

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 219/MP/2022

Subject : Petition under Section 79 (1) (b) and (f) of the Electricity Act, 2003 read with Article 12.2 of the Power Purchase Agreement dated 18.11.2019 between the Petitioner and the Respondent No. 1 seeking relief on account of Change in Law events, viz., the imposition of Safeguard Duty as well as increase in the Integrated Goods and Services Tax, and grant of consequential reliefs thereof.

Date of hearing : 17.1.2023

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

Petitioner : Ayana Renewable Power One Private Limited (ARPOPL)

Respondents : Solar Energy Corporation of India Limited and Anr

Parties present : Shri. Aniket Prason, Advocate, ARPOPL
Shri. Rishabh Bhardwaj, Advocate, ARPOPL
Ms. Dalima Gupta, Advocate, ARPOPL
Ms. Priya Dhankhar, Advocate, ARPOPL

Record of Proceedings

At the outset, the learned counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking relief on account of occurrence of Change in Law events viz. the imposition of Safeguard Duty and increase in rate of Integrated Goods and Service Tax (IGST) by Notification No.2/2020-Customs (SG) dated 29.7.2020 and Notification dated 8/2021-Integrated Tax (Rate) dated 30.9.2021 respectively issued by Department of Revenue, Ministry of Finance, Government of India. Learned counsel for the Petitioner further submitted that despite notice, no reply has been filed by the Respondents.

2. After hearing the learned counsel for the Petitioner, the Commission directed the respondents as a last opportunity to file their reply within two weeks and the Petitioner may file rejoinder thereof within weeks thereafter.

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

By order of the Commission

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