

**F. No. 29/5(5)/2010-11/JNNSM**  
 Government of India  
**Ministry of New & Renewable Energy**  
 (Grid Solar Power Division)

Block-14, C.G.O. Complex, Lodhi Road,  
 New Delhi - 110003  
 Dated: 19<sup>th</sup> March, 2014

**OFFICE MEMORANDUM**

**Sub: Guidelines for selection of new Grid-connected Solar Power Projects (JNNSM, Phase-I, Batch-II) - modification, reg.**

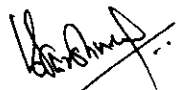
The undersigned is directed to refer to the *Guidelines for selection of new Grid-connected Solar Power Projects (JNNSM, Phase-I, Batch-II)* issued vide this Ministry's O.M. No. 5/17/2009-P&C dated 24<sup>th</sup> August, 2011 and to state that Section 2.12 thereof stand modified and new section 2.8 A stands added as under:

Para No.	Existing provision	Modified / New provision
2.8 A	<p><b>Excess Generation</b></p> <p>Existing provision: Nil.</p>	<p><b>Excess Generation</b></p> <p>The limiting factor will be the declared and agreed CUF. Any energy generated in excess of the maximum CUF limit specified in PPA will be purchased by NRVN at APPC rate or Rs. 3/- per unit whichever is lower, subject to the concerned utility's willingness to purchase the power.</p> <p>The developers can sell the solar power generation in excess of the maximum CUF limit in the PPA to third party through long term PPA, short term sale or through exchange. They can even earn RECs on it if permissible. This will, however, be subject to the condition that NRVN has the first charge on generation to the extent of CUF agreed in PPA.</p>
2.12	<p><b>2.12 Commissioning</b></p> <p>.....</p> <p><b>2.12.2 Commissioning Schedule and Penalty for Delay in Commissioning:</b></p> <p>.....</p> <p>In case the commissioning of project is delayed beyond 3 months, the Project Developer shall pay to NRVN the Liquidated Damages at the rate of Rs. 1,00,000/MW per day of delay for the delay in such remaining Capacity which is not Commissioned. The maximum time period allowed for commissioning of the full Project Capacity with encashment of Performance Bank Guarantee and payment of Liquidated Damages shall be limited to 18 months from the date of signing of PPA. The amount of liquidated damages worked out as above shall be recovered by NRVN</p>	<p><b>2.12 Commissioning</b></p> <p>.....</p> <p><b>2.12.2 Commissioning Schedule and Penalty for Delay in Commissioning:</b></p> <p>.....</p> <p>In case the commissioning of project is delayed beyond 3 months, the Project Developer shall pay to NRVN the Liquidated Damages at the rate of Rs.1,00,000/MW per day of delay for the delay in such remaining Capacity which is not Commissioned. The maximum time period allowed for commissioning of the full Project Capacity with encashment of Performance Bank Guarantee and payment of Liquidated Damages shall be limited to 30 months from the date of signing of PPA. The amount of liquidated damages worked out as above shall be recovered by NRVN from the payments due to the Project Developer on account of sale of solar power to</p>

*Contd./2*

Para No.	Existing provision	Modified / New provision
	<p>from the payments due to the Project Developer on account of sale of solar power to NVVN. In case, the Commissioning of the Project is delayed beyond 18 months from the date of signing of PPA, the PPA capacity shall stand reduced/ amended to the Project Capacity Commissioned and the PPA for the balance Capacity will stand terminated and shall be reduced from the selected Project Capacity.</p> <p>However, if as a consequence of delay in commissioning, the applicable tariff changes, that part of the capacity of the project for which the commissioning has been delayed shall be paid the agreed tariff as per PPA or the changed applicable CERC tariff, whichever is lower.</p>	<p>NVVN. The amount of liquidated damages will be payable in 30 installments on monthly basis/ recovered from the payments that become due to the developer against the supply of the solar power from the project to NVVN during that month till the penalty amount is recovered fully. NVVN may make installments in such a manner that full amount is recovered from the dues to the developer within 30 months. In case the dues to the developers are less than the amount to be recovered, the recovery may be extended beyond 30 months.</p> <p>In case, the Commissioning of the Project is delayed beyond 30 months from the date of signing of PPA, the PPA capacity shall stand reduced / amended to the Project Capacity Commissioned and the PPA for the balance Capacity will stand terminated and shall be reduced from the selected Project Capacity.</p> <p>Applicable Tariff: The Applicable Tariff for the project will be the tariff on the date of signing of PPA, in line with the amendment to the Guidelines for JNNSM, Phase-I, Batch-I issued vide O.M. No. 29/5(5)/2010-11/JNNSM/ST dated 8 May, 2013.</p>

2. This issues with the approval of the Competent Authority.

  
**(A. K. Varshney)**  
 Director (Solar Power)

To:-

**Shri N. K. Sharma, Chief Executive Officer, NTPC Vidyut Vyapar Nigam Limited (NVVN), Scope Complex, Lodhi Road, New Delhi**

Copy to:-

1. PS to Minister (NRE)
2. PSO to Secretary, MNRE
3. PS to JS (NSM), MNRE
- ✓ 4. Director, NIC Cell, MNRE- for uploading this on MNRE website