

Status of Claims and Payments as on 27.08.2018

Sl. No.	Name of the Company/ Concessionaire / Contractor	Date of receipt of Application in Format 'A' from the Contractor	Date of Confirmation/ Validation of the BG Amount	Date of Submission of Bank Guarantee by the Contractor	Date of Sanction of the Amount	Amount Sanctioned (Rs in Crore)	Date of Signing of Escrow Account Agreement by the Contractor	Date of Release of Amount to the Escrow Account	Remarks
1	M/s HCC , Arb. Ref. - 1	05.12.2016	17.01.2017. A revised letter issued on 29.06.2017	---	---	---	---	---	NTPC vide letter dt. 29.06.2017 informed M/s HCC about the pay-out amount Rs 53.27 Cr. (including interest up to 31.12.2016 as mutually agreed by both the parties) and asked M/s HCC to furnish Bank Guarantee and open an Escrow Bank Account. M/s HCC vide letter dated 29.01.2018, requested for amicable settlement of payment against arbitral award and expressed their intention to utilize a part of it in NTPC's Tapovan Vishnugad Project on the basis of mutually acceptable settlement. The matter is under mutual discussion between NTPC and HCC. Meanwhile, agency has also filed Execution Petition on 02.04.2018 under Section-34, which is listed for hearing on 11.09.2018 in Hon'ble High Court of Delhi.
2	M/s HCC , Arb. Ref. - 2	05.12.2016	17.01.2017	---	---	---	---	---	In compliance of the order of Hon'ble High Court of Delhi, Rs 83.95 Cr. (including interest) is deposited in Court. Further, agency has received Rs 81.70 Cr from the Court. The Court has directed to release the balance amount also against Bank Guarantee.
3	M/s PEL, Arb. Ref. - 1	12.12.2016	---	---	---	---	---	---	In compliance of the order of Hon'ble High Court of Delhi, Rs 21.82 Cr.(including interest) is deposited in Court. The Court has ordered that the agency can apply for disbursement of the amount from Court against Bank Guarantee.

Sl. No.	Name of the Company/ Concessionaire / Contractor	Date of receipt of Application in Format 'A' from the Contractor	Date of Confirmation/ Validation of the BG Amount	Date of Submission of Bank Guarantee by the Contractor	Date of Sanction of the Amount	Amount Sanctioned (Rs in Crore)	Date of Signing of Escrow Account Agreement by the Contractor	Date of Release of Amount to the Escrow Account	Remarks
4	M/s Voith Hydro JV	11.07.2017	24.11.2017	----	----	----	----	----	<p>M/s Voith vide letter dt. 11.07.17 asked NTPC about the procedure to be adopted for release of 75 % of the awarded amount and same submissions were made by the agency before Hon'ble High Court of Delhi on 12.07.17 in Court hearing. NTPC requested for clarification regarding applicability of OM dt. 05.09.16 in this case vide letter dt. 20.07.17 to NITI Aayog. Niti aayog clarified in its letter dt. 18.08.17 that OM dt. 05.09.16 is applicable to all cases where the arbitral award has been challenged in the court by the Department/ PSU regardless of type of the contractor/ concessionaire(i.e single entity, Joint Venture, etc.). Subsequently, the payout amount has been mutually agreed (confirmed by the agency vide e-mail dt. 29.09.17). In the meeting on 16.02.2018 with representatives of VOITH and SBI to discuss the formats of Arbitral Award Escrow Agreement and BG, M/s VOITH suggested deviations from NTPC's approved formats. NTPC vide letter dt. 06.03.18 informed to M/s Voith that it has to submit Escrow Agreement and BG as per NTPC's approved formats uploaded on NTPC's website. M/s Voith vide letter dt 06.04.18 submitted revised draft of Escrow Account Agreement and BG. NTPC confirmed to M/s VOITH vide letter dt. 10.04.18 to take further necessary actions to execute the Escrow agreement and the BG and its submission to NTPC. NTPC through various letters asked agency to submit duly executed Escrow Account Agreement and BG and to open multi-currency escrow account. M/s Voith informed that the approval from RBI is still pending. Now, M/s Voith has requested to release the payment of INR portion only. NTPC has requested Voith to clarify whether INR portion can be separated from multi-currency escrow account without RBI's approval. VOITH has forwarded their nominated Banker ICICI's clarification on the same. Further, there was an issue regarding authorized signatories from NTPC for Escrow Account opening raised by VOITH and ICICI Bank. The issue has since been resolved and VOITH has been advised for furnishing Escrow Agreement, Bank Guarantee and other documents. Meanwhile, M/s Voith has filed an Execution Petition on 12.04.18 for payment of the 100% Arbitral Award. The Court had connected this matter with Sec-34. Next date is fixed on 10.09.18.</p>
5	M/s Coastal Projects Ltd.	--	--	--	--	--	--	--	<p>The arbitral award has been challenged in Court under Section 34. Letter issued to agency informing about NITI Ayog guidelines. No response received from agency.</p>

Sl. No.	Name of the Company/ Concessionaire / Contractor	Date of receipt of Application in Format 'A' from the Contractor	Date of Confirmation/ Validation of the BG Amount	Date of Submission of Bank Guarantee by the Contractor	Date of Sanction of the Amount	Amount Sanctioned (Rs in Crore)	Date of Signing of Escrow Account Agreement by the Contractor	Date of Release of Amount to the Escrow Account	Remarks
6	M/s Patel Engg. Ltd.	29.03.2018	--	--	--	--	--	--	Awarded on 01.12.2017. S-37 filed by NTPC, which is admitted and the Court directed to deposit 75 % of the award amount in Court. In compliance of Court order, NTPC deposited Rs 24.70 Cr in the Court.
7	M/s AFCONS RN Shetty & Co. Ltd (JV)	10.07.2017	17.03.18	07.06.18	13.07.18	39.89	31.05.18	13.07.18	Petitions for both cases (ref-1 & ref-2) filed under Sec-34 of Arbitration & Conciliation Act, 1996 in Delhi High Court on 17.07.17. Agency agreed to submit Escrow agreement and BG as per NTPC's approved format vide letter dt. 17.03.2018. Payout amount (Rs 39.89 Cr) was transferred to Escrow Account by NTPC on 13.07.18 and amount is withdrawn by agency on 16.07.18 under 4th condition of the guidelines.
8	M/s AFCONS RN Shetty & Co. Ltd (JV)	10.07.2017	17.03.18	07.06.18	13.07.18				
9	M/s Triveni Construction Co.	---	---	---	---	---	---	---	Letter issued to agency informing about NITI Ayog guidelines. No request received from the agency for release of 75% of the arbitration award amount.
10	M/s OM Metals	07.09.2017	13.03.2018	--	--	---	---	--	Awarded on 30.07.2017. S-34 petition filed in Court. Agency vide letter dt. 07.09.2017 has requested for release of 75% of the arbitration award amount. Payout amount has been mutually agreed between the parties. Agency yet to open Escrow Account and submit Escrow Agreement and BG.
11	M/s SSJV ZVS JV	----	----	----	----	----	----	----	The Award of Arbitral tribunal has been challenged by NTPC in Delhi High Court. Letter issued to agency informing about NITI Ayog guidelines. The agency informed that they are not able to get BG from Bankers. Agency further informed that they are willing to give Corporate Guarantee. Since, this type of Guarantee is not a part of NITI Aayog guidelines, NTPC informed the agency accordingly.
12	M/s SSJV ZVS JV	----	----	----	----	----	----	----	
13	M/s Texmaco	----	----	----	----	----	----	----	Petitions filed under Sec-34 in Delhi High Court 02.06.18. Letter issued to agency informing about NITI Ayog guidelines. On 08.08.18, Delhi HC has directed to deposit full arbitral award amount, including interest in court within 4 weeks time. Under process.
14	M/s Gammon	26.07.18	----	----	----	----	----	----	Petitions filed under Sec-34 in Delhi High Court 27.05.18. Letter issued to agency informing about NITI Ayog guidelines. The agency has agreed for implementation of NITI Aayog guidelines. NTPC vide letter dtd 03.08.18 requested to convene the meeting to decide further modalities.

Sl. No.	Name of the Company/ Concessionaire / Contractor	Date of receipt of Application in Format 'A' from the Contractor	Date of Confirmation/ Validation of the BG Amount	Date of Submission of Bank Guarantee by the Contractor	Date of Sanction of the Amount	Amount Sanctioned (Rs in Crore)	Date of Signing of Escrow Account Agreement by the Contractor	Date of Release of Amount to the Escrow Account	Remarks
15	M/s Rithwik Projects Pvt. Ltd.	07.08.18	----	----	----	----	----	----	Petitions filed under Sec-34 in Delhi High Court 01.06.18. Letter issued to agency informing about NITI Ayog guidelines. On 08.08.18, Delhi HC has directed NTPC to deposit 25% of arbitral award amount, including interest in court within 6 weeks. Balance 75% amount to be dealt with in Niti ayog guidelines. Payout amount being discussed.
16	M/s Vikram Const.	---	---	---	---	---	---	---	No request received from the agency for release of 75% of the arbitration award amount.
17	M/s D N Roy & Co.	---	---	---	---	---	---	---	Letter issued to agency informing about NITI Ayog guidelines. No request received from the agency for release of 75% of the arbitration award amount.
18	M/s Subhash Chander & Co.	---	---	---	---	---	---	---	Letter issued to agency informing about NITI Ayog guidelines. No request received from the agency for release of 75% of the arbitration award amount.
19	M/s Jyoti & Co.	---	---	---	---	---	---	---	Letter issued to agency informing about NITI Ayog guidelines. No request received from the agency for release of 75% of the arbitration award amount.
20	M/s Raghul Const	---	---	---	---	---	---	---	No request received from the agency for release of 75% of the arbitration award amount.
21	M/s Sri Sai Laxmi Constructions	---	---	---	---	---	---	---	Letter issued to agency informing about NITI Ayog guidelines. The letter was returned undelivered stating "No person". No request received from the agency for release of 75% of the arbitration award amount.
22	M/s Uppal Engineering Company Pvt. Ltd	---	---	---	---	---	---	---	Saket Court, Delhi has been allowed the Sec-34 petition of NTPC challenging the award. Court order copy awaited.
23	M/s Vijay Industries	---	---	---	---	---	---	---	Letter issued to agency informing about NITI Ayog guidelines. No request received from the agency for release of 75% of the arbitration award amount.
24	M/s Globe Electricals	---	---	---	---	---	---	---	Letter issued to agency informing about NITI Ayog guidelines. No request received from the agency for release of 75% of the arbitration award amount.
25	M/s Bhullar Brothers	---	---	---	---	---	---	---	Letter issued to agency informing about NITI Ayog guidelines. The agency has requested for payment of award money.
26	M/s GS Agarwal	---	---	---	---	---	---	---	Letter issued to agency informing about NITI Ayog guidelines. No request received from the agency for release of 75% of the arbitration award amount.
27	M/s Tarapur & Co.	---	---	---	---	---	---	---	No amount is payable by NTPC as per award.
28	M/s Das Trading Co.	---	---	---	---	---	---	---	No amount is payable by NTPC as per award.
29	M/s Asha Engg.	---	---	---	---	---	---	---	No amount is payable by NTPC as per award.
30	M/s BALCO	---	---	---	---	---	---	---	No amount is payable by NTPC as per award.

Sl. No.	Name of the Company/ Concessionaire / Contractor	Date of receipt of Application in Format 'A' from the Contractor	Date of Confirmation/ Validation of the BG Amount	Date of Submission of Bank Guarantee by the Contractor	Date of Sanction of the Amount	Amount Sanctioned (Rs in Crore)	Date of Signing of Escrow Account Agreement by the Contractor	Date of Release of Amount to the Escrow Account	Remarks
31	M/s WPIL	---	---	---	---	---	---	---	No amount is payable by NTPC as per award.
32	M/s Avantika	--	--	--	--	--	--	--	The Award of Arbitral tribunal has been challenged by NTPC in Delhi High Court. Subsequently as per court directions half the Award amount has been deposited with court in Nov'17. Next date of hearing 24.08.2018.
33	M/s SIPL	---	---	---	---	---	---	---	The Award was challenged in Delhi HC. Award has been stayed subject to deposition of 50% of Arbitral award. The amount has been deposited on 07.03.2018. Next date of hearing 27.11.2018.
34	M/s Mudjaya corporation Berhad Malaysia	--	--	--	--	--	--	--	Award challenged by NTPC 01.03.2018. The Next date of hearing is fixed on 12.09.2018. Letter issued to agency informing about NITI Ayog guidelines. No request received from the agency for release of 75% of the arbitration award amount
35	M/s SIPL	--	--	--	--	--	--	--	Petitions filed under Sec-34 in Delhi High Court 31.05.18. Letter issued to agency informing about NITI Ayog guidelines. In the hearing on 21.08.18, Court has stayed the execution subject to deposition of 50% of Arbitral award within 4 week time.
36	M/s Punj Lloyd Ltd.	28.02.18	11.06.18	--	--	--	--	--	Sec-34 application filed in Delhi High. Next hearing on 19.09.2018. NTPC vide letter dt. 11.06.2018 communicated to M/s PLL regarding payment of 75% amount, submission of BG and finalization of modalities. Payout amount has been mutually agreed between the parties. Agency yet to open Escrow Account and submit Escrow Agreement and BG. Reminder sent on 31.07.18. Reply of PLL is awaited.
37	M/s AMR	--	--	--	--	--	--	--	Sec-34 application filed in Delhi High on 02.07.2018. In the hearing on 14.08.2018 court has directed to deposit award amount in court within 6 week. Further, award on Sec-33 filed by NTPC for rectification of award regarding computation error is to be pronounced on 28.08.18.
38	M/s Thiess Minecs Pvt Ltd	--	--	--	--	--	--	--	Award challenged by NTPC before Delhi High Court on 20.10.2017. In the hearing on 06.08.2018 court has reserved its verdict. Judgment of the court awaited. Letter issued to agency informing about NITI Ayog guidelines.

