



WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED

(A Govt. of West Bengal Enterprise)

Regd. Office : Vidyut Bhavan, Block-DJ, Sector-II, Bidhannagar, Kolkata-700 091

CIN : U40109WB2007SGC113473, cecorpmont@gmail.com, www.wbsecl.in

WBSEDCL

Notice

Gist of the application for approval of the Power Purchase Agreement

1. West Bengal State Electricity Distribution Company Limited (WBSEDCL) has submitted an application for approval of the Amended First Supplementary Agreement dated 11.02.2022 and Second Supplementary Agreement dated 10.05.2022 to the Power Purchase Agreement dated 26.05.2010 (Principal Agreement) executed by and between M/s Himadri Speciality Chemical Limited and West Bengal State Electricity Distribution Company Limited (WBSEDCL) for a period of 5 years each (from 17.02.2016 to 16.02.2021 and thereafter another five (5) years up to 16.02.2026) in terms of regulation 7.4.1 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011, as amended. The application has been admitted by the Commission in Case No: PPA-55/11-12 (II).
2. The application may be inspected at the office of the Commission at Plot No: AH/5 (2nd Floor & 4th Floor) Premises No: MAR 16-1111, Action Area – 1A, Newtown, Rajarhat, Kolkata – 700163 [Telephone No. (033) 2962 3756 and FAX: (033) 2962 3757, e-mail: cp-wberc@gov.in] and certified copies of the application or part thereof may also be obtained from the office of the Commission following the procedures as laid down in West Bengal Electricity Regulatory Commission (Conduct of Business) Regulations, 2013 during office hours on all working days up to the last date of submitting suggestions and objections.
3. The application of WBSEDCL for approval of the power purchase agreement has been posted on the website of WBSEDCL at www.wbsecl.in.
4. The objections and suggestions, if any, on the proposals contained in the application may be submitted at the office of the Commission mentioned above from 11 AM till 5 PM on all working days within twenty-one (21) days from the date of publication of this notice in the newspaper.
5. The gist has been published with the approval of the West Bengal Electricity Regulatory Commission.

Place: Salt Lake, Kolkata

Date: 17.06.2022

S. Mukhopadhyay
Chief Engineer (Regulation Cell)

SL. NO. 1033/20.21



পশ্চিমবঙ্গ পশ্চিম বঙ্গাল WEST BENGAL

26AA 454515

BEFORE THE HONOURABLE WEST BENGAL
ELECTRICITY REGULATORY COMMISSION

BEFORE THE NOTARY PUBLIC
AT BIDHANNAGAR
DIST.-NORTH 24 PARGANAS

Filing No. _____

Case No. _____



IN THE MATTER OF: Application for approval of the second supplementary agreement to Power Purchase Agreement dated 26.05.2010 (Principal Agreement) executed by and between Himadri Speciality Chemical Ltd. (Formerly known as Himadri Chemical & Industries Ltd) (HSCL) & West Bengal State Electricity Distribution Company Limited (WBSEDCL) for a period of 5 years (upto 16/02/2026) in terms of regulation 7.4.1 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011 as amended.

ATTESTED
S. CHAUDHURI
NOTARY
GOVT. OF INDIA
Regd. No.-8584/08
Bidhannagar Court
Dist.-North 24 Pgs.

Sudipti Mukhopadhyay
Chief Engineer (Regulation)
Regulation Department
WBSEDCL

02 AUG 2021

223

03 AUG 2020

No.....Rs.-20/- Date.....

Name:.....

Address:.....

Vendor:.....


W.B.S.E.D.C.I
Vidyut Bhawan, Salt Lake
Kolkata - 700 091

Alipur Collectorate, 24 Pgs. (S)

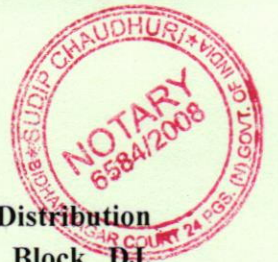
SUBHANKAR DAS

STAMP VENDOR

Alipur Police Court, Kol-27



Regulation Department
Regulation Engineer (Regulation)
WBSEDCI



And

IN THE MATTER OF: West Bengal State Electricity Distribution Company Limited, Vidyut Bhawan, Block DJ, Sector – II, Bidhannagar, Kolkata – 700 091.

And

IN THE MATTER OF: M/s Himadri Speciality Chemical Ltd. (Formerly known as Himadri Chemical & Industries Ltd), 23A Netaji Subhas Road, 8th floor, Suit No. 15, Kolkata-700 001.

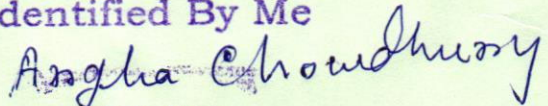
I, Sri Sudipta Mukhopadhyay, son of Late Deb Kumar Mukhopadhyay, aged 57 years residing at 2 Kundan Bye Lane, Liluah, Howrah – 711204 do solemnly affirm and say as follows:

1. I am the Chief Engineer (Regulation) of the West Bengal State Electricity Distribution Company Limited, petitioner in the above matter, and am duly authorized by the said petitioner to make this affidavit for and on its behalf.
2. The statements made in paragraphs 1 to 8 herein now shown to me and marked with the letter “A” are true to my knowledge and nothing material has been concealed from the statements so made.

Solemnly affirm at Kolkata on this 2nd. day of August, 2021 that the contents of this affidavit are true to my knowledge, no part of it is false or nothing material has been concealed there from and misleading material included therein.

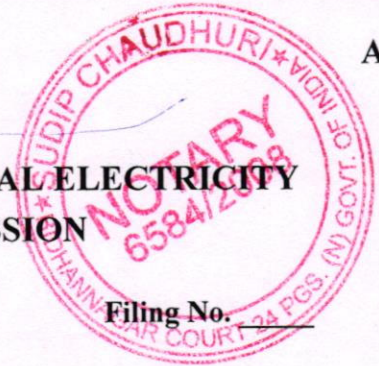

ATTESTED
S. CHAUDHURI
NOTARY
GOVT. OF INDIA
Regd. No.-6584/08
Bidhannagar Court
Dist.-North 24 Pgs.
02 AUG 2021


Chief Engineer (Regulation)
Regulation Department
WBSEDCL

Identified By Me

ADVOCATE

Argha Chowdhury
Advocate
Enrolment No-F/1087/934/2017
Bidhan Nagar Court

**BEFORE THE HON'BLE WEST BENGAL ELECTRICITY
REGULATORY COMMISSION**



Filing No. _____

Case No. _____

In the matter of : Application for approval of the second supplementary agreement to Power Purchase Agreement dated 26.05.2010 (Principal Agreement) executed by and between Himadri Speciality Chemical Ltd. (Formerly known as Himadri Chemical & Industries Ltd) (HSCL) & West Bengal State Electricity Distribution Company Limited (WBSEDCL) for a period of 5 years (upto 16/02/2026) in terms of regulation 7.4.1 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011 as amended.

AND

In the matter of : West Bengal State Electricity Distribution Company , Vidyut Bhawan, Block DJ, Sector – II, Bidhannagar, Kolkata – 700 091

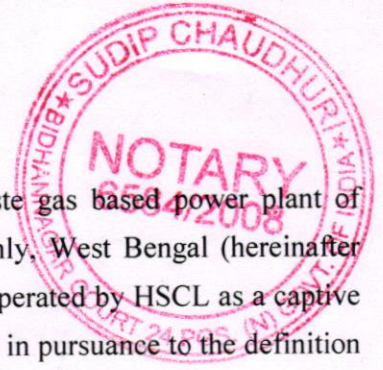
AND

In the matter of : M/s Himadri Speciality Chemical Ltd. (Formerly known as Himadri Chemical & Industries Ltd), 23A Netaji Subhas Road, 8th floor, Suit No. 15, Kolkata-700 001.

MOST RESPECTFULLY SHEWETH:

1. The West Bengal State Electricity Distribution Company Limited, hereinafter referred to as “WBSEDCL” is a Distribution Licensee under Electricity Act, 2003 and engaged in the business of generation, distribution and supply of electricity.
2. M/s Himadri Speciality Chemical Ltd. (Formerly known as Himadri Chemical & Industries Ltd), a Private Limited company within the meaning of the Companies Act, 1956 and having its Registered Office at 23A Netaji Subhas Road, 8th floor, Suit No. 15, Kolkata-700 001(hereinafter referred to as “HSCL”).

Sudip Chaudhuri
Chief Engineer (Regulation)
Regulation Department
WBSEDCL



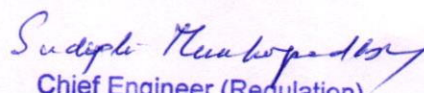
3. That HSCL is the generating company having a waste gas based power plant of capacity 12.0 MW at Mahistikri, Haripal, Dist- Hooghly, West Bengal (hereinafter referred to as 'HSCL Generating station') owned and operated by HSCL as a captive Generating Plant on the basis of its generation plan and in pursuance to the definition of captive Generating Plant of The Electricity Rule, 2005.
4. WBSEDCL and Himadri Chemical & Industries Ltd entered into a Power Purchase Agreement (in short 'Principal agreement') on 26.05.2010 for purchase of surplus power by WBSEDCL from its 12 MW waste gas based power plant at Haripal, Hooghly for a period of five years.
5. The above PPA was approved by Hon'ble West Bengal Electricity Regulatory Commission (herein after to be referred as 'Commission') on 17/08/2010.
6. On expiry of Principal agreement, First Supplementary Agreement to the Principal agreement dated 26.05.2010 executed on 03.01.2017 by and between WBSEDCL and Himadri Chemical & Industries Ltd. to extend the contract period upto 16.02.2021. The above First Supplementary Agreement was approved by the Commission on 23.05.2017.
7. That as per clause 16 of the Principal Agreement which was subsequently modified in clause no 2 of First Supplementary Agreement, both the parties agreed to extend the contract period further for a period of 5 years (upto 16/02/2026), on mutual consent of the parties, by executing the Second Supplementary Agreement on 02.06.2021. A copy of the executed Agreement is enclosed as **Annexure-I**.
8. The Board of Directors, WBSEDCL in its 96th meeting held on 25.03.2021 has accorded in principle approval for execution of Second Supplementary Agreement to the Principal Agreement dated 26.05.2010 and subsequent First Supplementary Agreement dated 03.01.2017. Extract of Minutes is enclosed as **Annexure-II**.

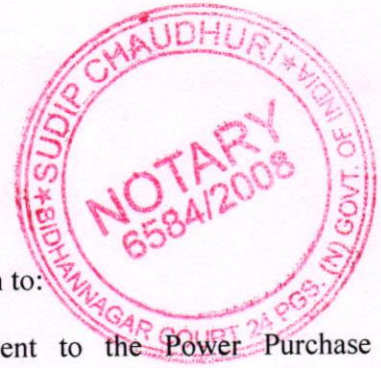
Sudip Chaudhuri
Chief Engineer (Regulation)
Regulation Department
WBSEDCL

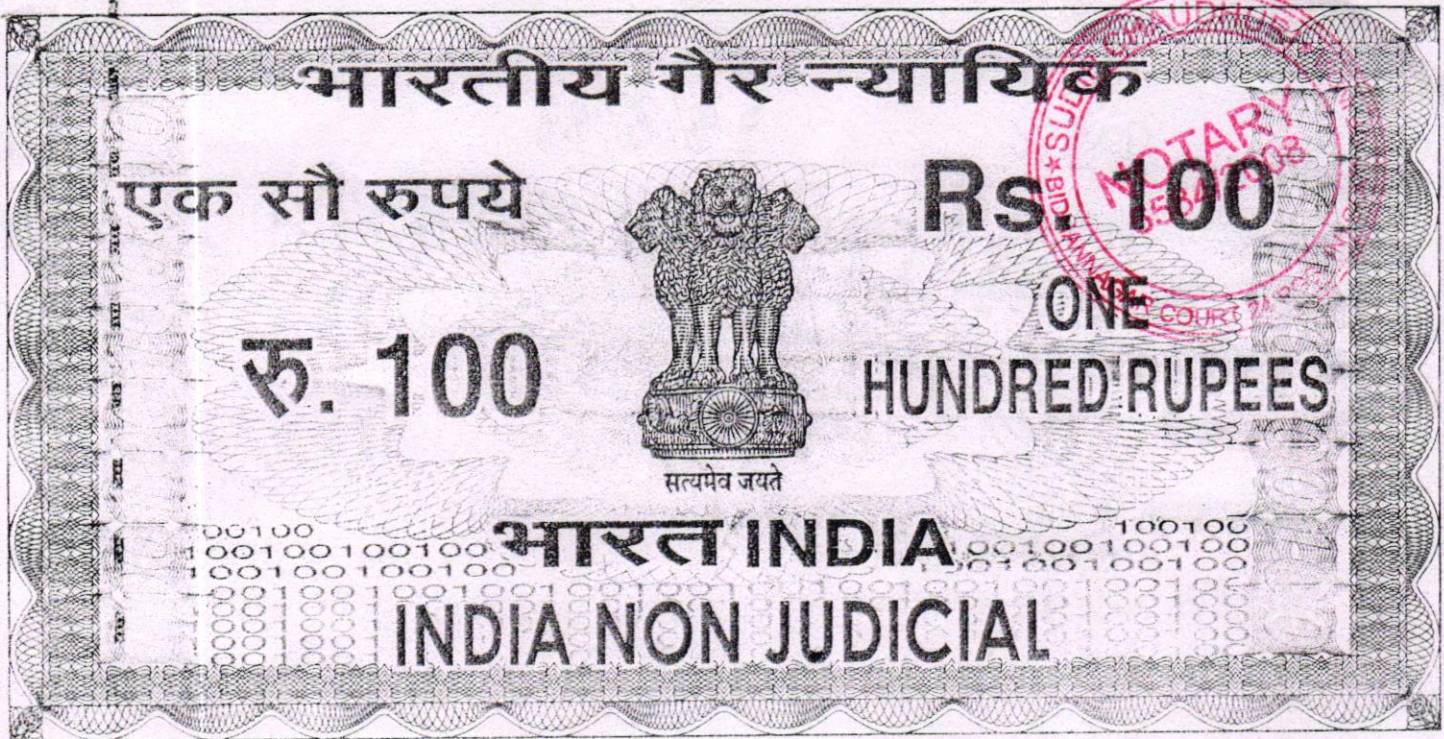
PRAYER TO THE HON'BLE COMMISSION

The Petitioner humbly prays to the Hon'ble Commission to:

- (a) Approve the Second Supplementary agreement to the Power Purchase Agreement dated 26.05.2010 and First Supplementary Agreement for purchase of surplus power by WBSEDCL from Himadri Speciality Chemical Ltd. (Formerly known as Himadri Chemical & Industries Ltd) for a period of 5 years (upto 16/02/2026) in terms of regulation 7.4.1 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011, as amended.
- (b) Pass an order as the Hon'ble Commission may deem fit and proper keeping in mind the facts and circumstances of the case.


Chief Engineer (Regulation)
Regulation Department
WBSEDCL





পশ্চিমবঙ্গ পশ্চিম বঙ্গাল WEST BENGAL

AE 833526

SECOND SUPPLEMENTARY AGREEMENT TO THE POWER PURCHASE
AGREEMENT DATED 26.05.2010

BETWEEN

HIMADRI SPECIALITY CHEMICAL LTD (Formerly known as Himadri Chemical &
Industries Ltd)

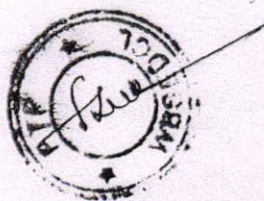
AND

WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED

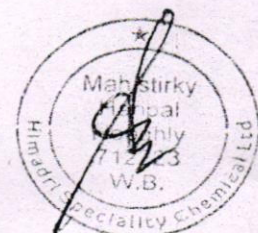
This Second Supplementary Agreement to the Power Purchase Agreement (PPA) as executed on 26.05.2010 (herein referred to as Principal Agreement) and subsequent First Supplementary Agreement executed on 03.01.2017 are herewith signed between M/S HIMADRI SPECIALITY CHEMICAL LTD (Formerly known as Himadri Chemical & Industries Ltd), a Public Limited Company within the meaning of the Companies, Act, 1956 and having its Registered Office at 23 A Netaji Subhas Road, 8th floor, Suit No. 15, Kolkata – 700 001 (hereinafter referred to as “HSCL”) (which expression shall, unless repugnant to the context or meaning thereof, include its successors and assigns as the party) of the First Part.

And

WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED, a Govt. of West Bengal Enterprise, constituted under the Companies Act, 1956 having its Registered Office at Vidyut Bhavan, Block-DJ, Sector -II, Bidhannagar, Kolkata - 700091 (hereinafter referred to as “WBSEDCL”) (which expressions shall unless repugnant to the context or meaning thereof include its successors in business and permitted assigns) of the Second Part.



Sudipto Mukhopadhyay
Chief Engineer (Regulation)
Regulation Department
WBSEDCL



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২৫/৫/২০

ক্রমিক নং

তার

ফ্রেতার নাম

হুমায়দী মোহাম্মদ আলী হোসেন চৌধুরী

সাং

মাহিচাতি কল্যাণী

থানা

হুগলি

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স্টাম্প দেওয়ার তারিখ

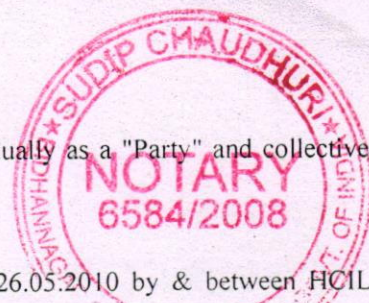
২৫/৫/২০

অরকেশ্বর এ. ডি. মোহাম্মদ আলী

তারকেশ্বর, চগলী



"HSCL" and "WBSEDCL" are herein referred to individually as a "Party" and collectively as the "Parties".



WHEREAS the Principal Agreement was executed on 26.05.2010 by & between HCIL and WBSEDCL. The validity period of Principal Agreement expired on 17.02.2016. Subsequently First Supplementary Agreement executed on 03.01.2017. The validity period of the First Supplementary Agreement has expired on 16.02.2021. As per clause 16 of Principal Agreement, both the parties agreed to extend the contract period further, on mutual consent of the parties, on following terms & conditions by executing this Second Supplementary Agreement:

NOW THESE PRESENTS WITNESSETH and the parties herein agree as follows:

1. At the end of clause no. 2.1 of the Principle agreement dtd 26.05.2010, following table is inserted in the agreement

Schedule of power injection					
Month	Quantum of supply in MW	Quantum of supply in MU			
		Normal	Peak	Off-Peak	Total
		(06 hrs to 17 hrs)	(17 hrs to 23 hrs)	(23 hrs to 06 hrs next day)	
April	3.5	1.2	0.651	0.7595	2.6105
May	3.5	0.5005	0.273	0.3185	1.092
June	3.5	1.2	0.651	0.7595	2.6105
July	3.5	1.155	0.63	0.735	2.52
August	3.5	1.2	0.651	0.7595	2.6105
September	3.5	1.155	0.63	0.735	2.52
October	3.5	1.2	0.651	0.7595	2.6105
November	3.5	1.2	0.651	0.7595	2.6105
December	3.5	1.155	0.63	0.735	2.52
January	3.5	1.2	0.651	0.7595	2.6105
February	3.5	1.155	0.63	0.735	2.52
March	3.5	1.2	0.651	0.7595	2.6105

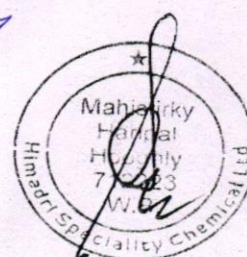
2. After clause no. 6.3 of the Principle agreement dtd 26.05.2010 following clause shall be inserted

(6.4) Tariff shall be subject to cap price of ₹2/KWH (1/3rd ₹2.55/KWH and 2/3rd ₹1.72/KWH) which is claimed by HSCL in the bill for the month of February, 2021

3. New clauses inserted in the agreement are as follows-

- (i) Following New clauses are inserted as clause no. 2.4

Sudip Chaudhuri
Chief Engineer (Regulation)
Regulation Department
WBSEDCL



2.4 However, if it is found that HSCL CGP fails to qualify as Captive Generating Plant in any year due to non-fulfilment of conditions of Captive Generating Plant as per the Electricity Rules, 2005 or any subsequent rules in place of it, then HSCL will have to bear different charges for the year concerned in which the HSCL Generating Plant fails to qualify as Captive Generating Plant and those charges shall be computed as per the methodology specified in schedule-I of this Agreement which also includes the other terms and conditions require to be fulfilled in relation to such charges. In case of non-payment of such charges as per terms and conditions, such charges will be realized by WBSEDCL through bank guarantee as mentioned in the Schedule-I.

(ii) After clause no.17.f) of the Principle agreement dtd 26.05.2010, Following New clauses are inserted

g) This agreement can be terminated by WBSEDCL under the reasons mentioned below:

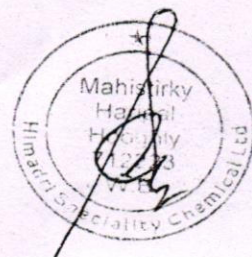
- (i) PPA shall be terminated automatically if supply is discontinued by HSCL for more than one year for any reason(s) whatsoever
- (ii) PPA may be terminated by WBSEDCL with a notice of three months if it is found that the procurement of power by WBSEDCL from HSCL is not competitive or permissible as per the then prevailing Regulation of WBERC.
- (iii) PPA will be terminated on issuance of order of Commission for termination of the agreement in case of violation of grid discipline.

(iii) After clause no. 19 following clause shall be inserted Following New clauses on 20. RPO compliance:

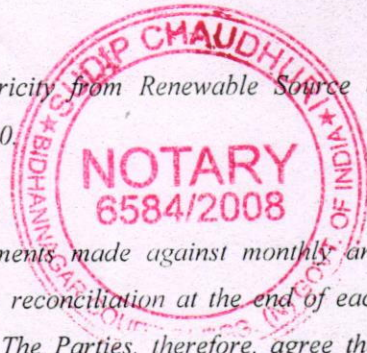
HSCL has to comply the provisions of West Bengal Electricity Regulatory Commission (Co-generation and generation of Electricity from Renewable Source of Energy (First Amendment) Regulation, 2020. HSCL requires to submit quarterly report containing actual consumption, energy sourced through open access / from captive plant, purchase / sourcing from renewable energy sources and solar & non-solar RPO compliance to the connected distribution licensee, i.e., WBSEDCL as per Regulation 3.10 of the Principal Regulation of West Bengal Electricity Regulatory Commission



Sudipta Khosla
Chief Engineer (Regulation)
Regulation Department
WBSEDCL



(Co-generation and generation of Electricity from Renewable Source of Energy (First Amendment) Regulation, 2020.



21. Quarterly and Annual Reconciliation :

Both Parties acknowledge that all payments made against monthly and supplementary Bills shall be subjected to reconciliation at the end of each quarter and year under this Agreement. The Parties, therefore, agree that within 15 days of the end of the quarter and within 30 days of close of financial year, the data in respect of any quarter or a full financial year, as the case may be, will be finally verified. The Parties shall jointly sign such reconciliation statement. Within fifteen days of signing of a reconciliation statement, the HSCL / WBSEDCL shall raise a Supplementary Bill for payment towards adjustment, if required.

22. MISCELLANEOUS PROVISION:

Any matter not covered by the Power Purchase Agreement will be governed by the Electricity Act' 2003 and relevant Regulations of WBERC.

23. The parties have mutually agreed that the period of this second Supplementary Agreement is extended upto 16.02.2026 for five years from 17.02.2021 subject to approval of WBERC. The terms of the Power Purchase Agreement may still be further extended as per mutual consent of the parties.

All other terms and conditions of the Principal Agreement dated 26.05.2010 and first Supplementary Agreement dated 03.01.2017 will remain unchanged.

This Second Supplementary Agreement will be part and parcel of the Principal Agreement dated 26.05.2010 and first Supplementary Agreement dated 03.01.2017.

IN WITNESS WHEREOF the parties have executed these presents through their Authorised Representative on 2nd June 2021

WITNESS

1.

(R. N. Sinha)
Addl. Chief Engineer
PT & D Cell

1.

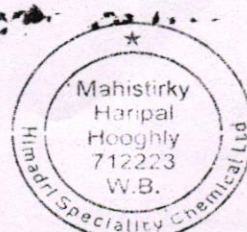
Subhasish Sa
Sr. GM



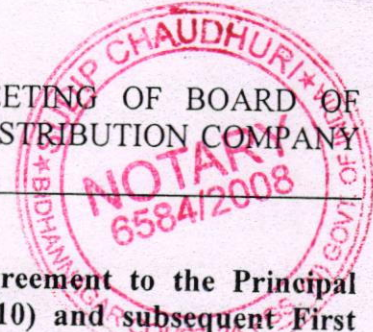
Sudipta Mukherjee
Chief Engineer (Regulation)
Regulation Department
WBSEDCL

Santanu Sarkar
For and on behalf of
Power Trading & Procurement Cell
WBSEDCL

Dr. S. Chakrabarti
For and on behalf of
M/s Himadri Speciality Chemical Ltd
Director



EXTRACTS FROM THE MINUTES OF THE 96TH MEETING OF BOARD OF DIRECTORS OF WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED HELD ON THURSDAY, 25TH MARCH, 2021



37. Approval for execution of Second Supplementary Agreement to the Principal Power Purchase Agreement (as executed on 26.05.2010) and subsequent First Supplementary Agreement dtd 03.01.2017 by and between M/s Himadri Speacility Chemical Ltd. (Formerly known as Himadri Chemical & Industries Ltd) and West Bengal State Electricity Distribution Company Limited (WBSEDCL) for purchase of low cost surplus Power

Director (R&T) placed the details of the matter before the Board.

A Power Purchase Agreement was executed between M/s Himadri Speacility Chemical Ltd.(HCIL) and WBSEDCL on 26.05.2010 and subsequently, First Supplementary Agreement was executed on 03.01.2017. As per clause no. 16.3 of the WBERC, Second Supplementary Agreement (enclosed) was prepared to modify / add some clauses.

Advantages for purchasing this power are namely, Tariff would be subject to cap price of ₹2.0 / KWH, there would be no transmission cost, low cost power and Medium term solution to reduce power shortage in the state. M/S HCIL have given their consent on execution of Second Supplementary Agreement.

The Board discussed and observed that in view of Model Code of Conduct being enforced for West Bengal Legislative Assembly Elections, only In-principle approval may be accorded.

Thereafter the Board passed the following resolution:

“RESOLVED THAT, In - Principle approval for execution of Second Supplementary Agreement to the Principal Power Purchase Agreement (as executed on 26.05.2010) and subsequent First Supplementary Agreement dtd 03.01.2017 by and between M/s Himadri Speacility Chemical Ltd. (Formerly known as Himadri Chemical & Industries Ltd) (HCIL) and West Bengal State Electricity Distribution Company Limited (WBSEDCL) for purchase of low cost surplus Power by WBSEDCL as an energy efficient measure for further period of 5 years (extended upto 16.02.2026 for five years from 17.02.2021) is hereby accorded.”

“RESOLVED FURTHER THAT Chairman and Managing Director of the Company be and is hereby authorized to accept any change/modification in the clauses of the second supplementary agreement as may be suggested by the WBERC.”

Certified to be true

Aparna Biswas.
(Aparna Biswas) 22/04/21
Company Secretary

Sudipto Choudhury
Chief Engineer (Regulation)
Regulation Department
WBSEDCL



West Bengal State Electricity Distribution Company Limited

(A Government of West Bengal Enterprise)

Vidyut Bhavan (4th floor) DJ Block, Sec-II Salt Lake, Kolkata- 700 091

CIN: U40109WB2007SGC113473, Web: www.wbsedcl.in,

e-mail: cereg.wbsedcl@gmail.com

Telephones : 2359-8391, Extn - 364 Fax: 033-2334-5862

Regulation Cell

Memo. No. : REG/SERC/ 56

Date : 16/02/2022

To

The Secretary,

West Bengal Electricity Regulatory Commission,

Plot No – AH/5, Premises No. MAR 16-1111,

Action Area – 1A, New Town, Rajarhat,

Kolkata 700163

Sub: Application for approval of the second supplementary agreement to Power Purchase Agreement dated 26.05.2010 (Principal Agreement) executed by and between Himadri Specialty Chemical Limited (Formerly known as Himadri Chemical & Industries Ltd) & West Bengal State Electricity Distribution Company Limited (WBSEDCL) for a period of 5 years (upto 16/02/2026) in terms of regulation 7.4.1 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011 as amended

Ref: WBERC letter WBERC/PPA-55/11-12(II)/1531 dated 28.12.2021

Sir,

With reference to the subject above we submit herewith the following clarification:

- Power Purchase Agreement dated 26th May, 2010 executed with Himadri Specialty Chemical Ltd. (to be referred as "HSCL") (Formerly known as Himadri Chemical & Industries Ltd) for purchase of surplus power from 12 MW Co-generation power plant for 5 years from COD (i.e up to 17.02.2016). Hon'ble Commission vide order dated 17.08.2010 approved the above PPA.
- 1st Supplementary Agreement executed on 03.01.2017 with HSCL for extension from 17.02.2016 to 16.02.2021 for above power purchase. Subsequently, modified first supplementary PPA was executed on 09.02.2017, replacing earlier PPA dated 03.01.2017, for such extension of validity period and an application submitted before Hon'ble WBERC on 10.02.2017 for approval of modified first supplementary PPA dated 09.02.2017 and also requested Hon'ble WBERC to replace the earlier PPA dated 03.01.2017 with first supplementary Agreement dated 09.02.2017.
- HSCL in its letter dated 21.01.2021 prayed for extension of power purchase from 12 MW Co-generation power plant for further period of 5 years. Considering the provisions under original agreement and first supplementary agreement, 2nd supplementary agreement is executed on

02.06.2021 for extension validity period 17.02.2021 to 16.02.2026. An application is filed on 02.08.2021 before Hon'ble Commission for approval of the Second supplementary Agreement.

- During enquiry, we came to know about the following directive of Hon'ble Commission given vide order dated 24.05.2017.-

Quote

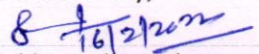
- a) *DSM has both frequency and volume as factors to be considered for payments and thus it is not simply replacement of the UI mechanism. The clause 3 of the First Supplementary Agreement executed on 09.02.2017 needs to be amended accordingly.*
- b) *The First Supplementary Agreement to the PPA dated 26.05.2010 executed on 03.01.2017 needs to be cancelled first.*
- c) *WBSedCL shall comply with the above direction and submit a copy of the supplementary agreement accordingly to the Commission for approval.*

Unquote

- WBSedCL has inadvertently, missed such communication of Hon'ble Commission and thus revised 1st supplementary agreement is now executed in replacement of 1st Supplementary Agreement dated 09/02/2017 as per directive given vide order dated 24.05.2017 by Hon'ble Commission for approval, copy of the said executed 1st Supplementary Agreement is enclosed as Annexure-I
- In view of above a revised gist, is enclosed for approval of both 1st supplementary agreement and 2nd supplementary agreement.

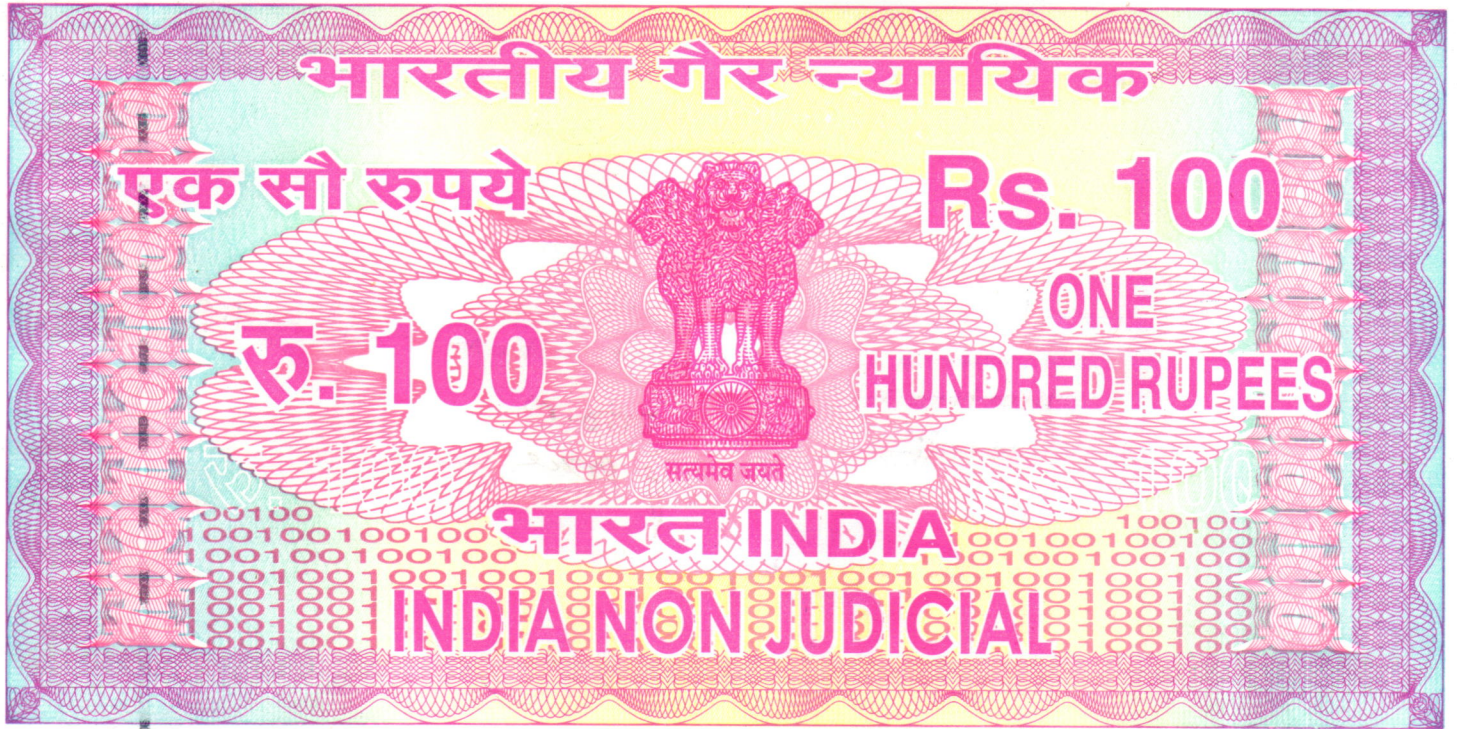
Enclo: As stated

Yours faithfully,



(S. Mukhopadhyay)

Chief Engineer (Regulation)



पश्चिम बंगाल पश्चिम बंगाल WEST BENGAL

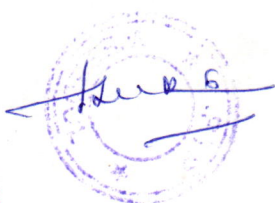
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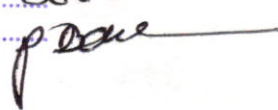
**AMENDED FIRST SUPPLEMENTARY AGREEMENT TO THE POWER PURCHASE
AGREEMENT DATED 26.05.2010 BETWEEN
HIMADRI SPECIALITY CHEMICAL LTD (Formerly known as Himadri Chemical & Industries
Ltd)
AND
WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED**

This Amended First Supplementary Agreement to the Original Power Purchase Agreement as executed on 26.05.2010 and subsequent 1st supplementary agreement executed on 09.02.2017 is herewith signed between HIMADRI SPECIALITY CHEMICAL LTD (Formerly known as Himadri Chemical & Industries Ltd), a Public Limited Company within the meaning of the Companies, Act, 1956 and having its Registered Office at 23 A Netaji Subhas Road, 8th floor, Suit No. 15, Kolkata – 700 001 (hereinafter referred to as “HCIL”) (which expression shall, unless repugnant to the context or meaning thereof, include its successors and assigns as the party) of the First Part.

And

WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED, a Govt. of West Bengal Enterprise, constituted under the Companies Act, 1956 having its Registered Office at Vidyut Bhavan, Block-DJ. Sector -II, Bidhannagar, Kolkata - 700091(hereinafter referred to as “WBSEDCL”) (which expressions shall unless repugnant to the context or meaning thereof include its successors in business and permitted assigns) of the Second Part.



ক্রমিক নং 414 ইং তারিখ 7.2.2022
ক্রেতা Himadri Speciality chemical L.T.D.
সাং Mathisatika
থানা Harpel মূল্য 200.00
স্ট্যাম্প ডেভা 

প্রবীর বসু মল্লিক
হরিপাল এঃ, ডিঃ, সাবরেঃ অফিস
হরিপাল, হুগলী

"HCIL" and "WBSEDCL" are herein referred to individually as a "Party" and collectively as the "Parties".

WHEREAS, the Hon'ble Commission had made certain observations on the 1st supplementary agreement executed on 03.01.2017 and subsequently revised on 09.02.2017 in Case No. PPA-55/11-12 vide order dated 23.05.2017 and hence the Parties have in the light of observations of Hon'ble Commission agreed to modify the following paras/ Clauses in the 1st supplementary Power purchase Agreement dated 09.02.2017 as follow:

NOW THESE PRESENTS WITNESSETH and the parties herein agree as follows:

1. The First Supplementary Agreement to the PPA dated 26.05.2010 executed on 03.01.2017 is hereby cancelled.
2. The clause no. 3 of 1st supplementary agreement dtd 09.02.2017 is amended to the following extent-

It is mutually agreed that, in clause 6 of the PPA dtd 26.05.2010 tariff shall be calculated considering the weighted average DSM price per unit (kwh) established during the previous financial year instead of weighted average UI price per unit (kwh) established for Eastern Region during the previous financial year. The price of DSM should be taken into account while determining 2/3rd Tariff.

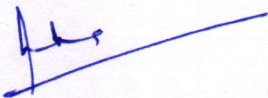
All other terms and conditions of the Original Power Purchase Agreement dated 26.05.2010 will remain unchanged.

This Amended First Supplementary Agreement will be part and parcel of the Power Purchase Agreement executed on 26.05.2010 and subsequent 1st supplementary agreement dtd 09.02.2017.

IN WITNESS WHEREOF the parties have executed these presents through their Authorised Representative on 11th February 2022

WITNESS

1.


(R. N. Sinha)
Addl. Chief Engineer
PT & P Cell

For and on behalf of

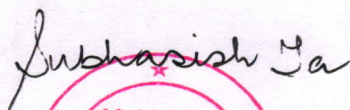
West Bengal state Electricity

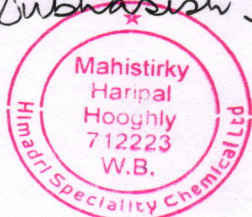
Distribution Company Limited

Santanu Sarkar
Chief Engineer
Power Trading & Procurement Cell
WBSEDCL

1.

For and on behalf of
HIMADRI SPECIALITY CHEMICAL LTD
(Formerly known as Himadri Chemical & Industries Ltd)





2


For Himadri Speciality Chemical Ltd
Dr. S. Chakraborty
Director
Authorised Signatory

