

**To**

1. Chairperson, CEA
2. CMDs – PGCIL, REC, PFC, NTPC, NHPC, SJVN, THDC, NEEPCO, POSOCO
3. Chairman - BBMB, DVC
4. Director General – BEE, NPTI, CPRI

**Copy to:**

1. PS to Hon'ble Minister of Power & NRE
2. APS to Hon'ble MoS for Power
3. Sr. PPS to Secretary (Power)
4. Sr. PPS to AS(SKG) / Sr. PPS to AS&FA / Sr. PPS to AS(VKD)
5. All Joint Secretaries of Ministry of Power
6. All Directors / Deputy Secretaries of Ministry of Power.
7. Members of the CCIEs

**Copy also to:**

In-charge, NIC Cell, MoP with request to publish the OM on the website of Ministry of Power.

**(Vikrant S. Dhillon)**  
**Deputy Director**

F. No. 11/22/2021-Th.II  
 Government of India  
 (Bharat Sarkar)  
 Ministry of Power  
 (Vidyut Mantralay)

Shram Shakti Bhawan, Rafi Marg  
 New Delhi, the 29<sup>th</sup> April, 2022

OFFICE MEMORANDUM

**Subject:** Dispute Resolution through Conciliation for Contractual Disputes in Projects implemented by CPSUs / Statutory Bodies under the administrative control of Ministry of Power – Induction of the coal-mining expert Member in the CCIE – regarding.

Ministry of Power vide OM of even number dated 29.12.2021 (Annex-I), introduced a conciliation mechanism for settlement of contractual disputes in contracts of CPSUs / Statutory Bodies under Ministry of Power executing power projects. The said mechanism envisages conciliation of contractual disputes through three Nos. of Conciliation Committee of Independent Experts (CCIEs). CCIE have been constituted by selecting one Member each from amongst the following categories:-

- I. Former Officers of the rank of Secretary / Additional Secretary to the Govt. of India.
- II. Sector Experts having substantial domain knowledge of project development and O&M of power projects.
- III. Experts in Finance with experience in senior positions of Financial Institutions.

2. In the meantime, a representation was received from a CPSU under this Ministry executing Thermal Projects that a substantial number of contractual disputes in thermal projects are attributable to disputes raised by Mine Development Operators (Contractors) of the Captive Coal Mines of the CPSUs/Project Implementing Agencies. The 3 CCIEs constituted by Ministry of Power, in its present form, need more domain expertise to conciliate the contractual disputes related to mining issues of these captive coal mines.

3. Accordingly, it has been decided to empanel one additional Member in the existing CCIE(s) having substantial domain expertise in coal-mining sector.

4. In view of the above, Clause 2(IV) is hereby added below Clause 2 (III) of this Ministry's OM of even number dated 29.12.2021:-

"2.(IV): Sector Expert having substantial domain knowledge of coal mining sector"

5. In addition, following para 2 of Clause 2 of the OM of even number dated 29.12.2021 is modified as under:

Contd...2.

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Original Clause

"Provided that one of the Members in each CCIE should be from the category mentioned at 2(II) above i.e. Sector Expert having substantial domain knowledge of project development and O&M of power projects."

replaced with

"Provided that the composition of the CCIE should be such that there shall be (a) one member from category 2(I), (b) one member from Category 2(III), and (c) one member from Category 2(II) when dealing with disputes relating to power projects or Category 2(IV) when dealing with disputes relating to captive coal mines."

6. The remaining terms & conditions of the aforesaid OM will remain unchanged.

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



(R. P. Pradhan)  
Director

1. Chairperson, CEA
2. Chairperson, CWC
3. CMDs / Chairman(s) of all the CPSUs / Statutory Bodies / Autonomous Bodies under the Ministry of Power

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5. PPS to All Joint Secretaries in Ministry of Power
6. PPS to EA
7. All Directors / Deputy Secretaries / Under Secretaries / Deputy Directors, MoP