ranganadhan, Advocate, Azure Power
Shri Raunak Jain, Advocate, Azure Power
Shri Vishvendra Tomar, Advocate, Azure Power
Shri Rohan Ahlawat, Advocate, Azure Power
Shri Rahul Chauhan, Advocate, Azure Power
Shri M.G. Ramachandran, Advocate, SECI
Shri Shubham Arya, Advocate, SECI
Ms. Tanya Sareen, Advocate, SECI

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed for seeking relief on account of Change in Law due to imposition of Safeguard Duty by the Government of India.

2. Learned counsel for SECI accepted the notice and submitted that the distribution companies should be made parties to the Petition.

3. After hearing the learned counsels for the Petitioner and SECI, the Commission admitted the Petition and directed to issue notices to the Respondent.

4. The Commission directed the Respondent to submit the list of distribution companies to whom power would be supplied by the Petitioner. The Commission directed the Petitioner to implead the distribution companies as parties to the Petition and to file revised memo of parties by 15.2.2019.

5. The Commission directed the Petitioner to serve the copy of the Petition and the RoP on the Respondent and the distribution companies immediately. The

Respondent including distribution companies were directed to file their replies by 28.2.2019, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 19.3.2019. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with. No extension shall be granted on that account.

6. The Petition shall be listed for hearing in due course for which separate notice shall be issued to the parties.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**