

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.168/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 6.1.2011 vide Notification No. 7/2021- Customs dated 1.2.2021, 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 Agreement dated 18.11.2019 between ReNew Solar Energy (Jharkhand Three) Private Limited and Solar Energy Corporation of India Limited.
- Date of Hearing : 10.1.2023
- Coram : Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner : ReNew Solar Energy (Jharkhand Three) Pvt. Ltd. (RSEJPL)
- Respondents : Solar Energy Corporation of India Limited (SECI) and Anr.
- Parties Present : Shri Sujit Ghosh, Advocate, RSEJPL  
Ms. Mannat Waraich, Advocate, RSEJPL  
Shri Mridul Gupta, Advocate, RSEJPL  
Shri M. G. Ramachandran, Sr. Advocate, SECI  
Ms. Tanya Sareen, Advocate, SECI  
Ms. Anushree Bardhan, Advocate, SECI  
Shri Shubham Mishra, SECI  
Ms. Neha Singh, SECI  
Ms. Aditee Nitnavare, SECI

**Record of Proceedings**

During the course of hearing, learned counsel for the Petitioner and the learned senior counsel for the Respondent, SECI made their respective submissions of the various Change in Law claims and related aspects as raised in the petition.

2. Considering the request of the learned senior counsel for SECI, the Commission permitted SECI to file its response/written submissions on the Petitioner's Change in Law claim relating to increase in GST rates in terms of Department of Revenue, Ministry of Finance's Notification No. 8/2021-Central Tax (Rate) dated 30.9.2021 as raised vide affidavit dated 12.7.2022 within two weeks. The Commission also deemed it appropriate to afford one more opportunity to the Respondent No.2, MPPMCL to file its reply to the Petition, if any, within two weeks with copy to the Petitioner, who may file its rejoinder thereon, if any, within two weeks thereafter.



3. Subject to the above, the Commission reserved the matter for order.

**By order of the Commission**

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