

मारताय गर न्यायक

पचास  
रुपये  
₹.50

FIFTY  
RUPEES  
Rs.50

ग्राहक सेवा

INDIA

INDIA NON JUDICIAL

हिमाचल प्रदेश HIMACHAL PRADESH

C 800791

SUPPLEMENTARY IMPLEMENTATION AGREEMENT  
FOR  
PHARARI SMALL HYDRO-ELECTRIC PROJECT (2.00MW).

This Agreement executed on 27<sup>th</sup> day of the month of January in the year Two Thousand and Twenty One, between the Government of Himachal Pradesh, through the Special Secretary (NES) to the Government of Himachal Pradesh -cum-Chief Executive Officer, Himurja, having its office at Block 8-A, Urja Bhawan, SDA Complex, Kasumpati, Shimla (H.P.)-171009 (hereinafter referred to as "First Party"), which expression unless repugnant to the context or meaning thereof, shall include its successor(s), administrator(s) or permitted assigns, of the FIRST PART;

AND

M/s Pharari Power Pvt. Ltd., a company incorporated under the Companies Act 2013 and having its registered office at Village Bulang, P.O. Fozal, Tehsil Kullu, Distt. Kullu (H.P.)-175129 (which expression shall, unless repugnant to the context or meaning thereof, include its holding company, subsidiaries, associates, successor(s), administrator(s), and permitted assigns(s) (hereinafter referred to as "Second Party") through Mr. Nannapaneni Gangadhar Rao, Director who has been duly authorized by the Second Party vide their Board resolution dated 27-12-2017 to execute this agreement of SECOND PART.

Special Secretary (NES)  
to the Govt. of H.P.-  
cum-CEO HIMURJA  
Shimla-171 009

III

Pharari Power Pvt. Ltd.  
Gangadhar Rao

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C 800789

WHEREAS, the First Party, in accordance with its power policy had allotted Pharari SHEP for an installed capacity of 0.25 MW to M/s Pharari Power (P) Ltd. (formally known as M/S. Alvasa Power (India) Ltd.) on dated 7.6.2004 and entered into MOU with the First Party on 12.1.2005 for carrying out detailed Survey & Investigations, Techno-Economic studies and submission of Detailed Project Report (DPR) for the implementation of Pharari SHEP (0.25MW) in District Kullu, Himachal Pradesh (hereinafter referred to as the "Project"); and

WHEREAS, the Second Party after carrying out detailed survey & investigation at project site had submitted the Detailed Project Report (DPR) for an installed capacity of 1.00 MW, which was accorded Techno-Economic Clearance (TEC) by DOE on 3.2.2011; and

WHEREAS, the Implementation Agreement in respect of Pharari SHEP between GoHP and M/s Alvasa Power (India Ltd.) for the implementation of Pharari SHEP for an installed capacity of 1.00 MW was signed on 29.6.2015; and agreement for change in name from M/s Alvasa Power (India Ltd.) to M/s Pharari Power (P) Ltd. was signed on 18-5-2018 .

WHEREAS, the competent authority has accorded revised Techno Economic Clearance (TEC) to the project for 2.00 MW capacity vide their letter No. DoE/CE(Energy)/TC-Pharari (Rev)/2018-9125-33 dated 6.12.2018; and

WHEREAS, the Zero Date in respect of Pharari SHEP (2.00 MW) as per the milestones stipulated in the Implementation Agreement signed on 29.6.2015 was 28.12.2015; and

WHEREAS, First Party vide notification dated 07.11.2020 has allowed One Time Amnesty by redefining zero date for projects which are under investigation & clearance stage where IAs have already been signed and by redefining Scheduled Commercial Operation Date (SCOD) for projects under construction stage.

Special Secretary (NES)  
To the Govt. of H.P.-  
cum-CEO HIMURJA  
P.O. Box No. 171 009

(2)

N. Jayachar Rao

WHEREAS, in pursuance to the above notification the Second Party vide its application dated 3-12-2020 has requested to avail One Time Amnesty and further requested to sign Supplementary Implementation Agreement.

WHEREAS, this Supplementary Implementation Agreement is being signed by both the Parties only to the extent that the Zero Date of **Pharari SHEP (2.00 MW)** shall be redefined as per notification dated 07.11.2020. This agreement shall in no way affect all other terms and conditions of Implementation Agreement dated **29.6.2015**.

NOW THIS SUPPLEMENTARY AGREEMENT WITNESSES AS UNDER

I. Both the Parties agree to amend /incorporate the existing clause 5.1& 5.2 as under:

The timelines for redefining of Zero Date in respect of **Pharari HEP (2.00 MW)** is as under:

Sr. No.	Milestones	Time period	Consequential Action
1.	Apply for connectivity & signing of Long Term Open Access (LTOA) Agreement with HPPTCL or for signing of PPA with HPSEBL.	Within one month from the date of signing of SIA.	If the project developer fails to achieve this milestone within specified period of one month, the allotment of the project shall be liable to be cancelled.
2.	Signing of Connectivity Agreement & Long Term Open Access (LTOA) Agreement with HPPTCL or PPA with HPSEBL.	Within six months from the date of signing of SIA.	If the project developer fails to achieve this milestone within specified period of six months, the allotment of the project shall be liable to be cancelled.
3.	Furnishing of compliance reports for the progress achieved on continuous basis in the prescribed format.	Every two months on continuous basis starting two months from the date of signing of SIA	In case a project developer fails to submit the bimonthly, three consecutive compliance reports on prescribed formats in the first six months, the allotment of the respective project shall be liable to be cancelled.
4.	Submission of quantitative progress report on the progress achieved so far	At the time of completion of one year from the date of signing of SIA	In case a project developer fails to submit the quantitative progress report on the progress achieved so far at the time of completion of one year from the date of signing of SIA, and the report is not found satisfactory, the allotment of the respective project shall be liable to be cancelled.

Special Secretary (NES)  
to the Govt. of H.P.-  
Joint-CEO HIMURJA  
Shimla-171 009

Pratulan Pow. d.  
N. Gyanendra Rao  
for

<b>Himachal Government Judicial Paper</b>			
5.	2 Zero Date for start of work	Within 12 months after signing of SIA	In case a project developer fails to achieve Zero date within 12 months, due to various unavoidable reasons not attributable to the project developers, the Administrative Department can allow another period of 12 months to achieve zero date. Failing which the project allotment shall be liable for cancellation without any liability of Govt. and without issuance of any further notice in this regard. Provision for which will be kept in SIA.

**Note:** The Second Party shall not be entitled for any incentive on account of early commissioning of the project after availing relaxation under One Time Amnesty.

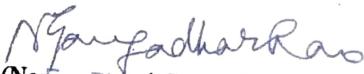
This Supplementary Implementation Agreement signed on the date first written above and the Implementation Agreement signed on 29.6.2015 shall be in force simultaneously till the validity of the Implementation Agreement.

In witness whereof, the Parties hereto have executed and delivered this Agreement at Shimla, Himachal Pradesh on the date first written above, for the Implementation of **Pharari** SHEP for installed capacity of 2.00 MW.

For & on behalf of  
the Government of Himachal Pradesh

  
(Rupali Thakur)  
Special Secretary (NES)  
to the Govt. of H.P.  
to the Govt. of H.P.-cum-  
CUM-CEO, H.P.-cum-  
CEO, Himurja, Shimla-171009

For and on behalf of  
M/s Pharari Power (P) Ltd.

  
(Nanmapaneni Gangadhar Rao),  
Director,

Director

WITNESSED BY:

1.   
(Pradeep Bhanot)  
Sr. Project Officer(SHP)  
Himurja, Shimla-9

2.   
(D.N. Sharma)  
Project Officer (C-I)  
Himurja, Shimla-9

WITNESSED BY:

1.

2.