

हिमाचल प्रदेश HIMACHAL PRADESH


C 800780

**SUPPLEMENTARY IMPLEMENTATION AGREEMENT
FOR
HAMSHU-I SMALL HYDRO-ELECTRIC PROJECT (2.00MW)**

This Agreement executed on 27th 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, Kasumpti, 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 Snow Foam Energy Pvt. Ltd., a company incorporated under the Companies Act 1956 and having its registered office at House No 99, Ward No 8 Dhalpur, Kullu, District Kullu 175101 (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


Nannapaneni Gangadhar Rao

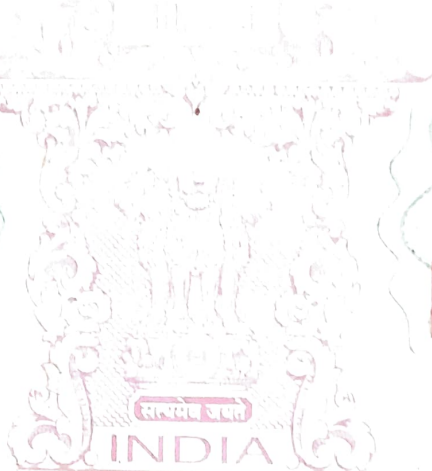
भारतीय गैर न्यायिक

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हिमाचल प्रदेश HIMACHAL PRADESH

C 800785

WHEREAS, the First Party, in accordance with its power policy had allotted **Hamshu-I SHEP** for an installed capacity of **0.80 MW** to **M/s Snow foam Energy (P) Ltd.** (formally known as M/S. Hamshu Hydel Power on dated **27.9.2009**) for carrying out detailed Survey & Investigations, Techno-Economic studies and submission of Detailed Project Report (DPR) for the implementation of **Hamshu-I SHEP (0.80MW)** 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 **0.50 MW**, which was accorded Techno-Economic Clearance (TEC) by **DOE** on **11.10.2012**; and

WHEREAS, the Implementation Agreement in respect of **Hamshu-I SHEP** between **GoHP** and **M/S. Hamshu Hydel Power** for the implementation of **Hamshu-I SHEP** for an installed capacity of **0.50 MW** was signed on **18.6.2013** and agreement for change in name from **M/s. Hamshu Hydel Power** to **M/s Snow Foam Energy Pvt. 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/TEC-Hamshu-I(R)/2016-853-61** dated **2.5.2016**; and

WHEREAS, the Zero Date in respect of **Hamshu-I SHEP (2.00 MW)** as per the milestones stipulated in the Implementation Agreement signed on **18.6.2013** was **17.12.2013**; 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
Shimla-171 009

N. Prasad Chandra

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No 1671046 Himachal Government Judicial Paper

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 **Hamshu-I 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 **18.6.2013**.

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 **Hamshu-I SHEP (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.-
cum-CEO HIMURJA
Shimla-171 009

For Snowfoam Energy Pvt. Ltd.

N. Gangadhar Rao
Director

| | | | | | |
|-------------|------|------------------------------------|-------------------------------------|---------------------------------------|---|
| No. 1671049 | 2020 | Himachal Government Judicial Paper | Zero Date for start of construction | 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.

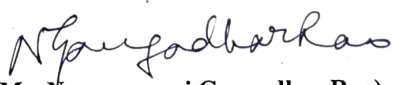
This **Supplementary Implementation Agreement** signed on the date first written above and the Implementation Agreement signed on **18.6.2013** shall be in force simultaneously till the validity of the Implementation Agreement.

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 **Hamshu-I** SHEP for installed capacity of **2.00 MW**.

For & on behalf of
the Government of Himachal Pradesh

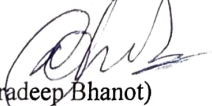
For and on behalf of
M/s Snow foam Energy (P) Ltd.


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



(Mr. Nannapaneni Gangadhar Rao),
For Snowfoam Energy Pvt. Ltd.
Director,
Director

WITNESSED BY:

WITNESSED BY:

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

1. 

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

2. 