

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition (Diary) No.540 of 2023

- Subject : Petition under Section 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 for declaration of 'abolition of Safeguard Duty w.e.f. 30.07.2021' as a 'Change in Law' event and seeking compensation amounting to Rs. 10,66,04,790.8 along with carrying cost on account of the benefit directly accrued upon Respondent No. 1 due to abolition of Safeguard Duty.
- Date of Hearing : **3.1.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Haryana Power Purchase Centre (HPPC).
- Respondents : Adani Solar Energy Jaisalmer One Private Limited & Anr.
- Parties Present : Ms. Sonia Madan, Advocate, HPPC
Shri Amit Kapur, Advocate, AHEJOL
Ms. Sakshi Kapoor, Advocate, AHEJOL
Ms. Priyakshi Bhatnagar, Advocate, AHEJOL
Shri Subham Bhut, Advocate, AHEJOL
Shri Ravi Sinha, AHEJOL
Ms. Anushree Bardhan, Advocate, SECI
Ms. Surbhi Kapoor, Advocate, SECI

Record of Proceedings

At the outset, learned counsel for the Petitioner submitted that the present Petition has been filed for the declaration of the abolition of the Safeguard Duty w.e.f 30.7.2021 as a Change in Law event and for seeking compensation for an amount of Rs. 10,66,04,790.8/- along with interest/carrying cost on account of the benefit directly accruing to Developer-Respondent No. 1 due to no Safeguard Duty actually paid by the Developer-Respondent No.1, Adani Solar Energy Jaisalmer One Private Limited for the procurement of Solar Cells against the 15% Safeguard Duty factored in while submitting the Bid for setting up of its Wind-Solar Hybrid Projects ('Projects') for cumulative capacity of 450 MW (i.e., 150 MW and 300 MW) at Jaisalmer, Rajasthan.

2. Learned counsel for Respondent No.1, Adani Solar Energy Jaisalmer One Private Limited and Respondent No.2, Solar Energy Corporation of India Limited, accepted the notice and sought liberty to file a reply to the Petition.

3. After hearing the learned counsel for the Petitioner, the Commission directed as under:

(a) Admit and issue notice to the Respondents.

(b) The Petitioner to serve a copy of the Petition on the Respondents immediately, if not already served and the Respondents to file their reply, if any, within four weeks with a copy of the same to the Petitioner, who may file its rejoinder within three weeks thereafter.

4. The Petition will be listed for the hearing on **20.3.2024**.

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