

HIMURJA
(H.P. Govt. Energy Development Agency)
Urja Bhawan, Kasumpti, Shimla-171009

No. HIMURJA/ SHP/Lower Iku-I (109)/2015 ⁵³⁴ / Dated 07-6-2018

To

M/s Mongra Hydro Construction (P) Ltd,
Ward No.-3, PO Yol Jharer,
Tehsil Shahpur, Distt. Kangra-176208

Subject: - Tripartite Agreement.

Dear Sir,

One set of Tripartite Agreement in respect of Lower Iku-I (1.00MW) SHEP in Distt. Kangra, which was signed by you with the Himachal Pradesh Government on dated 23.05.2018, is enclosed herewith for information and necessary action at your end please.

Yours Sincerely,

(Er K. L. Thakur)
Director

Himurja Urja Bhawan
Kasumpti, Shimla-171009

Ends. No: - A/A ⁵³⁴²⁻⁵⁶

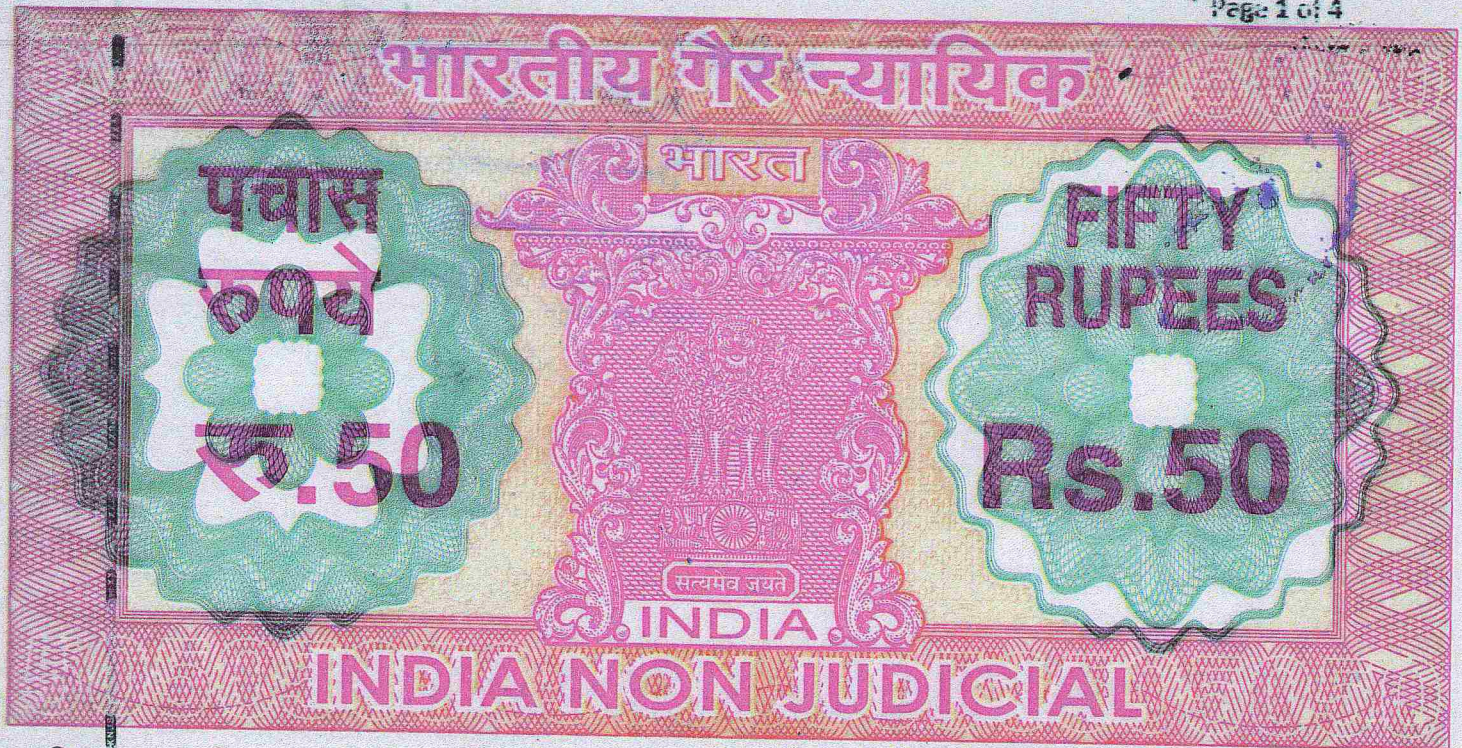
Dt 07-6-2018

Copy is forwarded to the following for information and necessary action:-

1. Additional Chief Secretary/ Principal Secretary/Secretary (Forest/ Revenue/ I&PH/ PWD/ Environment & S.T. / RD & Panchyati Raj / Fisheries) to the Govt. of H.P., Shimla-2.
2. Pr. Secretary (NES), to the Govt. of H.P. alongwith Tripartite Agreement in Original w.r.t. letter no. NES-F (2) - 77 / 2015 dated 08.05.2018 vide which approval for change in name in respect of Silpari SHEP was accorded.
3. The Director, Directorate of Energy, Shanti Bhawan, Phase-III, Sector-VI, New Shimla-171009.
4. Principal CCF (Wild Life), Himachal Pradesh.
5. The Director (SHP) MNRE, Block No. 14, CGO Complex, Lodhi Road, New Delhi-110003.
6. M.D. HPTCL, Barowalia House, Khilini, Shimla-171002.
7. Deputy Commissioner, Distt. Kangra, H.P.
8. The Chief Engineer (SO&P), HPSEB Ltd, Vidyut Bhawan, Shimla-171004 for information and necessary action.
9. Sr.Project Officer, Himurja, Distt. Kangra H.P. for information and necessary action.

(Er K. L. Thakur)

Director
Himurja Urja Bhawan



हिमाचल प्रदेश HIMACHAL PRADESH

309568

AGREEMENT FOR CHANGE IN NAME

LOWER IKU-1 (1.00 MW)

HYDRO ELECTRIC PROJECT IN DISTRICT KANGRA HIMACHAL PRADESH

THIS TRIPARTITE AGREEMENT is made on 23rd day of the month of May, 2018 (Two Thousand Eighteen) between THE GOVERNMENT OF HIMACHAL PRADESH through the Special Secretary (NES), to the Govt. of H.P., cum Chief Executive Officer, HIMURJA, having its office at Urja Bhawan, SDA Complex Kasumpti Shimla;- 171009, (hereinafter referred to as the "Government" or "First Party", which expression shall unless repugnant to the context or meaning thereof includes its successors, assigns and legal representatives) being Party of the FIRST PART,

AND

M/s Baldev Singh (Sole Prop.) S/o Sh. Diwan Chand, Resident of Village & Post Office Sahoura, Tehsil & Distt Kangra-176209 H.P. (hereinafter referred to as the "Second Party", which expression shall, unless repugnant to the context or meaning thereof, includes its successors, administrators and assign Sh. Sanjeev Kumar S/o Sh Joginder Singh Resident of VPO Sakoh, Tehsil Dharmshala, Distt Kangra-176209, H.P., who is duly authorized by Sh. Baldev Singh Sole Proprietor. and has submitted affidavit dated 09/03/2018, to execute this Agreement, being party of the SECOND PART.

[Signature]
Special Secretary (NES)
to the Govt. of H.P. - cum -
CEO, HIMURJA, Shimla - 9

[Signature]
BALDEV SINGH

Mongra Hydro Construction
Pvt. Ltd.
For :- *[Signature]*
Authorised Signatory



हिमाचल प्रदेश HIMACHAL PRADESH

309562

AND

M/s Mongra Hydro Construction (P) Ltd., a Private Limited Company having its Registered Office at C/o Uttam Chand, Ward No.-3, Post Office- Yol Jharer, Tehsil Shahpur, Distt Kangra-176208, H.P., (hereinafter referred to as the "Third Party", which expression shall, unless repugnant to the context or meaning thereof, includes its successors, administrators and assigns, Sh. Uttam Chand Mongra who is Director and duly authorized by the Company vide resolution No. Nil dated 14/05/2018, to execute this Agreement, being party of the THIRD PART.

WHEREAS the Government of Himachal Pradesh had issued consent letter dated 19/12/2016 for the implementation of Lower Iku-1 Hydro Electric Projects in District, Kangra, Himachal Pradesh 1.00 MW capacity (hereinafter referred to as project).

AND WHEREAS second party has requested to transfer project Lower Iku-1 to the third party known as M/s Mongra Hydro Construction (P) Ltd, a Private Limited Company having its Registered Office at C/o Uttam Chand, Ward No.-3, Post Office- Yol Jharer, Tehsil Shahpur, Distt Kangra-176208, H.P.,

AND WHEREAS the second party intends to transfer/assign all the assets, obligations, liabilities, rights, privileges, benefits and statutory/non-statutory clearances obtained of the project to the third party, accrued to it under consent, dated 19/12/2016.

Kale
Special Secretary (NES)
to the Govt. of H.P. - cum -
CEO, HIMURJA, Shimla - 9

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Mongra Hydro Construction
Pvt. Ltd.
For :- *[Signature]*
Authorised Signatory

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8**Himachal Government Judicial Paper**

AND WHEREAS the third party has agreed to accept and take over all the assets, liabilities, obligations, rights, benefits and **statutory/non-statutory clearances obtained** arising out of the consent, dated 19/12/2016 issued by the State Government to the second party.

AND WHEREAS the Government has been approached by the second party for transfer of all its rights, obligations and **statutory/non-statutory clearances obtained** under the consent letter dated 19/12/2016, to the third party as per provisions of Hydro Power Policy 2006.

AND WHEREAS the First Party has consented the approval vide letter No. NES-F(2)-77/2017 dated 08/05/2018 to the change in name/transfer of project from Sh. Baldev Singh (Second Party) to M/s Mongra Hydro Construction (P) Ltd, a Private Limited Company, (Third Party) and transfer of assets, liabilities, rights, obligations, benefits and **statutory/non-statutory clearances obtained** by the Second Party to the Third Party arising out of the consent dated 19/12/2016 issued by the First Party.

AND WHEREAS, the project is envisaged between the elevations ± 1155 M to 1090 M on Iku, in Beas Basin, District Kangra (HP); and

AND WHEREAS, the Third party has agreed to establish/open Registered Office in Himachal Pradesh.

AND WHEREAS, the Third party agreed to accept the conditions of new power policy and subsequent amendments for which Implementation Agreement shall be signed separately with the new entity.

NOW THIS AGREEMENT WITNESSED AS UNDER AMONG THE PARTIES HERETO AS FOLLOWS:

- i. That the Government hereby grants its consent to transfer/assign all the assets, liabilities, obligations, privileges, statutory/non-statutory clearances obtained and benefits of the project by the second party to the third party arising out of the consent, dated 19/12/2016 with the unequivocal acceptance of third party of all the assets, rights, liabilities, obligations, privileges including, benefits and **statutory/non-statutory clearances obtained** and benefits arising out of above mentioned consent, dated 19/12/2016. Third Party i.e. M/s Mongra Hydro Construction (P) Ltd a Private Limited Company should ensure that share holding as approved by the Government vide letter No. NES-F(2)-77/2017, dated 08/05/2018 shall be continued up to two years from the date of achieving commercial operation date of the project. If at a later date it comes to the notice of the Government that this condition has been violated then, First Party shall have the right to terminate the Tripartite Agreement (TA), to forfeit the security furnished by the third party and the project with all its capital and infrastructural assets shall vest with the Government. After two years of actual date of commissioning of the project, Second Party/Third Party is allowed to freely sell/divest the Shares.
- ii. That the Government hereby releases the second party of all the obligations under the consent dated 19/12/2016, mentioned above and agrees to be bound to the third party in terms thereof.
- iii. That the third party hereby agrees that it shall be bound and liable for all the liabilities, obligations and execution of the project on the terms and conditions specified in the consent dated 19/12/2016 to the Government.

Special Agent (N.I.)
to the Govt. of Himachal Pradesh - cum -
CEO, HIMURJA, Shimla - 2

[Signature]
S. K. SINGH

Mongra Hydro Construction
Pvt. Ltd.
For: *[Signature]*

Nº 0129140

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Himachal Government Judicial Paper

- iv. All the terms and conditions of the consent dated 19/12/2016 shall remain the same save and except as provided herein above and wherever expression of "Company" "Generating Company" or second party appear in the consent dated 19/12/2016 the same shall be read, construed, mean and deemed to be referred to as the third party.
- v. That the third party agrees to perform the consent dated 19/12/2016 as if they were the original party of aforesaid consent dated 19/12/2016 in place of second party.

In witness whereof the parties have set their hands as under:-

For and on behalf of

Govt. of Himachal Pradesh


(Dr. Ajay Sharma, IAS),
to the Govt. of H.P. - cum -
CEO, HIMURJA, Shimla - 9

For and on behalf of

Sh. Baldev Singh

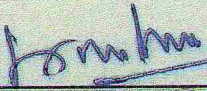

(Sh-Sanjeev Kumar)

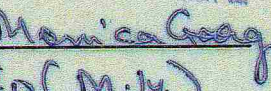
For and on behalf of


M/s Mongra Hydro Construction (P) Ltd

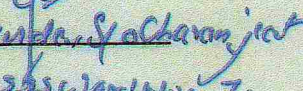
(Sh. Uttam Chand Mongra)
Pvt. Ltd.
For :- 
Authorised Signatory


WITNESSED BY


1. 
(Dinesh Kaundal)
Sr. Project Officer
HIMURJA, Shimla - 9

2. 
P.O (M.H.)
HIMURJA,
Shimla - 9

1. 
Baldev Singh
P.O. (M.H.)
HIMURJA, Shimla - 9

2. 
Gunda Sachar
P.O. (M.H.)
HIMURJA, Shimla - 9

1. 
Manish Kumar
P.O. (M.H.)
HIMURJA, Shimla - 9

2. 
Vidyasagar
P.O. (M.H.)
HIMURJA, Shimla - 9