



SOLAR POWER DEVELOPERS ASSOCIATION
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SPDA/PG/2020/242

December 15, 2020

To,
Shri Indu Shekhar Chaturvedi
Secretary
Ministry of New and Renewable Energy
Government of India.

Subject: **Request for Extension in timelines of land procurement for ongoing projects following revised MNRE guidelines & challenges faced by SPDs on account of COVID -19 cases**

Ref.: **Amendments to the Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Solar PV Power Projects by MNRE dated 22.10.2019**

MNRE OM dated 13.08.2020 for time extension in scheduled commissioning of the Renewable Projects considering disruption due to lockdown due to COVID-19 for five months.

Dear Sir,

Greetings from Solar Power Developers Association.

The global outbreak of COVID-19 resulted in the imposition of a nationwide lockdown throughout the country. Due to the lockdown, all the under-construction Solar Projects were severely impacted as project development activities came to complete closure. MNRE provided relief to Solar Power Developers (SPDs) by notifying an extension of 5-month in SCOD, vide its OM dated 13.08.2020

Needless to state that land acquisition is critical for infrastructure projects, and due to complex requirement, that varies by the state makes the entire process quite cumbersome. While the impact of COVID-19 is gradually declining, however, number of infected cases are increasing each day and has impacted land acquisition also. One or the other person associated with the process, whether it is the farmers, land facilitator, government employee, or SPD employee is being tested positive, which, delays the entire value chain of execution of sale deeds.

It is pertinent to mention that such events were not considered valid to be claimed as a Force Majeure event and hence the penalty for the delay to achieve such milestones will render the projects unviable.

The Ministry of New and Renewable Energy ("MNRE") vide resolution dated 22.10.2019 issued Amendments to the Guidelines for Tariff Based Competitive



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Bidding Process for Procurement of Power from Grid Connected Solar PV Power Projects ("Revised Bidding Guidelines"). As per Revised Bidding Guidelines, the timelines for land procurement have been changed from 12 months to till Commercial Operation Date (COD). The relevant excerpt is reproduced below:

"3.2.3(a): Land acquisition: Submission of documents/Lease Agreement to establish possession/right to use 100% (hundred percent) of the required land in the name of the Solar Power Generator for a period not less than the complete term of the PPA, on or before the Scheduled Commissioning Date (SCD). Wherever leasing of private land is involved, the lease should allow the transfer of land lease rights to the lenders or Procurer, in case of default of the Solar Power Generator."

The said amendments were made to the upcoming tenders.

Request:

With the issues as stated above, we request you to kindly consider examining the submission of land documents to achieve FC or condition subsequent beyond the period of the 5-month period in the existing / under-construction projects. It will provide great relief to SPDs if additional time is granted to submit land documents till SCOD and suitable instructions are issued to intermediary procurers like SECI/ NTPC/ NHPC so that it aligns with the above-mentioned land acquisition clause in the Standard Bidding Guidelines.

We look forward to your kind support in the matter.

Thanking you.

Yours Sincerely,

Praveen Gofash

Joint Secretary, SPDA

CC:

Shri Amitesh Kumar Sinha
Joint Secretary,
Ministry of New & Renewable Energy
CGO Complex, New Delhi