

No. 283/124/2018 -GRID SOLAR

भारत सरकार / Government of India

नवीन और नवीकरणीय ऊर्जा मंत्रालय/ Ministry of New & Renewable Energy

ग्रिड सौर ऊर्जा प्रभाग / Grid Solar Power Division

Block-14, C.G.O. Complex,
Lodhi Road, New Delhi – 110003.

Date: 08th December, 2020

CLARIFICATION

Sub: Dispute Resolution Mechanism to consider the unforeseen disputes between solar/ wind power developers and SECI/ NTPC/ NHPC, beyond contractual agreements – Clarification regarding.

Reference is invited to this Ministry's Order of even no. dated 18.06.2019 and the amendments thereto dated 20.09.2019, 09.12.2019 and 25.09.2020 (issued vide Order No. 283/124/2018 -GRID SOLAR-Part(1)) on the above mentioned subject.

2. It is provided in Para 3(a) of Order dated 18th June, 2019, that in case, the Government upholds the appeal in toto, after taking into consideration the recommendations of Dispute Resolution Committee (DRC), and strikes down the SECI (*and now NTPC/NHPC also*) order, then the full amount of fee collected shall be refunded, provided the DRC makes a recommendation for the same and the Government passes a specific order to that effect.

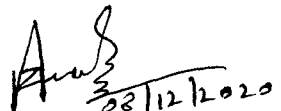
3. It is further clarified that, if the number of days of time extension, allowed by Government after taking into consideration DRC's recommendation, is less than the number of days of time extension claimed by the solar/ wind power developer, then the refund of fee shall be in proportion to the number of days allowed, viz-a-viz the total number of days claimed by the developer.

{Example:

- DRC Fee Paid: **Rs. 10,00,000/-**
- No. of days of time extension claimed by developer: **100 days**
- No. of days of time extension recommended by the DRC and agreed by the Government: **60 days**
- Fee which may be refunded = $[(10,000,00 \times 60) \div (100)] = \text{Rs } 6,00,000/-$

4. For the cases wherein the decision of Government, after taking into consideration the recommendations of DRC, has already been conveyed to DRC or SECI/NTPC/NHPC, fee refund (if applicable) can be done on the basis of this clarification, without the necessity of DRC making a recommendation for the same and the Government passing a specific order to that effect.

5. This issues with the approval of Hon'ble Minister (NRE & Power).


08/12/2020
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To:

1. **The Chairman & Managing Director, NTPC Ltd.**, NTPC Bhawan, Scope Complex, 7, Institutional Area, Lodhi Road, New Delhi- 110003, Email: cmd@ntpc.co.in
2. **The Chairman & Managing Director, Solar Energy Corporation of India Limited (SECI)**, 1st Floor, D-3, A Wing, Prius Platinum Building, District Centre, Saket, New Delhi 110017, Email: md@seci.co.in
3. **The Chairman & Managing Director, NHPC Limited**, N.H.P.C Office Complex, Sector-33, Faridabad, Haryana.

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