

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 46/MP/2019**

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 for declaration of Change in Law event and grant of consequential relief to compensate for the increase in capital cost due to introduction and imposition of Safeguard Duty by way of Notification No.1/2018-Customs SG dated 30.7.2018 issued by the Department of Revenue, Ministry of Finance in terms of Article 17 of the PPAs dated 17.4.2017 executed between the Petitioner and the Respondent No.1 and 2.

Petitioner : Arinsun Clean Energy Private Limited (ACEPL)

Respondents : MP Power Management Co. Ltd. and Others

Date of Hearing : 6.3.2019

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

Parties present : Ms. Molshree Bhatnagar, Advocate, ACEPL  
Ms. Himangini Mehta, Advocate, ACEPL

**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, namely, imposition of Safeguard Duty on the import of solar cells (whether or not assembled in modules or panels) by the Ministry of Finance, Department of Revenue. Learned counsel further submitted that the Petitioner has entered into two separate PPAs dated 17.4.2017 with MP Power Management Co. Ltd. (MPPMCL) and Delhi Metro Rail Corporation (DMRC) for sale of cumulative capacity of 250 MW power from its solar power project located at Rewa Solar Park, Rewa, Madhya Pradesh to MPPMCL and DMRC. Learned counsel requested to issue notice to the Respondents.

2. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the Respondents.

3. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately. The Respondents were directed to file their replies by 25.3.2019 with an advance copy to the Petitioner who may file its rejoinder, if any, by 12.4.2019. 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.

4. The Petition shall be listed for hearing in due course for which separate notice will be issued.

**By order of the Commission**

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