

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 171/MP/2021

Subject : Petition under Section 79 of the Electricity Act 2003 for (i) approval of "Change in Law" and (ii) seeking an appropriate mechanism for grant of an appropriate adjustment/ compensation to offset financial/ commercial impact of change in law events on account of imposition of safeguard duty on solar cells/modules and rescission of Notification No.1/2011 - Customs dated 06.01.2011 vide Notification No. 7/2021-Customs dated 01.02.2021, which has resulted in increase in rate of basic customs duty on import of solar inverters, in terms of Article 12 of the Power Purchase Agreements dated 13.08.2019 between M/s ReNew Sun Waves Private Limited and Solar Energy Corporation of India Limited

Date of Hearing : 22.10.2021

Coram : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioner : ReNew Sun Waves Private Limited (RSWPL)

Respondent : Solar Energy Corporation of India Limited (SECI)

Parties Present : Shri Sujit Ghosh, Advocate, RSWPL
Ms Mannat Waraich, Advocate, RSWPL
Shri Toshin Bishnoi, Advocate, RSWPL
Ms. Poorva Saigal, Advocate, SECI
Ms. Tanya Sareen, Advocate, SECI
Shri Ravi Nair, Advocate, SECI

Record of Proceedings

Case was called out for virtual hearing.

2. The learned counsel for the Petitioner submitted that the present Petition has been filed for seeking approval of change in law events and seeking an appropriate mechanism for grant of adjustment/ compensation to offset financial/ commercial impact of change in law events on accounts of the imposition of safeguard duty on solar cells/ modules and rescission of Notification No. 1/2011-Customs dated 06.01.2011 vide Notification No. 07/2021-Customs dated 01.02.2021 which has resulted in increase in rate of basic custom duty on import of solar inverters.

3. The learned counsel for the Respondent, SECI accepted the notice and requested for time to file reply to the Petition.

4. After considering the submissions made by the learned counsels for the parties, the Commission ordered as under:

(a) Admit;

(b) The Petitioner to serve copy of the Petition on the Respondent immediately, if not already served and the Respondent to file its reply, if any, by 12.11.2021 after serving copy of the same to the Petitioner, who may file its rejoinder, if any, by 30.11.2021; and

(c) Parties to comply with above directions within the specified timeline and no extension of time shall be granted.

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

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**