

**HIMURJA**  
(H.P. Govt. Energy Development Agency)  
Shimla-171009

No. Himurja/SHP/RA (27) Baloot Fozal/ July. to Dec.-2006/2007-  
To

8690 - Dated 25/4/07

M/s Apple Valley Developers  
VPO Mohal, Kuulu  
Distt. Kullu (H.P.)

**Sub.:-** Award of work of preparation of DPR and installation of Baloot-Fozal (2.00 MW) SHP in Himachal Pradesh.

Dear Sir,

I am directed to inform you that after considering your application for allotment of SHP in H.P. for preparation of Detailed Project Report (DPR) and implementation of project, the State Government has approved the allotment of project site, as per details given below, subject to the final decision of the Civil Writ Petition No. 361/2006, Ajay Shyam V/s State of H.P. & others and interim orders by the Hon'ble Court and the terms & conditions mentioned hereunder:

Sr. No.	Name of the project	District	Estimated Capacity (MW)
1	Baloot-Fozal (Self-identified)	Kullu	2.00

You will have to deposit security, processing fee and other relevant documents, which is a pre-requisite before signing of MOU, as per details given below by 10-05-2007, failing which the Earnest Money Deposit (EMD) deposited by you alongwith the application fee, shall be forfeited.

The Date/Time of signing of MOU with the State Government will be intimated after you fulfill the pre-requisites as detailed below

- The resolution of board of directors authorizing one of the Directors for signing the MOU and further correspondence with Himurja/HPSEB/ H.P. Govt. etc. on Rs. 5/- stamp paper duly attested by Oath Commissioner or Public Notary. No correspondence shall be entertained if signed by any other person.
- SECURITY (Refundable): -**  
Either Rs. 50,000/- (Rupees Fifty Thousand Only) in the shape of BANK GUARANTEE in favour of "Director Himurja Shimla -9" on the prescribed format (copy enclosed) valid for a period of 36 months or till such time MOU is extended as per the policy of H.P. Govt. for giving time extension or Rs. 25000/- (Rupees Twenty Five Thousand Only) in the shape of Bank Draft drawn in favour of "Director Himurja Shimla-9, payable at Shimla.
- PROCESSING FEE (NON-REFUNDABLE): -**  
Rs. 25000/- only (Rupees Twenty five thousand only) per project up to 2.00MW capacity is required to be submitted in the shape of Bank Draft drawn in favour of "Director Himurja Shimla-9, payable at Shimla towards Processing Fee.
- UP-FRONT PREMIUM (NON REFUNDABLE): -**  
Not applicable in case of the projects upto 2.00MW capacity.
- In addition to the above you are also required to produce/ to show the following documents to the committee constituted for scrutiny of your proposal, before signing the MOU.
  - Name, Complete address with telephone Nos. fax Nos. of all the promoters of the company and the associate company.
  - Extract of the meeting of the Board of Directors of the associate company (duly notarized on Rs. 5/- stamp paper) at the time of submitting of application wherein it was decided to extend financial and technical support to the allottee company.
  - Any change in shareholders may be intimated forthwith to Himurja and an affidavit to the effect that there is no change in the shareholders of the allottee company as furnished at the time of submission of application.

- (2) 2
- iv) Certified copies from the ROC showing shares of the promoter Directors at the time of applying for the project and at present alongwith their shareholdings.
  - v) Original copy of the audited balance sheets, which had been supplied alongwith the application.
  - vi) Original Bonafide certificate of the person (s) of the Himachal origin.
  - (vii) Original copies all the documents submitted with your proposal
  - (viii) NOC from Panchayat should be through resolution of the Panchayat in original
  - (x) The IPP is required to furnish an affidavit, on Rs. 5/- stamp paper duly notarized, to the effect that all the conditions in the NOCs obtained from the different departments and Panchyat shall be abided by them.

In case, your confirmation is not received and security processing fee and other relevant documents, not deposited by the due date i.e. 10-05-2007, it shall be presumed that you are not interested in taking up the project and allotment of project will be cancelled and earnest money furnished by you forfeited.

Further, it has been confirmed by you through the documents submitted that the project allotted to you does not fall in any wild life sanctuary, national park, biosphere reserve etc. If at a later date it is discovered that the project falls in such areas, then the State Govt. shall not be under any obligation to pay any compensation for the expenditure incurred by you because no project can be constructed in such areas.

The receipt of this communication and acceptance of allotment may kindly be acknowledged by Return Fax.

The Govt./Himurja reserves the right to modify, delete or add any of the conditions, criteria, at its own discretion and shall be at liberty to cancel the Provisional award if at a later stage it is found that some information has been suppressed or false information has been supplied by you about the project & the firm.

**NOTE:-**

- (a) The above allotted project shall be restricted within the parameters as submitted by you in the PFR i.e. in between EL  $\pm$  2230 & EL  $\pm$  2010 on Left bank of Kathi-Nallah on which this project is envisaged unless & otherwise approved by the H.P. Government. The H.P. Govt. shall be at liberty to cancel the MOU if any violation on this account is discovered at a later stage.
- (b) In case the capacity of the project is enhanced at later stage the security and the processing fee will be charged as per new power policy with other charges as applicable.
- (c) The IPP will have to abide by the Interim orders of the Hon'ble Court time to time and final decision of the Civil Writ Petition No. 361/2006, Ajay Shyam Vs State of H.P. & others.
- (d) The IPP is required to furnish an affidavit on a stamp paper of Rs. 5/- only (duly notarized) to the effect that not more than three projects, (including this project) exist with the IPP.

Yours faithfully,

*(Signature)*  
Director,

HIMURJA, Urja Bhawan,  
Kasumpti, Shimla-171009.

Dated: - 05/04/07

- 3691-10-14

**Endst. No.: - A/A**

Copy forwarded to:-

1. Sh. A.K. Chopra, Director (SHP Division), Block No. 14, CGO Complex, Lodhi Road, New Delhi-110003 for information please.
2. The Pr. Secretary (Power), to the Govt. of H.P. w.r.t. their letter bearing No. NES-F(2)37/2006 dated 10/04/2007 for information please.
3. The Dy. Chief Engineer (Contract) HPSEB, SDA Complex, Block No. 8, Kasumpti Shimla-9 H.P. for information please.
4. The Project Officer Himurja Kullu H.P. for information and record.

*(Signature)*  
Director,

HIMURJA, Urja Bhawan,  
Kasumpti, Shimla-171009.

*(Signature)*  
RECEIVED  
SHRINATH  
24/04/07