

F. No. 283/56/2021-GRID SOLAR

भारत सरकार / Government of India

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

ग्रिड सौर ऊर्जा प्रभाग / Grid Solar Power Division

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

Date: 03rd November, 2021

ORDER

Sub: Temporary disruptions in supply of imported solar PV modules-Special Dispensation under Dispute Resolution Mechanism

Reference is invited to this Ministry's Order no. 283/124/2018-GRID SOLAR dated 18.06.2019 and the subsequent amendments thereto dated 20.09.2019, 09.12.2019 & 25.09.2020 and the procedural Guidelines dated 20.09.2019 regarding MNRE's Dispute Resolution Mechanism.

2. It has been represented to this Ministry that there are some temporary disruptions in supply of imported solar PV modules on account of various factors, for which extension in project commissioning timelines and postponement of scheduled date of imposition of BCD on import of solar cells & modules have been requested.

3. The issue was examined. It is noted that generally the procurement of solar PV modules for the solar power project takes place only in the last few months of commissioning and so only the projects scheduled for commissioning in coming 5-6 months are likely to get affected due to this temporary situation. It is also noted that to facilitate Renewable Energy (RE) projects, this Ministry has already granted time extensions on account of 1st and 2nd waves of COVID-19.


4. In order to further address specific issues cited in Para-2 above, for projects under implementation through MNRE's Renewable Energy Implementing Agencies (REIAs) [SECI/ NTPC/NHPC] and having Scheduled Commissioning Date (SCD) before April 1, 2022 after considering all time extensions including the extensions given on COVID-19, and considering the scheduled date of imposition of BCD on import of solar cells & modules as April 1, 2022, it has been decided to empower the Dispute Resolution Committee (DRC) to look into any additional time extension requirement of these projects in exceptional circumstances on account of issues cited at Para-2 above, and make a recommendation to this Ministry on merits on a case-to-case basis.

5. As per the present provisions of Dispute Resolution Mechanism, the RE developer first approaches the concerned REIA (SECI/NTPC/NHPC) for seeking desired relief. In case the applicant developer is not in agreement with the decision of REIA on the relief sought, the developer has the option of approaching DRC by filing an appeal within 21 days of REIA's order. A fee @ 1% of the impact of dispute, subject to a minimum fee of Rs. 1,00,000/- (Rupees one lakh) and maximum fee of Rs. 50,00,000/- (Rupees fifty lakhs) is also to be paid.



6. In terms of para 4 above, as a one time special dispensation, the DRC is hereby authorised to take up the projects covered under para (4) above, directly without waiting for the decision of REIA. The concerned project developer(s) can apply to DRC within one month of this order. As a matter of further facilitation, such projects shall only be required to pay the minimum fee of Rs. 1,00,000/- (Rupees one lakh only).

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


03/11/21
(Mohd Azmal Mansoori)
Scientist-B
Email: azmal.mnre@gov.in

To:

1. **The Managing Director, Solar Energy Corporation of India Limited (SECI)**, Plate-B, 6th Floor, Tower 2, NBCC Office Block, East Kidwai Nagar, New Delhi-110023.
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.

Copy for internal circulation to:

1. PS to Hon'ble Minister (NRE & Power)
2. Sr. PPS to Secretary, MNRE
3. All Joint Secretaries/JS&FA/All Scientist-G/ Economic Advisor/All Group Heads in MNRE
4. Dir (RG)
5. DS (IFD)/ Sci-D (SK)/ US (IFD)
6. NIC, MNRE, for uploading on MNRE Website.