

**F. 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.

**Dated: 23<sup>rd</sup> September, 2020**

**To**

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

**Sub: Dispute Resolution Mechanism/ Dispute Resolution Committee (DRC) to consider the disputes between solar/ wind power developers and SECI/NTPC/NHPC, beyond contractual agreements — reg.**

Sir,

Reference is invited to this Ministry's Order of even no. dated 18.06.2019 and the amendments thereto dated 20.09.2019 and 09.12.2019 and the Procedural Guidelines for Dispute Resolution Mechanism issued vide letter of even no. dated 20.09.2019.

- 2. As per the aforesaid order, all the applications before DRC shall be accompanied with the applicable fee as detailed below:**

*In case of Extension of Time dispute, the fee payable shall be 5% of the impact of SECI/NTPC/NHPC's decision being challenged, with the impact being limited to the Performance Bank Guarantee (PBG) submitted for the project concerned, and which in no case be less than Rs. 1,00,000/- (Rupees one lakh) and not more than Rs. 1,00,00,000/- (Rupees one crore).*

*In case of disputes not coming under Extension of Time, in case there is no PBG covering the dispute, then the fee shall be 5% of the total impact of the dispute, which in no case be less than Rs. 1,00,000/- (Rupees one lakh) and not more than Rs. 1,00,00,000/- (Rupees one crore).*

- 3. Representation have been received in Ministry of New & Renewable Energy (MNRE) that in cases where the RE developers have disputes with the MNRE's RE Implementing Agencies (SECI/NTPC/NHPC) but have paid the financial penalties/ Liquidated Damages (LD) i.e. the disputed amount, they should be exempted from depositing the requisite application fees in DRC.**



4. The matter has been examined in the MNRE and it has been decided that in cases where the RE Developers have disputes with MNRE's RE Implementing Agencies (SECI/ NTPC/ NHPC) but have paid the financial penalties/ Liquidated Damages (LD) to SECI/NTPC/NHPC, which is in excess of the applicable DRC fees, such RE Developers should be exempted from payment of application fee for processing their appeal before DRC, provided an undertaking is submitted by such Developers to make payment in case of rejection of their appeal by DRC.

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

Yours faithfully,

  
(Mohd Azmal Mansoori)  
Scientist-B  
Email: azmal.mnre@gov.in

Copy for internal circulation to:

1. PS to Hon'ble Minister (NRE & Power)
2. Sr. PPS to Secretary, MNRE
3. Sr. PPS to AS, MNRE
4. JS (AKS)/ JS (BPY)/ JS&FA/ Adv (DN)
5. Dir (RG)/ Sci-D (SK)
6. DS (IFD)/ US (IFD)