

ANNEXURE

Amendment of Clauses of NIT No. 1925/CRUT, dated 27-09-2019

1. Definitions & Abbreviations

“Total Project Cost” means the capital cost incurred on construction and financing of the Project, excluding Real Estate Development, and shall be limited to the lowest of:

- (a) the capital cost of the Project, as set forth in the Financial Package;
- (b) the actual capital cost of the Project upon completion; and
- (c) a sum of Rs. ***** crore (Rupees ***** crore);

provided that in the event of Termination, the Total Project Cost shall be deemed to be modified to the extent of variation in WPI or Reference Exchange Rate occurring in respect of Adjusted Equity and Debt Due, as the case may be, in accordance with the provisions of this Agreement; provided further that in the event WPI increases, on an average, by more than 6% (six per cent) per annum for the period between the date hereof and COD, the Parties shall meet, as soon as reasonably practicable, and agree upon revision of the amount hereinbefore specified such that the effect of increase in WPI, in excess of such 6% (six per cent), is reflected in the Total Project Cost. For the avoidance of doubt, it is agreed that Total Project Cost shall not include the cost of Specified Assets.

6.3. Qualification Criteria for Bidders:

a) OEM Qualifications Criteria:

- i. The OEM shall have a Minimum Average Annual Sales Turnover (MAAT) of last 3 (three) Financial Years more than INR 20 Crores. OEM shall have minimum Rs. 10 Crore average Net worth during the last 3 (three) Financial Years.

10. Performance Security (PS):

Performance Security shall be of 3% (Three per cent) of the “Total Project Cost”, instead of 5% of value of the contract amount calculated.

31. FINES/DAMAGES:

- 31.4. Capping of Penalties: The total penalties shall be limited to 7% of the monthly invoice amount.

25.4. Payment Terms:

e) Guarantee to operate particular number of kilometres

The Authority hereby assures the Operator that the Operating Plan will be formulated so as to ensure that the Bus Kilometres travelled by each of the Scheduled Buses, in a continuous period of 6 (six) months, commencing from COD and then onwards half yearly basis, shall be no fewer than 39,600 kms / Scheduled bus. The assured kms shall be calculated as per the fleet availability.

f) Assured Payment after Reconciliation

i) Payment for Unutilised Kilometres

In the event that the Authority is unable to provide the Operator the operations of the Contracted Bus trips such that the average number of kilometres operated per Contracted Bus is not equal to the Assured Bus Kilometres, Authority will pay to the Operator, in addition to the full payments made for Bus km operated based on invoices presented by the Operator, an amount which shall be determined as follows:

Assured Payment Amount for Unutilised Kms = 0.50 x (Tm – Ta) x Applicable Kilometre Charge

Where,

Tm = Assured Bus Kilometres

Ta = Actual Bus Kilometres Operated by the Contracted Bus during the relevant period that has triggered this provision.

It should be noted that the Assured Payment Amount will not be payable for any shortfall in Kilometres of the Fleet that arises due to:

- Default of the Operator under this Agreement
- Non-availability of Contracted Buses for reasons attributable to maintenance or accidents
- Breach of law by the Operator
- Occurrence of a Force Majeure Event.

ii) Payment for Excess Kilometres

If the Contracted Buses operated under this Agreement exceed the Assured Bus Kilometres, then the Kilometre Charge payable applicable for such additional kilometres in excess of the Assured Bus Kilometres shall be calculated as follows;

Assured Payment Amount for Excess Kms = 0.50 x (Ta – Tm) x Applicable Kilometre charge

where

Ta = Actual Bus Kilometres Operated by the Contracted Bus during the relevant period

that has triggered this provision

Tm = Assured Bus Kilometres

36.2.4 Other rights and obligations of the Authority:

d) succeed upon election by the Authority, without the necessity of any further action by the Operator, to the interests of the Operator under such of the Project Agreements as the Authority may in its discretion deem appropriate, and shall upon such election be liable to the Contractors only for compensation accruing and becoming due and payable to them under the terms of their respective Project Agreements from and after the date the Authority elects to succeed to the interests of the Operator. For the avoidance of doubt, the Operator acknowledges and agrees that all sums claimed

by such Contractors as being due and owing for works and services performed or accruing on account of any act, omission or event prior to such date shall constitute debt between the Operator and such Contractors, and the Authority shall not in any manner be liable for such sums. It is further agreed that in the event the Authority elects to cure any outstanding defaults under such Project Agreements, the amount expended by the Authority for this purpose shall be deducted from the Termination Payment.

Electricity Tariff Notification:

TARIFF NOTIFICATION

RETAIL SUPPLY TARIFF EFFECTIVE FROM 1st JUNE, 2019

In exercise of the powers conferred under section 64(3) and other related provisions of the Electricity Act, 2003, the Odisha Electricity Regulatory Commission has passed a common order on 29.03.2019 in Case Nos.74,75,76 & 77of 2018 with regard to determination of Aggregate Revenue Requirement and Retail Supply Tariff & Open Access Charges for NESCO, WESCO and SOUTHCO Utility and CESU which shall be effective from 01.06.2019 which was kept in sealed cover due to Model Code of Conduct. In view of the Code of Conduct imposed during General Election – 2019, the Commission was allowed to notify this Tariff Order only after the last date of polling in the State.

Pursuant to Regulation 57 of the OERC (Conduct of Business) Regulations, 2004, the (Name of Distribution Utility) hereby notify the Retail Supply Tariff and other charges as below:

1. The Tariff and other charges applicable to the electricity consumers of the State of Odisha as approved in pursuance of OERC Retail Supply Tariff Order dated 29.03.2019 for the FY 2019-20 shall be applicable in the Distribution Utility's area of supply as per the given Schedule for consumption of electricity with effect from 01.06.2019, until further order of the Commission.
2. The Electricity Duty levied by the Govt. of Odisha under the Odisha Electricity (Duty) Act, 1961 and any other statutory levy/duty/tax/cess/toll imposed under any law from time to time shall be charged, over and above the tariff payable by the consumers in accordance with the law.
3. The detailed order of the Commission is available in its website www.orierc.org as well as in the website of the licensee www.cescoorissa.com/www.cesuodisha.com .

Place: Bhubaneswar

Dated: 22.05.2019

Authorized Officer /CEO

RETAIL SUPPLY TARIFF EFFECTIVE FROM 1ST JUNE, 2019

Sl. No.	Category of Consumers	Voltage of Supply	Demand Charge (Rs./KW/Month)/ (Rs./KVA/Month)	Energy Charge (P/kWh)	Customer Service Charge (Rs./Month)	Monthly Minimum Fixed Charge for first KW or part (Rs.)	Monthly Fixed Charge for any additional KW or part (Rs.)	Rebate (P/kWh)/ DPS
	LT Category							
1	Domestic							
1.a	Kutir Jyoti <= 30 Units/month	LT	FIXED MONTHLY CHARGE-->			80		
1.b	Others							10
	(Consumption <= 50 units/month)	LT		250.00		20	20	
	(Consumption >50, <=200 units/month)	LT		430.00				
	(Consumption >200, <=400 units/month)	LT		530.00				
	Consumption >400 units/month)	LT		570.00				
2	General Purpose < 110 KVA							10
	Consumption <=100 units/month	LT		540.00		30	30	
	Consumption >100, <=300 units/month	LT		650.00				
	(Consumption >300 units/month)	LT		710.00				
3	Irrigation Pumping and Agriculture	LT		150.00		20	10	10
4	Allied Agricultural Activities	LT		160.00		20	10	10
5	Allied Agro-Industrial Activities	LT		420.00		80	50	DPS/Rebate
6	Public Lighting	LT		570.00		20	15	DPS/Rebate
7	L.T. Industrial (S) Supply <22 KVA	LT		570.00		80	35	10
8	L.T. Industrial (M) Supply >=22 KVA <110 KVA	LT		570.00		100	80	DPS/Rebate
9	Specified Public Purpose	LT		570.00		50	50	DPS/Rebate
10	Public Water Works and Sewerage Pumping <110 KVA	LT		570.00		50	50	10
11	Public Water Works and Sewerage Pumping >=110 KVA	LT	200	570.00	30			10
12	General Purpose >= 110 KVA	LT	200	570.00	30			DPS/Rebate
13	Large Industry	LT	200	570.00	30			DPS/Rebate
	HT Category							
14	Bulk Supply - Domestic	HT	20	440.00	250			10
15	Irrigation Pumping and Agriculture	HT	30	140.00	250			10
16	Allied Agricultural Activities	HT	30	150.00	250			10

17	Allied Agro-Industrial Activities	HT	50	410.00	250			DPS/Rebate
18	Specified Public Purpose	HT	250	As indicated in the notes below	250			DPS/Rebate
19	General Purpose >70 KVA < 110 KVA	HT	250		250			10
20	H.T Industrial (M) Supply	HT	150		250			DPS/Rebate
21	General Purpose >= 110 KVA	HT	250		250			DPS/Rebate
22	Public Water Works & Sewerage Pumping	HT	250		250			10
23	Large Industry	HT	250		250			DPS/Rebate
24	Power Intensive Industry	HT	250		250			DPS/Rebate
25	Mini Steel Plant	HT	250		250			DPS/Rebate
26	Railway Traction	HT	250		250			DPS/Rebate
27	Emergency Supply to CGP	HT	0		730.00	250		
28	Colony Consumption (Both SPP & Industrial)	HT	0	440.00	0			DPS/Rebate
	EHT Category							
29	General Purpose	EHT	250	As indicated in the notes below	700			DPS/Rebate
30	Large Industry	EHT	250		700			DPS/Rebate
31	Railway Traction	EHT	250		700			DPS/Rebate
32	Heavy Industry	EHT	250		700			DPS/Rebate
33	Power Intensive Industry	EHT	250		700			DPS/Rebate
34	Mini Steel Plant	EHT	250		700			DPS/Rebate
35	Emergency Supply to CGP	EHT	0	720.00	700			DPS/Rebate
36	Colony Consumption	EHT	0	435.00	0			DPS/Rebate

Note:

Slab rate of energy charges for HT & EHT (Paise/unit)

Load Factor (%)	HT	EHT
= < 60%	535	530
> 60%	425	420

- (i) The reconnection charges w.e.f. 01.04.2015 shall continue unaltered

Category of Consumers	Rate Applicable
LT Single Phase Domestic Consumer	Rs.150/-
LT Single Phase other consumer	Rs.400/-
LT 3 Phase consumers	Rs.600/-
All HT & EHT consumers	Rs.3000/-

- (ii) Energy Charges shall be 10% higher in case of temporary connection compared to the regular connection in respective categories.

- (iii) The meter rent w.e.f. 01.04.2017 shall remain unaltered as follows:

Type of Meter	Monthly Meter Rent (Rs.)
1. Single phase electro-magnetic Kwh meter	20

2. Three phase electro-magnetic Kwh meter	40
3. Three phase electro-magnetic tri-vector meter	1000
4. Tri-vector meter for Railway Traction	1000
5. Single phase Static Kwh meter	40
6. Three Phase Static Kwh meter	150
7. Three phase Static Tri-vector meter	1000
8. Three phase Static Bi-vector meter	1000
9. LT Single phase AMR/AMI Compliant meter	50
10. LT Three phase AMR/AMI compliant meter	150

Note: Meter rent for meter supplied by DISCOM Utilities shall be collected for a period of 60 months only. Once it is collected for sixty months meter rent collection should stop. All statutory levies shall be collected in addition to meter rent.

- (iv) A Reliability surcharge @ 10 paise per unit will continue for HT and EHT consumers availing power irrespective of nature of feeder. This surcharge @ 10 paise per unit shall be charged if reliability index is more than 99% and above and voltage profile at consumer end remains within the stipulated limit. (For details see the order)
- (v) Prospective small consumers requiring new LT single phase connection upto and including 5 kW load shall only pay a flat charge of Rs.1500/- as service connection charges towards new connection excluding security deposit as applicable as well as processing fee of Rs.25/-. The service connection charges include the cost of material and supervision charges.
- (vi) A "Tatkal Scheme" for new connection is applicable to LT Domestic, Agricultural and General Purpose consumers.
- (vii) In case of installation with static meter/meter with provision of recording demand, the recorded demand rounded to nearest 0.5 KW shall be considered as the contract demand requiring no verification irrespective of the agreement. Therefore, for the purpose of calculation of Monthly Minimum Fixed Charge (MMFC) for the connected load below 110 KVA, the above shall form the basis.
- (viii) The billing demand in respect of consumer with Contract Demand of less than 110 KVA should be the highest demand recorded in the meter during the Financial Year irrespective of the Connected Load, which shall require no verification.
- (ix) Three phase consumers with static meters are allowed to avail TOD rebate excluding Public Lighting and emergency supply to CGP @ 20 paise/unit for energy consumed during off peak hours. Off peak hours has been defined as **12 Midnight to 6 AM** of next day.
- (x) Hostels attached to the Schools recognised and run by SC/ST Dept., Government of Odisha shall get a rebate of Rs.2.40 paise per unit in energy charge under Specified Public Purpose category (LT / HT) which shall be over and above the normal rebate for which they are eligible.
- (xi) Swajala Dhara consumers under Public Water Works and Sewerage Pumping Installation category shall get special 10% rebate if electricity bills are paid within due date over and above normal rebate.

- (xii) During the statutory restriction imposed by the Fisheries Department, the Ice Factories located at a distance not more than 5 Km. towards the land from the sea shore of the restricted zone will pay demand charges based on the actual maximum demand recorded during the billing period.
- (xiii) Poultry Farms with attached feed units having connected load less than 20% of the total connected load of poultry farms should be treated as Allied Agricultural Activities instead of General Purpose category for tariff purpose. If the connected load of the attached feed unit exceeds 20% of the total connected load then the entire consumption by the poultry farm and feed processing unit taken together shall be charged with the tariff as applicable for General Purpose or the Industrial Purpose as the case may be.
- (xiv) The food processing unit attached with cold storage shall be charged at Agro-Industrial tariff if cold storage load is not less than 80% of the entire connected load. If the load of the food processing unit other than cold storage unit exceeds 20% of the connected load, then the entire consumption by the cold storage and the food processing unit taken together shall be charged with the tariff as applicable for general purpose or the industrial purpose as the case may be.
- (xv) Drawal by the industries during off-peak hours upto 120% of Contract Demand without levy of any penalty has been allowed. "Off-peak hours" for the purpose of tariff is defined as from **12 Midnight to 6.00 A.M.** of the next day. The consumers who draw beyond their contract demand during hours other than the off-peak hours shall not be eligible for this benefit. If the drawal in the off peak hours exceeds 120% of the contract demand, overdrawal penalty shall be charged on the drawal over and above the 120% of contract demand (for details refer Tariff Order). When Statutory Load Regulation is imposed then restricted demand shall be treated as contract demand.
- (xvi) General purpose consumers with Contract Demand (CD) < 70 KVA shall be treated as LT consumers for tariff purposes irrespective of level of supply voltage. As per Regulation 76 (1) (c) of OERC Distribution (Conditions of Supply) Code, 2004 the supply for load above 5 KW upto and including 70 KVA shall be in 2-phase, 3-wires or 3-phase, 3 or 4 wires at 400 volts between phases.
- (xvii) Own Your Transformer – "OYT Scheme" is intended for the existing individual LT domestic, individual/Group General Purpose consumers who would like to avail single point supply by owning their distribution transformer. In such a case licensee would extend a special concession of 5% rebate on the total electricity bill (except electricity duty and meter rent) of the respective category apart from the normal rebate on the payment of the bill by the due date. If the payment is not made within due date no rebate, either normal or special is payable. The maintenance of the 'OYT' transformer shall be made by DISCOM utilities. For removal of doubt it is clarified that the "OYT Scheme" is not applicable to any existing or new HT/EHT consumer.
- (xviii) Power factor penalty shall be
 - i) 0.5% for every 1% fall from 92% upto and including 70% plus ii)
 - 1% for every 1% fall below 70% upto and including 30% plus iii)
 - 2% for every 1% fall below 30%

The penalty shall be on the monthly demand charges and energy charges

There shall not be any power factor penalty for leading power factor. (Please see the detailed order for the category of consumers on whom power factor penalty shall be levied.)

- (xix) The power factor incentive shall be applicable to the consumers who pay power factor penalty in the following rate:
The rate of power factor incentive shall be 0.5% for every 1% rise above the PF of 97% up to and including 100% on the monthly demand charges and energy charges.
- (xx) The rural LT domestic consumers shall get 5 paise per unit rebate in addition to existing prompt payment rebate who draw their power through correct meter and pay the bill in time.
- (xxi) 2% rebate over and above normal rebate shall be allowed on the bill to the LT domestic category of consumers only over and above all the rebates who pay through digital means. This rebate shall be applicable on the current month bill if paid in full.
- (xxii) A Special rebate to the LT single phase consumers in addition to any other rebate he is otherwise eligible for shall be allowed at the end of the financial year (the bill for month of March) if he has paid the bill for all the 12 months of the financial year consistently without fail within due date during the relevant financial year. The amount of rebate shall be equal to the rebate of the month of March for timely payment of bill.
- (xxiii) The Educational Institution (Specified Public Purpose) having attached hostel and / or residential colony who draw power through a single meter in HT shall be eligible to be billed 15% of their energy drawal in HT bulk supply domestic category.
- (xxiv) The printout of the record of the static meter relating to MD, PF, number and period of interruption shall be supplied to the consumer wherever possible with a payment of Rs.500/- by the consumer for monthly record.
- (xxv) Charging of electric vehicles shall be treated as GP category use if vehicle charged is owned by the concerned consumer.
- (xxvi) Tariff as approved shall be applicable in addition to other charges as approved in this Tariff order w.e.f. 01.06.2019.
