

GOVERNMENT OF BIHAR

ENERGY DEPARTMENT

ORDER


No.....64.....

Patna Date: 03.09.2012

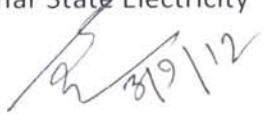
1. It has been noticed that the solar power developers, who have been granted approval for establishing Solar PV projects in different parts of the state have not complied with the provisions of the "**Bihar Policy for New and Renewable Energy Sources-2011**" (hereinafter called State policy 2011). As per **clause 4.1.1** of the State policy 2011, the project developers are required to submit the application to State Investment Promotion Board (SIPB) along with Pre-feasibility report, application fee and project site details. It has been found that the application submitted by the project developers to SIPB does not contain Pre-feasibility Report which makes it very difficult for the nodal agency, Bihar Renewable Energy Development Agency (BREDA) to evaluate the proposal and give its recommendation as mandated under the provision of **clause 4.1.1** of the state policy 2011.
2. It has also been noticed that the other provisions of the state policy 2011 are also not being followed by the project developers. For example i) the provision of **clause 4.1.2** of the state policy 2011, which provides that the project developers, who have received the project approval from SIPB without specifying the site/location of the proposed projects, shall be required to identify the site/location and duly inform about the same to SIPB for approval within a period of one (1) month from the date of notification of the state policy 2011, ii) the provision of **clause 4.4.1** which provides that All New and Renewable Energy projects shall be required to adhere to the schedule as specified therein for different activity milestones, iii) the provision of **clause 4.4.2** which provides that All New and Renewable Energy projects approved by SIPB, shall be required to submit to BREDA/ BSHPC, the half yearly reports incorporating the copies of the permits/clearances/consents received from various departments/authorities, as applicable and documentary evidence for the achievement of the activity milestones mentioned at **Clause 4.4.1** of the state policy 2011. The half yearly report shall also include details and explanations on the changes in plant capacity, process or any other relevant information which may affect the date of commissioning for project, iv) the provision of clause 4.4.3 provides that the SIPB may extend the time for commissioning and provide the new schedule if the project developer files an application for the same as mentioned under the clause 4.4.3 (a),(b) &(c) etc. are not met by the project developers.
3. In the light of this , it has been decided that :-
 - i. Since none of the project developers (except M/s Glatt Solutions) have complied with the requirements of various policy provisions (State NRE Policy 2011, BSEB Model PPA & BERC regulations), all the 25 developers

who have been granted approval by the SIPB till 11-06-2012 , are required to submit their compliance of the qualifying requirements as mentioned in **Annexure – II**, to SIPB with a copy to BREDA and BSEB within two months of the issuance of this order.

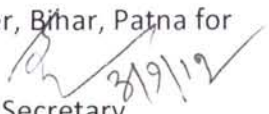
- ii. In order to promote the development of the solar projects in the State and to comply with the directions of BEREC for procurement of power at preferential tariff determined by it, BSEB shall presently sign PPA for procurement of Fifty (50) MW in the first phase. Any further procurement can be carried out based on the guidelines being developed by Ministry of Power, Govt. of India for competitive procurement of power from Renewable Energy Sources after taking requisite approval from BEREC.
 - iii. There is a mismatch between the SPO requirement of BSEB and the capacity proposed by the SPDs. Therefore, all the 25 project proposals shall be evaluated based on the evaluation criteria contained in **Annexure – II**. The project proposals scoring higher marks in the descending order shall be invited for signing of the PPA with BSEB subject to the fulfillment of qualifying criteria and cumulative achievement of 50 MW.
 - iv. In giving approval for such projects in future, SIPB will strictly adhere to the provisions of the Clause 4.1 of the State NRE Policy 2011 and any proposal from the project developer not submitting the requisite information would be summarily rejected.
 - v. It is also decided that in order to harness productive utilization of non-agricultural land and to lessen the pressure on agricultural land, SIPB will give preference to only those proposals which involve Chaur (water logged areas), Diara and Waste land (Banjar land) within the State.
4. List of the project Developers and the norms that will be followed for evaluation of the project is enclosed as Annexure-I, and Annexure-II of this order.


 (Ajay Nayak) 3/9/12
 (Principal Secretary to Govt. of Bihar)

Memo No. 3792 Patna, Date 3/9/12
 Copy to Principal Secretary, Industry Department/ Chairman, Bihar State Electricity Board, Patna/ Director, BREDA for information & necessary action.


 Joint Secretary
 Deptt. of Energy Govt. of Bihar.

502/बि-02/10
 Memo No. 3792 Patna, Date 3/9/12
 Copy to OSD to Chief Secretary, Bihar/ Development Commissioner, Bihar, Patna for information.


 Joint Secretary
 Deptt. of Energy Govt. of Bihar.

ANNEXURE- I**LIST OF SOLAR PROJECT DEVELOPERS**

1. M/s Abacus Holding Pvt. Ltd. 75-A Guru Sadan Road, Suiet-2B, Kolkata-700019
2. M/s Bhilwara Energy Limited, Towers,A-12, Sector-1, Noida
3. M/s Claro Energy Pvt..Ltd., C-4/107 , Safdarjang Dev. Area, New Delhi
4. M/s Response Renewable Energy Pvt. Ltd., Kolkata
5. M/s Chaucer Capital, 402, Rheja chambers, Nareman Point, Mumbai 400021
6. M/s Moser Baer, New Delhi
7. M/s Schanti Partner LLC, New York
8. M/S Avantika Contractors Ltd. ,Hyderabad
9. M/S Alex Green, Kolkata
10. M/s SREI HI-Tech chambers,6 floor,84/18 Topsia Road,(South) Kolkata
11. P & R Infra Project Limited, Chandigarh, Punjab
12. M/s B.S Transcomm Limited, Hyderabad
13. M/s Avant Garde Re-Energy Limited, Kolkata
14. M/s Electronic Equipments Company Private Limited, Kolkata
15. M/s Lanco Solar Private Limited, Gurgaon, Haryana
16. M/s Stef Energy India Private Limited New Delhi
17. M/s Crest Steels & Power Private Limited, Mumbai
18. M/s Gujarat Foils Limited, Mumbai
19. M/s Shree Virangana Steels Limited, Nagpur
20. M/s Alex Green, Kolkatta
21. M/s Intech Infrastructure Pvt. Ltd.
22. M/s Diwakar Solar Projects Pvt. Ltd., Hyderabad
23. M/s Aston Field Renewable Resources Ltd., New Delhi
24. M/s Kaushalya Infrastructure
25. M/s Claro Energy Pvt. Ltd

ANNEXURE – II

EVALUATION CRITERIA TO BE USED BY BREDA FOR EVALUATING THE PROPOSALS

1. Qualifying Criteria

a. Project Site

The Project Proposal which has been received by SIPB including the processing fees, Pre-feasibility report (PFR) and project site details. Only the projects proposed to be established in the State would be considered. The PFR should include the distance of the project site from the nearest Power Sub-station/Grid Sub-station of BSEB to facilitate the evaluation of cost involved in developing the infrastructure for power evacuation/connectivity.

b. Financial

Net Worth of the company should be equal to or greater than the value calculated @ Rs. 3 Crore per MW of the project capacity upto 10 MW.

c. Technical

The technology should be commercially established wherein there is at least one project successfully operational for at least one year in India or abroad. The company to provide details of the project with location and the successful operational period of the project utilizing this technology

d. Number of responses

PPA will be restricted to a maximum of 10 MW to be allocated to a Company including its Parent, Affiliate or Ultimate Parent – or any Group Company.

e. Minimum Power off-take offer

The project developer to necessarily offer to supply to BSEB a minimum of 25% of power generated from the project, except for captive projects. However, the acceptance of such offer for supply of power shall be at the sole discretion of BSEB/Distribution Licensee.

2. Evaluation Criteria

Sl. No.	Evaluation Criteria	Maximum Points
1.	Financial Criteria	10
(i)	Net Worth between 3-4 Cr. per MW	5
(ii)	Net Worth above 4 Cr. per MW	10
2.	Technical Criteria - Collaboration with proven technology supplier (Only MoU before the submission of application to SIPB to be considered)	10
3.	Capacity of the Proposed Project	10
(i)	Less than 5 MW	5
(ii)	Between 5-8 MW	7
(iii)	Between 8-10 MW	10
5.	Quantum of Power to be offered to BSEB	20
(i)	Less than 50%	10
(ii)	Between 50% -75%	15
(iii)	75% & above	20
6.	Distance of the Project Site from the Delivery Point (33 / 11 KV Power S/s or 132 / 33 KV Grid System of BSEB)	20
(i)	Less than 5 Km	20
(ii)	Between 5 – 10 Km	15
(iii)	10 Km & above	10
7.	No-objection certificate from Bihar State Pollution Control Board for the project has been obtained	10
8.	Evidence of clear possession of the required land for the Project	20
(i)	>25% <50% land acquired	5
(ii)	>50% <75% land acquired	10
(iii)	>75% <100% land acquired	15
(iv)	100% land acquired	20
	Total	100