

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 47/MP/2019

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 12 of the PPAs executed between the Petitioner and the Respondents for seeking approval of Safeguard Duty as an event under 'Change in Law'.

Petitioner : Avaada Clean Energy Private Limited (ACEPL)

Respondents : Ordnance Factory Board 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 : Shri Ankur Sood, Advocate, ACEPL
Ms. Romila Mandal, Advocate, ACEPL
Shri Amit Ojha, Advocate, ACEPL
Shri Ashish Bhardwaj, 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 18.2.2018 with Ordnance Factory Board and Solar Energy Corporation of India Ltd. 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)**