



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2348 of 2026

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition under section 63 read with sections 86 (1)(b) and (e) of the Electricity Act, 2003 and Regulation 15 of the UPERC (Conduct of Business) Regulations, 2019 seeking approval of the Power Purchase Agreement dated 11.09.2025 executed between Nexgen Digital Infrastructures Private Limited and UPPCL, and for the adoption of tariff discovered through Request for Selection issued by UPNEDA for procurement of power through Tariff-Based Competitive Bidding to procure 5 MW Grid-Connected Solar PV power for 25 years.

AND

IN THE MATTER OF

1. Uttar Pradesh New and Renewable Energy Development Agency (UPNEDA),

Through its Senior Project Officer-II,

Vibhuti Khand, Gomti Nagar, Lucknow.

2. Uttar Pradesh Power Corporation Ltd. (UPPCL),

Through its Superintending Engineer-PPA,

Shakti Bhawan Extension, 14-Ashok Marg, Lucknow

... Petitioner(s)

VERSUS

1. Nexgen Digital Infrastructures Private Ltd. (NDIPL),

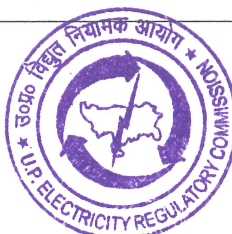
Through its Managing Director,

Unit No. 1032, 10th Floor, Tower-A, Spaze I-Tech Park,

Sector-49, Sohna Road, Gurugram – 122018, Haryana

...Respondent

54





FOLLOWING WERE PRESENT

1. Sh. Divyanshu Bhatt, Advocate, UPNEDA & UPPCL
2. Sh. Prakher Shukla, Advocate, UPNEDA & UPPCL
3. Sh. Vikash Gupta, EE- PPA, UPPCL
4. Sh. Narendra Singh, Sr. Project Officer-II, UPNEDA
5. Sh. Ankur Yadav, Sr. Manager, NDIPL

ORDER

(DATE OF HEARING: 28.04.2026)

1. The Petitioner(s) have filed this Petition seeking adoption of tariff discovered through Tariff Based Competitive Bidding (TBCB) process and approval of Power Purchase Agreement (i.e., PPA) dated 11.09.2025 executed between UPPCL and Respondent, NDIPL. The prayers of the Petitioner(s) are as follows:
 - a) Admit the instant Petition.
 - b) Condone any inadvertent delays from the prescribed timelines in the approved bid documents.
 - c) Approve the PPA dated 11.09.2025 executed between Nexgen Digital Infrastructures Private Limited and UPPCL.
 - d) Adopt the tariff rate of 2.24 Rs/kWh, discovered through tariff-based competitive bidding, as per Article 9.1.1 of the PPA dated 11.09.2025 executed between Nexgen Digital Infrastructures Private Limited and UPPCL; and
 - e) Pass any such order that the Commission may deem fit in the facts and circumstances of the present case.

Background of the case

2. The Petitioner(s) have mainly submitted following in the Petition:
 - a) The Commission approved the tender documents (i.e., RfS and draft PPA) vide Order dated 05.03.2024 in Petition No. 2062 of 2024 for procurement of 5MW power Solar PV based power project to be installed at identified land in District- Mau. UPNEDA initiated the selection process in accordance with the approved tender documents.

54



3



However, despite tendering five times the bidder participation was very low resulting in cancelling the process as per Guidelines for Tariff Based Competitive Bidding Process issued by the Ministry of Power (MoP), Government of India.

b) Thereafter, UPNEDA circulated notifications regarding RfS No. 06/UPNEDA/Solar Project Mau/RfS/2025 in two prominent daily newspapers, Business Standard (English) and Dainik Bhaskar (Hindi) on 07.02.2025. The notice invited online bids through the ISN-Electronic Tender Services (ISN-ETS) Portal for setting up of 5 MW Grid-Connected Solar-PV Power Project in District-Mau. The timelines provided in the Notice were as follows:

(i) 08.02.2025: e-Tender documents availability on the portal.

(ii) 10.03.2025: Bid Submission End Date.

(iii) 11.03.2025: Technical e-bid opening date.

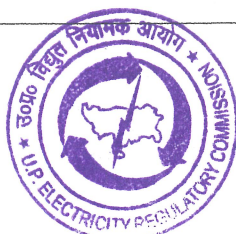
c) Seven organizations procured tender documents from the ISN-ETS Portal. Subsequently, due to internal exigencies, several requests were made by procurers to UPNEDA for extension of the original timelines. Accordingly, end date for bid submissions was extended to 11.04.2025 and date of technical e-bids opening to 12.04.2025.

d) The Bid Evaluation Committee (BEC) congregated on 12.04.2025 for the technical opening of the bids. Bids were received from two developers, viz., Nexgen Digital Infrastructures Private Limited and GP ECO Solutions India Limited. Certain clarifications were found to be necessary, which were subsequently received from the aforementioned developers. After scrutinizing both bids, BEC found it technically eligible and therefore recommended for scrutiny of the financial offers.

e) The date for opening of the financial bids of the technically qualified bidders was affixed for 05.05.2025 at noon, which was to be followed by e-Reverse Auction (e-RA) at 4:30 PM on the said date. Accordingly, BEC congregated for the scrutiny of the financial bids received on 05.05.2025. Details of the financial bids received, and subsequently revised during the e-RA process are as follows:

Bidder ID	Bidder Name	Quoted Tariff (Rs.)	Final Tariff (Rs.)
ETS-IN-2025-RS0000198	Nexgen Digital Infrastructures Private Limited	2.58	2.24

59





ETS-IN-2024-RS0000447	GP ECO Solutions India Limited	2.97	2.25
-----------------------	--------------------------------	------	------

- f) Nexgen Digital Infrastructures Private Limited emerged as the successful bidder in the e-RA process. The bid evaluation in respect of the aforementioned bid process was done in conformity with the provisions of the RfS dated 08.02.2025. Further, RfS and bidding process were aligned with the Solar-PV TBCB Guidelines issued by MoP.
- g) UPNEDA issued Letter of Award (LoA) No. 2408/NEDA-SE-05MW MAU Saraysadi/Solar Power Plant/2023 in favour of Nexgen Digital Infrastructures Private Limited on 03.07.2025 for the development and establishment of the Project as per the terms and conditions of the RfS. The said LoA was accepted unconditionally by Nexgen Digital Infrastructures Private Limited on 07.07.2025. Further, as per clause 11 of the RfS dated 08.02.2025, Nexgen Digital Infrastructure Private Limited furnished a Performance Bank Guarantee (PBG) for an amount of Rs. 1,00,00,000/- (Rupees One Crore) for the contracted capacity of 5 MW.

Records of Proceedings

3. During the hearing, Sh. Divyanshu Bhatt, Counsel of UPPCL submitted that instant matter pertained to adoption of tariff for 5MW Solar PV project in District-Mau and approval of the PPA pursuant to the bidding process completed in terms of the approved bidding documents by the Commission vide Order dated 05.03.2024 in Petition No. 2062/2024. On specific query of the Commission regarding delay in the completion of bidding process, Sh. Bhatt responded that tender documents were issued 6 times, however, for filing details of timeline the Commission may allow him a week time.
4. In response to the Commission's query regarding revenue utilisation of Mathura and Jhansi Plant, Sh. Bhatt, stated that initially UPNEDA & UPPCL agreed to utilise revenue generated from Solar Power Plant at Mathura and Jhansi to establish this 5 MW Solar PV Project however, now this is not the case. The Commission also observed that bid conformity certificate is undated. Sh. Bhatt responded that additional submissions would be filed along with responses to the queries of the Commission.

Additional Submission

4.



3



5. On 25.05.2026 & 03.06.2026, UPPCL filed its affidavit wherein timeline details and Bid Conformity Certificate has been provided. UPPCL has mainly submitted the following:
- a) Petition No. 2001 of 2023 was preferred before the Commission for the approval of the Request for Proposal and the PPA in relation to the first bidding process, which was dismissed as withdrawn with the liberty to file afresh due to issuance of Guidelines dated 28.07.2023 for Tariff Based Competitive Bidding Process. These guidelines were issued before the last date of bid submission proposed in the tender documents.
 - b) Only a singular bid was received for the second bidding process (vide RfS No. 02/UPNEDA/SOLAR PROJECT MAU/RfS/2024 dated 27.02.2024). The last date of receiving bids, on account of requests by prospective bidders, was extended from 22.03.2024 to 12.07.2024. However, despite the best efforts of the Petitioners, only a single bid was received. Accordingly, the Bid Evaluation Committee, in its meeting dated 12.07.2024, decided to annul the bid process.
 - c) No bids were received for the third (vide RfS No. 03/UPNEDA/SOLAR PROJECT MAU/RfS/2024 dated 29.07.2024), fourth (vide RfS No. 04/UPNEDA/SOLAR PROJECT MAU/RfS/2024 dated 27.08.2024), and fifth (vide RfS No. 05/UPNEDA/SOLAR PROJECT MAU/RfS/2024 dated 03.10.2024) bidding processes.
 - d) Copy of revised Bid Conformity Certificate dated 27.05.2026 issued by the Evaluation Committee.

Analysis & Decision

6. Petitioner(s) i.e., UPNEDA & UPPCL, by way of instant Petition, is seeking adoption of tariff discovered under TBCB process for procurement of 5 MW Grid-Connected Solar PV based power on long-term basis of 25 years along with approval of PPA dated 11.09.2025 executed between UPPCL and Nexgen Digital Infrastructures Private Limited (i.e., Respondent herein). This Solar PV-based power procurement would facilitate UPPCL in meeting its Renewable Purchase Obligation/Renewable Consumption Obligation targets.
7. The Commission, vide its Order dated 05.03.2024 in Petition No. 2062/2024, had approved the bidding documents (i.e., RfS & draft PPA) along with certain deviation for

by





procurement of 5 MW Grid-Connected Solar PV based power by UPPCL under Section 63 of the Electricity Act, 2003. The relevant extract of the said Order dated 05.03.2024 is as follows:

"16. It is to note that the Commission vide its Order dated 21.07.2022 in Petition No. 1846/2022 had adopted the tariff of Rs. 2.98 per unit for Solar PV based power during the financial year 2022-23. In this case it is pertinent to mention that land for the 5MW project is being provided by UPNEDA on lease rent of Rs.15,000/- per acre per annum for 30 years. Further, in terms of clause 9.1.4 (i.e., Incentive), the state government would bear the cost for construction of 10km transmission line length. Therefore, the Commission is of the view that it would be appropriate to fix ceiling tariff of Rs. 2.98 per unit instead of Rs. 3.10 per unit for this bid as per Schedule II(E)(ii) of the UPERC CRE Regulations, 2019. Accordingly, the Petitioner is directed to make changes for Declared Annual CUF of 19% as admitted by UPNEDA and ceiling tariff of Rs. 2.98 per unit in this bidding document.

17. With above directions, the Commission approves the instant bidding document for procurement of Solar PV-based power from 5MW project to be installed at identified 11.868 hectares land of UPNEDA at Mau district in the state along with the claimed deviation as annexed in the Petition and additional affidavit."

8. The RfS No. 06/UPNEDA/SOLAR PROJECT MAU/RfS/2025 dated 08.02.2025 was published for setting up of 5 MW Grid-Connected Solar PV Power Project in District Mau. The notice pertaining to the tenders were published in two daily newspapers (i.e., Business Standard (English) and Dainik Bhaskar (Hindi)) on 07.02.2025. Further, pursuant to the Commission's approval of the bidding documents, vide its Order dated 05.03.2024, UPNEDA & UPPCL uploaded the modified RfS document including draft PPA. The key timelines of the bidding process are as follows:

Date	Particulars
28.02.2023	A joint meeting was held between UPNEDA and UPPCL, wherein it was agreed, inter alia, to establish a 5 MW Grid-Connected Solar PV Power Plant in District Mau, Uttar Pradesh.
21.03.2023	UPPCL accorded in-principle consent for the establishment of a 5 MW Solar Power Plant in District Mau and conveyed its concurrence for UPNEDA to proceed with the requisite regulatory and tendering process.
19.06.2023	UPNEDA issued public notices inviting bids under RfS No. 01/UPNEDA/SOLAR PROJECT MAU/RfS/2023.
28.07.2023	MoP promulgated the Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Solar PV Power Projects.

54.



2



30.08.2023	The UPERC, vide its Order in Petition No. 2001 of 2023, allowed the Petitioners to withdraw the Petition with liberty to file afresh in view of the promulgation of the revised MoP guidelines.
27.02.2024	UPNEDA issued public notices inviting bids under RfS No. 02/UPNEDA/SOLAR PROJECT MAU/RfS/2024.
05.03.2024	The UPERC, vide its Order passed in Petition No. 2062 of 2024, approved the draft RfS and draft PPA for procurement of 5 MW Grid-Connected Solar PV power through Tariff-Based Competitive Bidding Process.
12.07.2024	Bid Evaluation Committee meeting whereby it was decided to void the bidding process initiated vide RfS No. 02/UPNEDA/SOLAR PROJECT MAU/RfS/2024 due to the receipt of only a single bid.
29.07.2024	UPNEDA issued public notices inviting bids under RfS No. 03/UPNEDA/SOLAR PROJECT MAU/RfS/2024.
21.08.2024	Last date of submission of bid under RfS No. 03/UPNEDA/SOLAR PROJECT MAU/RfS/2024. No bids received.
27.08.2024	UPNEDA issued public notices inviting bids under RfS No. 04/UPNEDA/SOLAR PROJECT MAU/RfS/2024.
17.09.2024	Last date of submission of bid under RfS No. 04/UPNEDA/SOLAR PROJECT MAU/RfS/2024. No bids received.
03.10.2024	UPNEDA issued public notices inviting bids under RfS No. 05/UPNEDA/SOLAR PROJECT MAU/RfS/2024.
11.11.2024	Last date of submission of bid under RfS No. 05/UPNEDA/SOLAR PROJECT MAU/RfS/2024. No bids received.
07.02.2025	UPNEDA issued public notices inviting bids under RfS No. 06/UPNEDA/Solar Project Mau/RfS/2025. The notices were published in Business Standard (English) and Dainik Bhaskar (Hindi).
08.02.2025	The tender documents were made available for download on the ISN-ETS Portal.
11.04.2025	The last date for submission of bids under the RfS, as extended pursuant to requests received from prospective bidders.
12.04.2025	Opening and evaluation of the technical bids received pursuant to the RfS.
17.04.2025	Email sent by UPNEDA seeking clarifications deemed necessary in the bid evaluation committee meeting.
18.04.2025	Clarifications sent by NexGen Digital Infrastructures Private Limited.
21.04.2025	Clarifications sent by G.P. ECO Solutions India Limited.
05.05.2025	Opening of the financial bids and conduct of the e-reverse auction.
03.07.2025	UPNEDA issued LoA in favour of Nexgen Digital Infrastructure Pvt. Ltd.
07.07.2025	Nexgen Digital Infrastructure Pvt. Ltd. accepted the LoA unconditionally.
24.07.2025	Nexgen Digital Infrastructure Pvt. Ltd. furnished the Performance Bank Guarantee in favour of UPNEDA, in compliance with Clause 11 of the RfS.
11.09.2025	Power Purchase Agreement for procurement of 5 MW Grid-Connected Solar PV power for a period of 25 years was executed between UPPCL and Nexgen Digital Infrastructure Private Limited.

9. Bid Evaluation Committee (BEC) consisted of total six members (five from UPNEDA and one from UPPCL) and the details are as under:

- Senior Project Officer-1, UPNEDA,
- Senior Project Officer-2, UPNEDA),
- Finance and Accounts Officer, UPNEDA,

by





- Advisor, UPNEDA and
- Chief Engineer-PPA, UPPCL.

10. The 'Bid Conformity Certificate' was issued by Bid Evaluation Committee on 27.05.2025, wherein it was certified that instant bid process was conducted as per the provisions of the RfS dated 08.02.2025. Further, it was certified that bid evaluation had been done in conformance to the MoP Guidelines dated 28.07.2023. The relevant extract of the said Bid Conformity Certificate is as follows:

**"Conformity Certificate
By
the Evaluation Committee
(dated: 27.05.2026)**

Tariff Based Competitive Bidding Process conducted by U.P. New and Renewable Energy Development Agency (UPNEDA), Lucknow vide RfS 06/UPNEDA/SOLAR PROJECT MAU/RfS/2025 dated 08-02-2025 for selection of Solar Project Developers for setting up of 05 MW capacity Grid Connected SPV Power Projects in Mau district for procurement of Power for long term under Ministry of Power, Govt of India "Guidelines for Tariff Based Competitive Bidding Process for procurement of Power from Grid Connected Solar PV Power Projects."

This is to certify that the bid evaluation in respect of above bid process has been carried out in Conformance with the provision of the RfS dated 08-02-2025, as approved by Hon'ble Uttar Pradesh Electricity Regulatory Commission."

11. It is observed from the 'Minutes of Meeting' of Bid Evaluation Committee dated 12.04.2025 and 05.05.2025 that two number of bidders participated in the instant Bidding process. The outcomes of the e-RA for the participated Bidders are as follows:

Bidder ID	Bidder Name	Capacity (MW)	Initial Quoted Tariff (Rs.)	Final Tariff (Rs.)	Rank
ETS-IN-2025-RS0000198	M/s Nexgen Digital Infrastructures Pvt. Ltd.	5	2.58	2.24	1 (L1)
ETS-IN-2024-RS0000447	M/s GP ECO Solutions India Limited	5	2.97	2.25	2 (L2)

12. Accordingly, after the approval of Bid Evaluation Committee, LoA was issued to the successful bidder i.e., M/s Nexgen Digital Infrastructures Private Limited (NDIPL) on 03.07.2025, which was accepted by M/s Nexgen Digital Infrastructures Private Limited (NDIPL) on 07.07.2025. Thereafter, PPA was executed on 11.09.2025 between UPPCL

57





and M/s Nexgen Digital Infrastructures Private Limited (NDIPL). The relevant extract of the said LoA dated 03.07.2025 is as follows:

"To,
M/s Nexgen Digital Infrastructures Private Limited
Unit No. 1032, 10th Floor,
Tower-A, Spaze-I-Tech Park,
Sector-49, Sohna Road, Gurugram-122018

Kind Attn: Sh. Neeraj Kumar, Director

Sub: Selection of Solar Power Developer for Setting Up of 05 MW Grid Connected Solar PV Power Project in District Mau, Uttar Pradesh, Letter of Award (LOA) for 05MW Solar Project district Mau Uttar Pradesh. **[Project ID: UPNEDA-RS0000198].**

Sir,

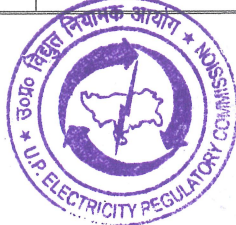
Ref: This has reference to the following:

- A. The Request for Selection (RfS) document vide RfS no. 06/UPNEDA/SOLAR PROJECT MAU / RfS/2025 dated 08.02.2025 including draft Power Purchase Agreement (PPA), and subsequent addendums/ corrigendum's/revisions issued by UP New and Renewable Energy Development Agency (UPNEDA) and uploaded during the process of RfS on ISN-ETS portal (<https://www.bharat-electronictender.com>).
- B. Your response to the RfS document submitted and uploaded on ISN-ETS portal vide Organization ID (ETS-IN-2025-RS0000198) against RfS for Selection of Solar Power Developer for Setting Up of 05 MW Grid Connected Solar PV Power Project in District Mau, Uttar Pradesh.
- C. Your Final tariff (INR/kWh) at the end of the e-Reverse Auction conducted on ISN-ETS portal on 05/05/2025 for the referred Solar Project.

In reference to above and subject to the provisions of RfS, we confirm having accepted your final offer concluded as a result of e-RA and issue this letter of Award as per the following details:

Allotted Project ID	Project Capacity (MW)	Project District	Sub-station details for Connectivity	Applicable Tariff (INR/kWh) in figures	Applicable Tariff (INR/kWh) in words
UPNEDA-RS0000198	05	Mau	132/33 kV S/s Ghosi	2.24	Two Rupees and Twenty Four Paise Only

by





Uttar Pradesh Power Corporation Ltd (UPPCL) shall purchase the power generated from the proposed Solar Power Project subject to the following terms and conditions as stated in various documents referred above and briefly brought out hereinafter.

- 1. The applicable tariff as mentioned above for power generated from the proposed Solar Power Project for the term of Power Purchase Agreement (PPA) to be entered in between Project Company or the Solar Power Generator (SPG) and UPPCL, for the project, shall be firm for the entire term of the PPA.*
- 2. The applicable tariff payable shall be fixed for 25 years from Scheduled Commencement-of-Supply Date (SCSD), as discovered through the e-Reverse Auction.*
- 3. The applicable tariff is the fixed payable tariff to the Solar Power Generator (SPG) including Basic Customs Duty on Solar PV Cells & Modules/Panels (O.M. No 283/3/2018-GRID SOLAR, dated 09.03.2021 issued by MNRE, on the subject of "Imposition of Basic Customs Duty (BCD) on Solar PV Cells & Modules/Panels", and its associated orders issued by the Ministry of Finance). Changes in taxes/Duties on account of the Basic Customs duty, will not be considered under "Change in Law" or under any of the Provisions of PPA.*
- 4. The award of the above project is subject to the terms and conditions of the RfS document including its addendums / corrigendum's / revisions issued by UPNEDA.*
- 5. The Solar Power Generator (SPG) shall strictly comply with the technical parameters detailed in the Annexure-A of RfS Further, the provisions as contained in the O.M. dated 10.03.2021 issued by MNRE on the subject "Approved Models and Manufacturers of Solar Photovoltaic Modules (Requirement of Compulsory Registration) Order, 2019 – Implementation – Reg." and its subsequent amendments and clarifications issued until the bid submission deadline, shall be applicable for this Project. The modules used in the Project under this RfS should have been included in the List-I under the above Order, valid as on the date of invoicing of such modules.*
- 6. (a) As per Section III, Clause 11.1 of RfS document, the SPG shall submit Performance Bank Guarantee (PBG) for Rs 20 Lakhs per MW from thirty (30) days of issuance of Letter of Award. The Performance Bank Guarantee shall be initially valid for a period of six (6) months after the Scheduled Delivery Date and thereafter shall be dealt with in accordance with the provisions of the PPA. In case of delays in submission of PBGs, the signing of PPA shall be extended until the submission of the PBG by the SPG. In such cases, the Effective Date*

64.



2



of the PPA shall remain unchanged until the submission of PBG. Non-submission of PBG within the above-mentioned timelines shall be treated as follows:

i. Non submission of the PBG by the SPG may lead to cancellation of the Letter of Award of such Successful Bidder(s) by UPNEDA, and thereafter, the relevant provisions of RfS and PPA shall be applicable.

ii. **Delay up to one (1) month from due date of submission of PBG:** Delay charges @1% of the PBG amount per month levied on per day basis shall be paid by the SPG to UPNEDA in addition to the PBG amount.

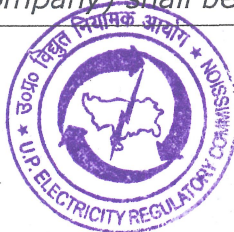
iii. **Delay beyond one (1) month from the due date of submission of PBG:** The Project shall stand terminated.

iv. For the purpose of calculation of the above delay charges, 'month' shall be considered as a period of 30 days.

(b) Payment on Order Instrument (POI) as an alternative the instrument will have to be furnished on required format 7.3 C attached with RFS within the timeline specified and for the amount and validity period as specified clause 11.1 of the RFS.

7. The SPG within 21 days of issuance of LOA prior to signing of PPA will provide UPNEDA and UPPCL about SPG shareholding in the project company indicating the controlling shareholding.
8. No change in the controlling shareholding of the Bidding Company or Bidding Consortium shall be permitted from the date of submission of response to RfS till the execution of the PPA. The aggregate equity shareholding of SPG in the issued and paid up equity share capital of the Seller shall not fall below 51% (fifty one percent) at any time prior to 01 (ONE) year from the SCSD, except with the prior approval of Procurer (UPPCL).
9. The SPG shall achieve financial closure within nine (9) months from the effective date of the PPA. Accordingly the SPG Shall furnish in following details/ document within 09 Month from date of Signing of PPA:
 - (i) Report 100% tie-up of Financing Arrangements for the Projects. As evidence will submit letter/certificate documents as per Section -III clause 13 (i) of RfS or In case the funds have been arranged from its internal resources a Board Resolution certifying the same, Audited/Certified Balance sheet, Profit & Loss Account Statement, Bank Statement and Cash Flow Statement in support of availability of Internal resources of the Project Company and of the Company other than Project Company (in case the required funding will be raised from Company other than Project Company) shall be submitted.

64





- (ii) Additionally, the SPG shall documentary evidence to establish the possession of the required land/lease agreement in the name of the SPG.
- (iii) All agreements and approvals, clearances related to the project along with all necessary supporting documents.
10. Within nine months from the date of signing of PPA, the selected bidder has to submit the technical feasibility report which includes obtaining a letter from State Transmission Utility confirming technical feasibility of connectivity of the plant to STU substation along with execution of connection agreement.
11. As mentioned in clause 6.7 & 6.8 of Section III of RfS As per Solar Policy 2022 State Government will bear the cost for construction of maximum 10KM transmission line length. Subsidy incentive will be provided by UPNEDA on reimbursement basis to SPG after construction of transmission line, commissioning and on achievement of SCSD of project.
12. As mentioned in clause 12.3 of Section III of RfS Successful bidders are required to submit following documents (in addition to PBG) to UPNEDA for verification within 21 days from the date of issuance of this Letter of Award:
- (a) Copy of the Certificate of Incorporation.
- (b) Details of promoters and their shareholding in the company, duly certified by the practicing CA in original (certificate date should be after the date of LOA).
- (c) Copy of Memorandum of Association (MOA) highlighting the object clause related to Business of Generation of Power/Energy/ Renewable Energy/ Solar Power plant development.
13. If Successful Bidder is a Bidding Consortium, it shall, within Thirty (30) days of the issue of the Letter of Award or prior to signing of PPA, incorporate a Project Company provided such a Project Company has not been incorporated by the Bidder prior to the submission of the RfS. In case the Project Company has already been incorporated prior to the submission of the Bid as specified in the Consortium Agreement such Project Company shall be responsible to execute the RfS Documents.
14. If successful bidder is Bidding Company and chooses to incorporate a Project Company for supply of power, the Project Company will be incorporated within thirty (30) days of the issue of the Letter of Award or prior to signing of PPA.
15. All consents, clearances and permits shall be transferred in the name of the Project Company within the period specified in the PPA, if such consents, clearances and permits were obtained in the name of a company other than the Project Company prior to the submission of the Bid.

by



h

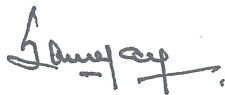


16. The Commissioning/Scheduled Delivery Date of full capacity of Solar PV Power Plant shall be 15 months from the effective date of PPA. In case of failure to achieve this milestone, liquidated damages as per Section III Clause 14 of RfS document and relevant articles of PPA amounting to penalty shall be levied on the selected bidder as per provisions.
17. All disputes arising out of and/or in connection with the selection of Solar Power Projects under the said RfS and execution of PPA thereto shall be governed by laws of India and shall be subject to the jurisdiction of Courts of Lucknow.
18. It is hereby requested to submit PBG in UPNEDA and sign PPA within 30 days of the issue of this Letter of Award.
19. After the signing the PPA as per Section-III (Instructions to Bidders) Clause-15 of RFS document Land will be provided in Village Saraisadi district Mau by UPNEDA on lease rent of Rs 15000 per acre per annum. SPG will enter in lease agreement immediately after sign of PPA with UPPCL. Land lease Agreement will be for 30 years. Lease Rent will be deposited for first year by SPG immediately after signing of land lease Agreement in UPNEDA.

....."

13. In view of the facts stated above, the Commission finds that bidding process was conducted in compliance to the approved bidding documents therefore, it adopts the discovered tariff of Rs. 2.24 per unit under Section 63 of the Electricity Act, 2003. The Commission also hereby approves the Power Procurement Agreement (PPA) dated 11.09.2025 executed between Uttar Pradesh Power Corporation Limited (UPPCL) and M/s Nexgen Digital Infrastructures Private Limited (NDIPL) for power procurement of 5 MW from Solar PV based power project to be established in Saraisadi (Village), District- Mau at the tariff of Rs. 2.24/kWh fixed for the entire tenure of this PPA i.e., 25 years.

The Petition stands disposed of in terms of above.



(Sanjay Kumar Singh)

Member





(Arvind Kumar)

Chairman

Place: Lucknow

Dated: || .06.2026