

F. No. 283/5/2018-GRID SOLAR
भारत सरकार / Government of India
नवीन और नवीकरणीय ऊर्जा मंत्रालय/ Ministry of New & Renewable Energy
ग्रिड सौर ऊर्जा प्रभाग / Grid Solar Power Division

Atal Akshay Urja Bhawan,
Lodhi Road, New Delhi – 110003
Dated: 16th October, 2023

OFFICE MEMORANDUM

Sub: Penalties for violation of norms of Domestic Content Requirement (DCR) under Solar PV power projects under MNRE's Schemes / Programmes.

The Government of India, through the Ministry of New and Renewable Energy, has been encouraging domestic manufacturers of Solar PV cells and modules, by way of a policy of Domestic Content Requirement, wherever permitted by WTO.

2. In order to avoid misuse of policy, this Ministry vide its O.M. of even no. dated 20.02.2018 (copy enclosed) decided that with respect to solar PV power projects under MNRE's Schemes/ Programmes, where Domestic Content Requirement (DCR) has been mandated in a WTO compliant manner, the following actions shall be taken by MNRE or any agency acting on behalf of MNRE for violation of DCR provisions prescribing use of domestically produced cells and modules.

- i. Filing of criminal case under IPC 420 & related sections.
- ii. Blacklisting of developer for period of 10 years.
- iii. Forfeiting of relevant Bank Guarantee(s).
- iv. Disciplinary case against the officers of concerned CPSU/State Govt.
- v. Any other action, in addition to those above.

3. However, apprehensions have again been raised regarding supply of such solar PV modules under MNRE's Schemes / Programmes, which may not be fully compliant to the Domestic Content Requirement (DCR) provisions prescribed under respective Schemes / Programmes of Ministry of New & Renewable Energy (MNRE).

4. Accordingly, it is once again reiterated that Domestic Content Requirement (DCR) provisions as mandated under the respective Schemes / Programmes of Ministry of New & Renewable Energy (MNRE) should be strictly complied to and any violation of such DCR provisions will invite actions as mentioned in para 2 above.

5. This issues with the approval of Competent Authority



(Sanjay G. Karndhar)
Scientist-E

Email: karndhar.sg@nic.in

To: *(with a request to forward this O.M. to all the CPSUs/ Govt. Organisations implementing solar projects with domestic content requirement under MNRE Scheme and other concerned stakeholders)*

1. The Chairman and Managing Director, Solar Energy Corporation of India Limited (SECI), Plate-B, 6th Floor, Tower 2, NBCC Office Block, East Kidwai Nagar, New Delhi-110023
2. The Chairman & Managing Director, Indian Renewable Energy Development Agency Limited (IREDA), 3rd Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi – 110066

Copy to:

1. All the Divisions of MNRE dealing with solar power *(with a request to forward this O.M. to the concerned stakeholders w. r. t. the Schemes/ Programmes being implemented by them).*
2. NIC, MNRE, for uploading on MNRE website.

Copy for internal circulation to: PS to Secretary/ PSO to JS (LB)

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भारत सरकार / Government of India
नवीन और नवीकरणीय ऊर्जा मंत्रालय/ Ministry of New & Renewable Energy (MNRE)

Block-14, C.G.O. Complex, Lodi Road,
New Delhi, Dated: 20th February, 2018

OFFICE MEMORANDUM

Sub: Penalties for violation of norms of Domestic Content Requirement (DCR) under Solar PV power projects under MNRE's Schemes / Programmes.

The Government of India, through the Ministry of New and Renewable Energy, has been encouraging domestic manufacturers of Solar PV cells and modules, by way of a policy of Domestic Content Requirement, wherever permitted by WTO.

However, apprehensions have been raised that the policy may be misused by way of mis-declaration and imported solar cells and modules may be used in DCR projects instead of domestically produced cell and modules.

In order to avoid misuse of policy, it has been decided that with respect to solar PV power projects under MNRE's Schemes/ Programmes, where Domestic Content Requirement (DCR) has been mandated in a WTO compliant manner, the following actions shall be taken by MNRE or any agency acting on behalf of MNRE for violation of DCR provisions prescribing use of domestically produced cells and modules.

1. Filing of criminal case under IPC 420 & related sections.
2. Blacklisting of developer for period of 10 years.
3. Forfeiting of relevant Bank Guarantee(s).
4. Disciplinary case against the officers of concerned CPSU/State Govt.
5. Any other action, in addition to those above.

This issues, with the approval of MoS (I/C) (Power & NRE).



Sanjay Karndhar
(Scientist – C)
Email: karndhar.sg@nic.in

To

1. **The Managing Director**, Solar Energy Corporation of India, 1st Floor, D-3, A Wing, Religare Building, District Centre, Saket, New Delhi-110 017 (*with a request to forward this O.M. to all the CPSUs/ Govt. Organisations implementing solar projects with domestic content requirement under MNRE Scheme and other concerned stakeholders*)
2. **The Chairman & Managing Director**, NTPC Ltd., NTPC Bhawan, Scope Complex, 7, Institutional Area, Lodhi Road, New Delhi- 110003.

Copy to:

1. All the Divisions of MNRE dealing with solar power (*with a request to forward this O.M. to the concerned stakeholders w.r.t. the Schemes/ Programmes being implemented by them*).
2. Director (NIC), MNRE, for uploading on MNRE website.

Copy for information to:

1. PS to Hon'ble Minister, NRE
2. PPS to Secretary
3. PPS to Additional Secretary
4. All Joint Secretaries/ Economic Adviser/Group Heads
5. DG, NISE
6. All Division Heads