

SEC/2023/198

10<sup>th</sup> October, 2023

<b>BSE Limited</b> Corporate Relationship Department, P. J. Towers, Dalal Street, Fort, Mumbai – 400 001.  <b>BSE Scrip Code: 532756</b>	<b>National Stock Exchange of India Limited</b> Corporate Relationship Department, Exchange Plaza, 5 <sup>th</sup> Floor, Plot No. C/1, G Block, Bandra Kurla Complex, Bandra (E), Mumbai – 400 051.  <b>NSE Scrip Code: CIEINDIA</b>
--	--

**Sub: Update on pending litigation****Ref: Disclosure under Regulation 30 read with sub-para 8 of Para B of Part A of Schedule III of the Listing (Obligation and Disclosure Requirements) Regulations, 2015**

Dear Sir/Madam,

This is in furtherance to our letter dated 11<sup>th</sup> August, 2023 bearing reference number SEC/2023/164 whereby we had informed about the pending litigations/disputes in accordance with sub-paragraph 8 of paragraph B of Schedule III to the Listing Regulations read with the proviso to Regulation 30(4)(i)(d) of the Listing regulations which were considered as material by the Company as per the revised materiality criterion.

In relation to the litigations included in the Annexure C of the said letter regarding the dispute of Captive Status for FY 2014-15 and 2015-16 and in Annexure B of the said letter regarding the Dispute of the Captive Status for FY 2016-17 and 2017-18, we would like to inform that the Hon'ble Supreme Court of India have delivered a common judgment on 09<sup>th</sup> October, 2023, whereby the Court has elucidated the interpretation of the relevant provisions of the Electricity Act, 2003 and Rule 3 of the Electricity Rules, 2005. The Court has also mentioned that these principles shall be applied to the facts and circumstances of each case. As per the record of proceedings issued separately, the matters now will be listed for hearing and disposal before the appropriate Bench of the Court in the month of December 2023.

The required details as per SEBI Circular SEBI/HO/CFD/CFD-PoD-1/P/CIR/2023/123 dated July 13, 2023 are provided in Annexure C.1 (in relation to the appeals filed for FY 2014-15 and 2015-16) and Annexure B.1 in relation to appeals filed for FY 2016-17 and 2017-18.

**CIE Automotive India Limited**

(Formerly known as Mahindra CIE Automotive Limited)

CIN: L27100MH1999PLC121285

**Corporate Office**

602 &amp; 603 Amar Business Park, Baner Road, Pune – 411045, India

Tel: +91 20 29804622

**Registered Office**

Suite F9D, Grand Hyatt Plaza (Lobby Level), Off Western Express Highway, Santacruz (E), Mumbai, India – 400055

Tel: +91 22 62411031 | Fax: +91 22 62411030 | website : www.cie-india.com | Email: contact.investors@cie-india.com



The soft copy of the Judgement and the Record of Proceedings were made available on the website of the Supreme Court of India and were downloaded by the Company today i.e. 10th July, 2023 at around 9.30 a.m.

The same is also being uploaded on the website of the Company i.e., <https://www.cie-india.com>.

Kindly take the same on record.

Thanking you,  
Yours faithfully,

**For CIE Automotive India Limited**

**Pankaj Goyal**  
**Company Secretary and Compliance Officer**  
**Membership No. A 29614**

Encl: As above

**CIE Automotive India Limited**

(Formerly known as Mahindra CIE Automotive Limited)

CIN: L27100MH1999PLC121285

**Corporate Office**

602 & 603 Amar Business Park, Baner Road, Pune - 411045, India

Tel: +91 20 29804622

**Registered Office**

Suite F9D, Grand Hyatt Plaza (Lobby Level), Off Western Express Highway, Santacruz (E), Mumbai, India - 400055

Tel: +91 22 62411031 | Fax: +91 22 62411030 | website : [www.cie-india.com](http://www.cie-india.com) | Email: [contact.investors@cie-india.com](mailto:contact.investors@cie-india.com)

**Annexure B.1**

**Captive Status Update – Dispute for FY 2016-17 and 2017-18 (earlier disclosure in respect of this matter is enclosed herewith i.e. Annexure B of our letter dated 11<sup>th</sup> August, 2023)**

Sr. No	Regularly till the litigation is concluded or dispute is resolved:	
(a)	the details of any change in the status and / or any development in relation to such proceedings;	<p>The Hon’ble Supreme Court of India have delivered a common judgment on 09<sup>th</sup>October, 2023, whereby the Court has elucidated the interpretation of the relevant provisions of the Electricity Act, 2003 and Rule 3 of the Electricity Rules, 2005. The Court has also mentioned that these principles shall be applied to the facts and circumstances of each case.</p> <p>As per the record of proceedings issued separately, the matters now will be listed for hearing and disposal before the appropriate Bench of the Court in the month of December 2023.</p>
(b)	in the case of litigation against key management personnel or its promoter or ultimate person in control, regularly provide details of any change in the status and / or any development in relation to such proceedings.	Not applicable
(c)	in the event of settlement of the proceedings, details of such settlement including - terms of the settlement, compensation/penalty paid (if any) and impact of such settlement on the financial position of the Company.	Not applicable

**CIE Automotive India Limited**

(Formerly known as Mahindra CIE Automotive Limited)

CIN: L27100MH1999PLC121285

**Corporate Office**

602 & 603 Amar Business Park, Baner Road, Pune - 411045, India

Tel: +91 20 29804622

**Registered Office**

Suite F9D, Grand Hyatt Plaza (Lobby Level), Off Western Express Highway, Santacruz (E), Mumbai, India - 400055

Tel: +91 22 62411031 | Fax: +91 22 62411030 | website : www.cie-india.com | Email: contact.investors@cie-india.com

**Annexure-B**

**2. Captive Status Dispute for FY 2016-17 and 2017-18 :-**

Sr No.	Initial disclosure of the Ongoing Litigation/Dispute pursuant to SEBI Circular: - SEBI/HO/CFD/CFD-PoD-1/P/CIR/2023/123	
1.	brief details of litigation viz. :-	
	name(s) of the opposing party	Maharashtra State Electricity Distribution Company Limited Dairy No. 10378/2022  Tata Power Company Limited (Distribution) ("TPC-D") Civil Appeal No. 4532-4566 of 2022
	Court/ Tribunal/ Agency where litigation is filed,	before the Hon'ble Supreme Court of India
	Brief details of dispute/ litigation;	Maharashtra State Electricity Distribution Company Limited (MSEDCL) has levied the Cross Subsidy Surcharge (CSS) and Additional Surcharge (ASC) on the units of Power/Electricity consumed by the Company as a captive Consumer from two Captive Generating Plant (CGP) Units of Sai Wardha Power Generation Limited (SWPGL) which was an independent Special Purpose Vehicle set up for Generation and supply of electricity. The Hon'ble Maharashtra Electricity Regulatory Commission (MERC) vide its separate orders dated October 22, 2020 and October 29, 2020 had rejected the captive status of the said two CGP units of SWPGL for the year 2016-17 and 2017-18 respectively. The Company had challenged the impugned orders before Hon'ble Appellate Authority of Electricity (APTEL). The Hon'ble APTEL vide its Order dated November 26, 2021 (APTEL Order) set aside the

**CIE Automotive India Limited**

(Formerly known as Mahindra CIE Automotive Limited)

CIN: L27100MH1999PLC121285

**Corporate Office**

602 & 603 Amar Business Park, Baner Road, Pune - 411045, India

Tel: +91 20 29804622

**Registered Office**

Suite F9D, Grand Hyatt Plaza (Lobby Level), Off Western Express Highway, Santacruz (E), Mumbai, India - 400055

Tel: +91 22 62411031 | Fax: +91 22 62411030 | website: www.cie-india.com | Email: contactinvestors@cie-india.com

		<p>Orders of MERC and remanded the matter to MERC for fresh determination of captive status based on the opinion expressed in the APTEL Order. MERC vide its Order dated 16th March, 2022 (MERC Remand Order) held Unit 3 and Unit 4 of SWPGL as captive generating plant for FY 2016-17 and FY 2017-18.</p> <p><b><u>Case Details: -</u></b></p> <p>The DISCOMs have filed an appeal before Hon'ble Supreme Court of India against the APTEL Order which was heard at length by the Supreme Court and is currently reserved for Order.</p> <p>If the DISCOMs succeed in securing a favorable order from Hon'ble Supreme Court of India, the Captive Status SWPGL will be redetermined on the basis of directions/principles as may be provided/upheld by the Supreme Court of India in case the power plants are finally determined as non-captive then the Company will be liable to pay CSS and ASC as may be applicable</p>
2.	Expected financial implications if any, due to compensation, penalty, etc.	Rs. 32,61,95,906.29 /-
3.	quantum of claims, if any;	Not Applicable
4.	in the case of litigation against key management personnel or its promoter or ultimate person in control, regularly provide details of any change	Not Applicable

**CIE Automotive India Limited**

(Formerly known as Mahindra CIE Automotive Limited)

CIN: L27100MH1999PLC121285

**Corporate Office**

602 & 603 Amar Business Park, Baner Road, Pune - 411045, India

Tel: +91 20 29804622

**Registered Office**

Suite F9D, Grand Hyatt Plaza (Lobby Level), Off Western Express Highway, Santacruz (E), Mumbai, India - 400055

Tel: +91 22 62411031 | Fax: +91 22 62411030 | website: www.cie-india.com | Email: contactinvestors@cie-india.com

	in the status and/ or any development in relation to such proceedings.	
--	--	--

**CIE Automotive India Limited**

(Formerly known as Mahindra CIE Automotive Limited)

CIN: L27100MH1999PLC121285

**Corporate Office**

602 & 603 Amar Business Park, Baner Road, Pune - 411045, India

Tel: +91 20 29804622

**Registered Office**

Suite F9D, Grand Hyatt Plaza (Lobby Level), Off Western Express Highway, Santacruz (E), Mumbai, India - 400055

Tel: +91 22 62411031 | Fax: +91 22 62411030 | website: [www.cie-india.com](http://www.cie-india.com) | Email: [contactinvestors@cie-india.com](mailto:contactinvestors@cie-india.com)

**Annexure C.1**

**Captive Status Update – Dispute for FY 2014-15 and 2015-16 – (earlier disclosure in respect of this matter is enclosed herewith i.e. Annexure C of our letter dated 11<sup>th</sup> August, 2023)**

Sr. No	Regularly till the litigation is concluded or dispute is resolved:	
(a)	the details of any change in the status and / or any development in relation to such proceedings;	<p>The Hon’ble Supreme Court of India have delivered a common judgment on 09<sup>th</sup>October, 2023, whereby the Court has elucidated the interpretation of the relevant provisions of the Electricity Act, 2003 and Rule 3 of the Electricity Rules, 2005. The Court has also mentioned that these principles shall be applied to the facts and circumstances of each case.</p> <p>As per the record of proceedings issued separately, the matters now will be listed for hearing and disposal before the appropriate Bench of the Court in the month of December 2023.</p>
(b)	in the case of litigation against key management personnel or its promoter or ultimate person in control, regularly provide details of any change in the status and / or any development in relation to such proceedings.	Not applicable
(c)	in the event of settlement of the proceedings, details of such settlement including - terms of the settlement, compensation/penalty paid (if any) and impact of such settlement on the financial position of the Company.	Not applicable

**CIE Automotive India Limited**

(Formerly known as Mahindra CIE Automotive Limited)

CIN: L27100MH1999PLC121285

**Corporate Office**

602 & 603 Amar Business Park, Baner Road, Pune - 411045, India

Tel: +91 20 29804622

**Registered Office**

Suite F9D, Grand Hyatt Plaza (Lobby Level), Off Western Express Highway, Santacruz (E), Mumbai, India - 400055

Tel: +91 22 62411031 | Fax: +91 22 62411030 | website : www.cie-india.com | Email: contact.investors@cie-india.com

**Annexure-C**

**3. Captive Status Dispute for FY 2014-15 and 2015-16:-**

Sr No.	Initial disclosure of the Ongoing Litigation/Dispute pursuant to SEBI Circular: - SEBI/HO/CFD/CFD-PoD-1/P/CIR/2023/123	
1.	brief details of litigation viz. :-	
	name(s) of the opposing party	Maharashtra State Electricity Distribution Company Limited Case No 10378/2022  Tata Power Company Limited (Distribution) ("TPC-D") Civil Appeal No. 4611-4624 of 2022
	Court/ Tribunal/ Agency where litigation is filed,	In the Hon'ble Supreme Court of India
	Brief details of dispute/ litigation;	<b><u>Background:-</u></b>  Maharashtra State Electricity Distribution Company Limited (MSEDCL) has levied the Cross Subsidy Surcharge (CSS) and Additional Surcharge (ASC) on the units of Power/Electricity consumed by the Company as a captive Consumer from two Captive Generating Plant (CGP) Units of Sai Wardha Power Generation Limited (SWPGL) which was a Special purpose Vehicle set up for Generation and supply of electricity. The Hon'ble Maharashtra Electricity Regulatory Commission vide its order dated February 09, 2018 in Case No.77 of 2015 for FY 2014-15 and order dated March 19, 2018 in Case No. 159 of 2016 for FY 2015-16 (Original MERC Order) had upheld the captive status of the units of SWGPL for those years. Thereafter MERC in its review order, allowed review of the said MERC orders and held that the captive status of SWPGL be

**CIE Automotive India Limited**

(Formerly known as Mahindra CIE Automotive Limited)

CIN: L27100MH1999PLC121285

**Corporate Office**

602 & 603 Amar Business Park, Baner Road, Pune - 411045, India

Tel: +91 20 29804622

**Registered Office**

Suite F9D, Grand Hyatt Plaza (Lobby Level), Off Western Express Highway, Santacruz (E), Mumbai, India - 400055

Tel: +91 22 62411031 | Fax: +91 22 62411030 | website: www.cie-india.com | Email: contactinvestors@cie-india.com

		<p>redetermined for FY 2014-15 and FY 2015-16. The Hon'ble Appellate Tribunal for Electricity ("APTEL") vide its Order dated November 26, 2021 (APTEL Order) set aside the review orders of MERC and upheld the Original MERC Orders consequently holding SWPGL as captive for these two years.</p> <p><b><u>Case Details: -</u></b></p> <p>The DISCOMs have filed an appeal before Hon'ble Supreme Court of India against the APTEL's Order which was heard at length by the Supreme Court and is currently reserved for Order.</p> <p>If the DISCOMs succeed in securing a favorable order from Hon'ble Supreme Court of India, the Captive Status SWPGL will be redetermined on the basis of directions/principles as may be provided/upheld by the Supreme Court of India and in case the power plants are finally determined as non-captive then the Company will be liable to pay CSS and ASC as may be applicable.</p>
2.	Expected financial implications if any, due to compensation, penalty, etc.	Rs. 20,11,75,308.31 /-
3.	quantum of claims, if any;	Not Applicable
4.	in the case of litigation against key management personnel or its promoter or ultimate person in control, regularly provide	Not Applicable

**CIE Automotive India Limited**

(Formerly known as Mahindra CIE Automotive Limited)

CIN: L27100MH1999PLC121285

**Corporate Office**

602 & 603 Amar Business Park, Baner Road, Pune - 411045, India

Tel: +91 20 29804622

**Registered Office**

Suite F9D, Grand Hyatt Plaza (Lobby Level), Off Western Express Highway, Santacruz (E), Mumbai, India - 400055

Tel: +91 22 62411031 | Fax: +91 22 62411030 | website: www.cie-india.com | Email: contactinvestors@cie-india.com

details of any change in the status and/ or any development in relation to such proceedings.	
--	--

**CIE Automotive India Limited**

(Formerly known as Mahindra CIE Automotive Limited)

CIN: L27100MH1999PLC121285

**Corporate Office**

602 & 603 Amar Business Park, Baner Road, Pune - 411045, India

Tel: +91 20 29804622

**Registered Office**

Suite F9D, Grand Hyatt Plaza (Lobby Level), Off Western Express Highway, Santacruz (E), Mumbai, India - 400055

Tel: +91 22 62411031 | Fax: +91 22 62411030 | website: [www.cie-india.com](http://www.cie-india.com) | Email: [contactinvestors@cie-india.com](mailto:contactinvestors@cie-india.com)