

NOTICE

Subject:- Petition filed by Azure Power Thirty Four Private Limited seeking appropriate relief on account of change in law as provided under the Power Purchases Agreement dated July 30, 2018 due to the introduction of safeguard duty on import of Solar Panels/Modules.

- **Case No. 27 of 2019**

Azure Power Thirty Four Private Limited has filed a Petition on 01.02.2019 for under the Provisions of the Electricity Act and more particularly Section 86(1) (b), Section 86(1) (f), Section 86(1) (k), of the Electricity Act, 2003, seeking appropriate relief on account of change in law as provided under the Power Purchases Agreement dated July 30, 2018 due to the introduction of safeguard duty on import of Solar Panels/Modules.

The main prayers of the Petitioner are as under-

- a) *Declare the imposition of safeguard duty on the import of solar panels/modules as a 'Change in Law' event as under the Article 9 of the PPA;*
- b) *Direct the Respondent to reimburse the Petitioner for the corresponding increase in the Project cost on account of safeguard Duty as actually levied on the Petitioner no later than seven (7) days of claim(s) submitted by the Petitioner on the basis of each consignment of solar panel/modules;*
- c) *Allow carrying cost on reimbursement of safeguard duty;*
- d) *Direct Respondent to pay costs for the present Petition; and*
- e) *To pass such further order(s) as the Hon'ble Commission may deem just in the facts of the present case.*

2. I am directed to communicate that the hearing in the above matter will be held on **Tuesday, 19 March, 2019 at 10 hrs** in the office of the Commission at 13th floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai - 400 005.

3. The Petitioner is directed to immediately serve a copy of its above mentioned Petition (both in soft and hard Copy) to the Respondent before the scheduled date of hearing.

4. The Respondent is directed to submit the say on affidavit in 1+6 copies to the Commission with documents, if any, on the above mentioned Petition immediately, with a copy to the Petitioner.

5. The Parties are directed to file their Petition and submissions in MS -Word file and PDF version as far as possible and to file 1+6 copies of all relevant documents/citations produced during the proceedings.

Sd/-
(R. S. Sonawane)
Dy. Director (Legal)

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Petitioner

The Chief Engineer (Commercial),
Maharashtra State Electricity Distribution Co. Ltd
Prakashgad, Plot No G-9,
Anant Kanekar Marg,
Bandra (East), Mumbai - 400 051
E-mail:- cecommho@gmail.com

Respondent