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NOTICE

Modalities for computation of quantity eligible for Performance Incentive & Penalty and Apportionment for the power plants of State/Central GENCOS under the Flexi-Utilization Policy as well as IPPs covered under Flexi Policy

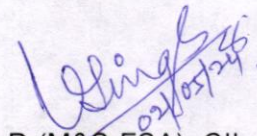
This refers to the notice dated 10.04.2024 issued by CIL on the captioned subject.

Post the issuance of the same, we have received representations from GENCOS for an extension of the last date of submission of choice of apportionment owing to ongoing general elections.

In terms of the request of consumers, the following modification regarding the extension in the modalities are hereby notified post approval of the competent authority:

| Point | Original Modality | Modified Modality |
|-------|--|---|
| 5. | <p>The apportionment of calculated quantities eligible for Performance Incentive & Penalty shall be in the following manner:</p> <ul style="list-style-type: none">First Option shall be given to Purchaser: The apportionment of quantities eligible for PI/Penalty (as applicable) to the linked plants shall be as per the choice of the Purchaser if they submit the choice within the stipulated dates. For the years from 2017-18 till 2022-23, the Purchaser may submit their choice of apportionment by 30th April' 2024. For FY 2023-24 and onwards, such requests, if any, may be submitted by 30th April of every succeeding financial year by the GENCO. The subsidiary shall accordingly calculate the quantity eligible for PI/ Penalty (as applicable) as per T&C of relevant FSAs and raise/ revise the bills. | <p>The apportionment of calculated quantities eligible for Performance Incentive & Penalty shall be in the following manner:</p> <ul style="list-style-type: none">First Option shall be given to Purchaser: The apportionment of quantities eligible for PI/Penalty (as applicable) to the linked plants shall be as per the choice of the Purchaser if they submit the choice within the stipulated dates. For the years from 2017-18 till 2023-24, the Purchaser may submit their choice of apportionment by 31st May' 2024. For FY 2024-25 and onwards, such requests, if any, may be submitted by 30th April of every succeeding financial year by the GENCO. The subsidiary shall accordingly calculate the quantity eligible for PI/ Penalty (as applicable) as per T&C of relevant FSAs and raise/ revise the bills. |

This is for kind information and needful by all concerned.


HoD (M&S-FSA), CIL

Distribution:

1. GM (M&S)-ECL/BCCL/CCL/NCL/MCL/SECL/WCL/NEC
2. All State/Central GENCOS- NTPC, DVC, HPGCL, RRVUNL, UPRVUNL, MPPGCL, TVNL, WBPDC, CSPGCL, MAHAGENCO, GSECL, OPGC, TANGECO, APPDCL, APGENCO and others.



NOTICE

Modalities for computation of quantity eligible for Performance Incentive & Penalty and Apportionment for the power plants of State/Central GENCOS under the Flexi-Utilization Policy as well as IPPs covered under Flexi Policy

The Union Cabinet had approved the 'flexibility in utilization of domestic coal for reducing the cost of power generation (Flexi Policy)' for State/Central GENCOS on 04.05.2016. Accordingly, CIL had signed the Supplementary Agreements for Flexi with the State/Central GENCOS linked with CIL in Apr'17.

The modalities for calculation of quantities eligible under PI/Penalty and consequent apportionment of such quantities to power plants were not finalized during signing of the supplementary agreement.

To address the same, the required modalities were framed and for uniform implementation, the modalities were discussed and illustrated in the meetings held from 23.02.2024 to 01.03.2024 with the concerned State/Central GENCOS and subsidiaries.

The suggestions of State/ Central Gencos during/after the meetings were agreed to and accordingly, the '**Additional Modalities/Clarification**' section has been added to this notice.

In light of the above, the modalities for computation of quantity eligible for Performance Incentive & Penalty and Apportionment for the power plants of State/Central GENCOS under the Flexi-Utilization Policy as well as IPPs covered under Flexi Policy shall be as under:

1. The modalities for charging of PI/Penalty Bill (as applicable) under the Flexi Scheme shall be applicable from 01.04.2017.
2. The mother company shall be the Power Gencos having FSA with a particular subsidiary of CIL. Accordingly, the aggregation of ACQ (AACQ) of units/ plants of a State/Central Genco shall be on the subsidiary level.
3. If the ACQ of a plant changes during a year, the ACQ/AACQ is to be computed on a pro-rata basis accordingly.
4. Considering the above, the Computation of quantity eligible for Performance Incentive/ Penalty shall be as under:

I. Quantity Eligible for Performance Incentive:

- As per the T&C of FSA, the total Delivered Quantity (DQ) to linked plants of a GENCO as well as DQ to non-linked plants of the GENCO shall be calculated against the aggregated ACQ of linked plants and shall be calculated as below:
- $Materialization = \frac{(Total\ DQ\ to\ linked\ plants + Total\ DQ\ to\ non-linked\ plants) * 100}{(Aggregated\ ACQ)}$
- Since both pre-NCDP and Post-NCDP plants are having PI applicability above 90%. So, the overall quantity delivered above 90% materialization shall be eligible for charging of performance incentive.

II. Quantity Eligible for penalty on account of shortfall in Level of Delivery:

- As per the T&C of FSA, the total DQ, DDQ, FM, RF to linked plants of a GENCO as well as DQ, DDQ, FM, RF (as applicable) to non-linked plants of the GENCO shall be calculated against the aggregated ACQ of linked plants and shall be calculated as below:
- $Level\ of\ Delivery = ((Total\ DQ, DDQ, FM, RF\ to\ linked\ plants + Total\ DQ, DDQ, FM, RF\ to\ non-linked\ plants) * 100) / (Aggregated\ ACQ)$
- The failed quantity shall be calculated against the weighted average trigger level of type of FSAs of the GENCO linked in the subsidiary.

III. Quantity Eligible for penalty on account of shortfall in Level of Lifting:

- As per the T&C of FSA, the total DDQ to linked plants of a GENCO as well as DDQ (as applicable) to non-linked plants of the GENCO shall be calculated against the aggregated ACQ of linked plants and shall be calculated as below:
- $Level\ of\ Lifting = ((Aggregated\ ACQ - (Total\ DDQ\ to\ linked\ plants + Total\ DDQ\ to\ non-linked\ plants)) * 100) / (Aggregated\ ACQ)$
- The failed quantity shall be calculated against the weighted average trigger level of type of FSAs of the GENCO linked in the subsidiary.

5. The apportionment of calculated quantities eligible for Performance Incentive & Penalty shall be in the following manner:
 - **First Option shall be given to Purchaser:** The apportionment of quantities eligible for PI/Penalty (as applicable) to the linked plants shall be as per the choice of the Purchaser if they submit the choice within the stipulated dates. For the years from 2017-18 till 2022-23, the Purchaser may submit their choice of apportionment by 30th April' 2024. For FY 2023-24 and onwards, such requests, if any, may be submitted by 30th April of every succeeding financial year by the GENCO. The subsidiary shall accordingly calculate the quantity eligible for PI/ Penalty (as applicable) as per T&C of relevant FSAs and raise/ revise the bills.
 - **In case,** the same is not submitted by the GENCO to the concerned subsidiary within the stipulated dates, the concerned subsidiary may apportion the eligible quantity under PI/Compensation (as applicable) in proportion to ACQs of linked plants. Based on this, bills for PI or Penalty bill (as applicable) shall be raised/ revised as per T&C of the relevant FSAs and raise/revise the bills.
6. Billed value may be considered as net of debit/credit notes issued during a year irrespective of the bills/period to which it may pertain. This is because receipt of third-party/referee results or any other Credit note (moisture, stones etc.) is a continuous process. This being a rolling exercise, the net impact will be taken care of over time.
7. For calculation of the PI/Penalty bill, the weighted average basic rate per MT (metric tonne) of coal supplied by the subsidiary to all linked and non-linked plants under AACQ shall be considered.
8. In case, no plant of a State/ Central Genco is linked with the supplying subsidiary but linked with other subsidiary(s), the quantity delivered by the non-linked subsidiary will be considered as 'Deemed ACQ'. The ACQ(s) at the linked subsidiary(s) shall accordingly be deemed as reduced in proportion of ACQ(s) of respective linked subsidiaries & to the extent of deemed ACQ at non-linked subsidiary(s). In case such plant(s) are having both pre & post-NCDP FSA at the linked subsidiary, the ACQ shall be reduced in proportion to their ACQs under pre and post-NCDP FSAs. In such case, computation of PI at non-linked subsidiary shall be done in the proportion of ACQs under pre and post-NCDP FSAs at linked subsidiary(s).

9. For plants drawing coal under case-IV of the flexi policy, the aggregation of ACQ shall be at the GENCO level and bills for PI/Penalty shall be raised against the concerned GENCO.
10. For case 2 scenario 4 plants, the payment is done by the individual plants, however, the coal is also diverted by the GENCOs. As such, the aggregation of ACQ shall be at the GENCO level and bills for PI/Penalty shall be raised against the concerned GENCO.
11. Since the terms and conditions of Cost-Plus FSAs are different, WCL is authorized to deduce the aggregation of ACQs having cost plus sources in a GENCO as per terms and conditions of relevant FSAs.

ADDITIONAL MODALITIES/CLARIFICATION:

- a. A 40% premium over and above the basic ROM notified price for coal supplies to the plants having no FSA with any of the subsidiary companies of CIL shall be charged from 22.11.22 and onwards. For the period prior to 22.11.22, NRS price shall be applicable to such category of plants since commencement of supplies under Flexi policy. Further, such quantity shall not be counted for any Performance Incentive or Level of lifting for the purpose of the penalty but shall be counted for the Level of Delivery.
- b. As quantity supplied under Bridge Linkages is on a 'Best-Effort basis', so, such quantity shall not be considered for computation of Performance Incentive, Penalty or any other commercial purpose in the Aggregated ACQ of a GENCO.
- c. Post exercising point 5 of the Modalities of this notice, the total amount of PI/Penalty bill shall be indicated by coal companies to the Purchaser. The Purchaser shall have an option of payment of this amount from their choice of plants which may include both linked and non-linked plants of the subsidiary. However, the Purchaser shall pay the complete amount. Such choices, if any, shall be submitted by the Purchasers within 30 days from the date of indication of the amount by the Seller. Otherwise, invoice bills on linked plants shall be raised by the Seller in terms of finalized quantities as per point 5 of the Modalities.
- d. In the event of a Penalty to the Seller on account of shortfall under Level of Delivery, the choice of apportionment of failed quantity shall rest with the Seller. The Seller (Subsidiary) may give their choice of apportionment of failed quantity in whatever proportion or may apportion the failed quantity in the proportion of ACQs of linked plants. The Purchaser shall raise/revise the bills accordingly.
- e. NTPC and CIL have signed an agreement on 'concurrent FSAs' where the modalities are different. Post 2017-18, the modalities mentioned in this notice shall come in force.

ILLUSTRATIONS:

The illustrations of the above modalities are attached as following annexures:

- **Annex-A:** Calculation of eligible quantity under Performance Incentive & Apportionment
- **Annex-B:** Calculation of eligible quantity for shortfall in Level of Lifting and Apportionment (Penalty to Purchaser)
- **Annex-C:** Calculation of eligible quantity for shortfall in Level of Delivery and Apportionment (Penalty to Seller)

This is for kind information and necessary action by concerned State/ Central Gencos and Coal Companies.

Encl.- Illustrations


HoD (M&S-FSA), CIL

Distribution:

1. GM (M&S), ECL/BCCL/CCL/NCL/MCL/SECL/WCL/NEC
2. AllState/CentralGENCOs- NTPC, DVC, HPGCL, RRVUNL, UPRVUNL, MPPGCL, TVNL, WBPDC, CSPGCL, MAHAGENCO, GSECL, OPGC, TANGECO, APPDCL, APGENCO and others.

ANNEXURE-A
CALCULATION OF ELIGIBLE QUANTITY UNDER PERFORMANCE INCENTIVE AND APPORTIONMENT UNDER FLEXI SYSTEM

| Particulars | Sl.No. | Description | Formula | Linked Plants of the subsidiary | | | | Non-linked Plants of the subsidiary | | | |
|--------------------------------------|--------|--|-------------------------|---------------------------------|---------------------------|---------------------------|---------|-------------------------------------|---------|---------|-------|
| | | | | Plant A (Pre-NCDP) | Plant B (Post NCDP) | Plant C (Post NCDP) | Total | Plant D | Plant E | Plant F | Total |
| Inputs | 1 | Annual Contracted Qty. | | 100 | 150 | 200 | 450 | NA | | | |
| | 2 | PI Applicability above | | 90% | 90% | 90% | 90% | | | | |
| | 3 | PI Applicability above (Qty.) | | 90.0 | 135.0 | 180.0 | 405.0 | | | | |
| | 4 | Delivered Qty. (DQ) | | 60 | 100 | 130 | 290 | 5 | 20 | 100 | 125 |
| PI eligible quantity & Apportionment | 5 | Total DQ including non-linked plants | | NA | | | 415 | NA | | | |
| | 6 | Overall Materialization i.e. (Overall DQ*100)/AACQ | Total (5)*100/Total (1) | NA | | | 92.2% | | | | |
| | 7 | Total quantity eligible for PI (Quantities above 90%)* | {Total (5)-Total (3)} | NA | | | 10.0 | | | | |
| | 8 | Apportionment of PI eligible quantity to linked plants** | {(1)*Total(7)}/Total(1) | 2.2 | 3.3 | 4.4 | 10.0 | | | | |
| | 9 | Post apportionment, DQ of linked plants | (3)+(8) | 92.2 | 138.3 | 184.4 | 415.0 | | | | |
| | 10 | Materialization of linked plants*** | (9)/(1) | 92.2% | 92.2% | 92.2% | - | | | | |
| PI Bill | 11 | PI Bill (in Rs.)**** | | x | y | z | (x+y+z) | | | | |

| Footnotes | |
|-----------|--|
| * | If overall materialization do not exceed the PI applicability level of above 90%, then, no quantities shall be eligible for Performance Incentive |
| ** | PI Eligible supply shall be apportioned to the linked plants in the proportion of their individual ACQs, if the choice of apportionment of the eligible quantity to linked plants is not indicated by the purchaser within the stipulated date |
| *** | Post apportionment of PI eligible quantity on linked plants, the amount of PI shall be calculated on individual plants as per the T&C of respective type of agreement |
| **** | This total PI amount (x+y+z) amount shall be indicated to consumer. Post which, the consumer shall have an option of payment of this amount from their choice of both linked and non-linked plants of the subsidiary in whatever ratio as suited to them. However, they have to pay the complete amount i.e. (x+y+z). Such choices shall be submitted by the consumers within 30 days post indication of the amount by the Seller. Otherwise, invoice bill on linked plants shall be raised by the Seller. |

Note

The quantities are in Tonne (Te)

The above calculation is for illustrative purpose only and figures are arbitrary. In case of difference in nomenclature, the nomenclature of FSA shall supersede.

Other guidelines regarding Performance Incentive, Trigger Level, Compensation etc. applicable to relevant financial years are also to be referred.

ANNEXURE-B
CALCULATION OF ELIGIBLE QUANTITY FOR SHORTFALL IN LEVEL OF LIFTING AND APPORTIONMENT (PENALTY TO PURCHASER) UNDER FLEXI SYSTEM

| Particulars | Sl.No. | Description | Formula | Linked Plants of the subsidiary | | | | Non-linked Plants of the subsidiary | | | | Overall |
|-------------|--------|---|--|---------------------------------|------------------------|------------------------|-------|-------------------------------------|---------|---------|-------|--------------|
| | | | | Plant A (Pre-NCDP) | Plant B (Post NCDP) | Plant C (Post NCDP) | Total | Plant D | Plant E | Plant F | Total | |
| | 1 | Annual Contracted Qty. | | 100 | 150 | 200 | 450 | NA | | | | 450.0 |
| | 2 | Trigger Level [#] | | 90.0% | 75.0% | 75.0% | 78.3% | NA | | | | 78.3% |
| | 3 | Trigger Qty. | | 90.0 | 112.5 | 150.0 | 352.5 | NA | | | | 352.5 |
| | 4 | Rail ACQ (for understanding purpose only) | | NA | | | | | | | | 418.0 |
| | 4A | Road ACQ (for understanding purpose only) | | NA | | | | | | | | 32.0 |
| | 4B | Submission of rail program by Purchaser in Rail mode as per agreed timelines for quantity | | 70 | 105 | 148 | 323 | 10 | 12 | 8 | 30 | 353.0 |
| | 4C | Submission of payment and/or IRLC by Purchaser as per T&C of FSA for quantity for Rail | | 40 | 90 | 144 | 274 | 10 | 11 | 8 | 29 | 303.0 |
| | 4D | Valid Offer/indent to railways by seller for wagon allotment | | 40 | 90 | 144 | 274 | 10 | 11 | 8 | 29 | 303.0 |
| | 4E | Wagon Allotment Qty by Railways | | 40 | 90 | 144 | 274 | 10 | 11 | 8 | 29 | 303.0 |
| | 4F | Cancellation, withdrawal or modification of the rail programme(s) by the Purchaser after its submission whether before or after allotment of wagon(s) by Railways for quantity | | 3 | 4 | 5 | 12 | 1 | 2 | 3 | 6 | 18.0 |
| | 4G | Submission of payment and/or IRLC by Purchaser as per T&C of FSA for quantity of Road/MGR/Rope/Belt mode | | 0 | 0 | 9 | 9 | 1 | 4 | 0 | 5 | 14.0 |
| | 4H | Issuance of delivery order by Seller for quantity of Road/MGR/Rope/Belt | | 0 | 0 | 9 | 9 | 1 | 4 | 0 | 5 | 14.0 |
| | 4I | Placement of Requisite number/type of transport by the Purchaser for quantity of Road/MGR/Rope/Belt | | 0 | 0 | 9 | 9 | 1 | 4 | 0 | 5 | 14.0 |
| | 5 | Delivered Qty. (DQ) | | 35 | 80 | 80 | 195 | 5 | 5 | 3 | 13 | 208.0 |
| INPUTS | 6A | 3.11.1 (i) The quantity of Coal not supplied by the Seller owing to omission or failure on the part of Purchaser to submit in advance the designated rail programme (s) to the Seller as per agreed time-table with respect to the Scheduled Quantity. | Overall (4)-Overall (4B) | NA | | | | | | | | 65.0 |
| | 6B | 3.11.1 (ii) The quantity of Coal not supplied by the Seller owing to cancellation, withdrawal or modification of the rail programme(s) by the Purchaser after its submission whether before or after allotment of wagon(s) by Railways. | | NA | | | | | | | | 18.0 |
| | 6C | 3.11.1(iii) The quantity of Coal not supplied by the Seller owing to Purchaser's failure to pay and/or submit / maintain IRLC, as applicable, in accordance with Clause 11.1.2. | Overall (4B) ^{##} - Overall(4C) | NA | | | | | | | | 50.0 |
| | 6D | 3.11.1(iv) The quantity of Coal not supplied by the Seller owing to Seller exercising the right of suspension of supplies in terms of Clause 14. | | NA | | | | | | | | 0.0 |
| | 6E | 3.11.1 (v) The quantity of Coal offered by Seller from domestic and/or imported coal in terms of Clause 3.3.1 and 3.3.2 not accepted by the Purchaser. | | NA | | | | | | | | 0.0 |
| | 6 | Total DDQ for Rail | (6A)+(6B)+(6C)+(6D)+(6E) | NA | | | | | | | | 133.0 |

| | | | | | | | | | | | | |
|--|----|--|---|----------------------------|--|--|-------|-------|-------|---------|-------|-------------|
| | 7A | 3.11.2(i) The quantity of Coal not supplied by the Seller owing to Purchaser's failure to pay and/or submit IRLC, as applicable, in accordance with Clause 11.1.2. | DDQ for Road/ Ropeways/ MGR/ Belt conveyor | Overall (4A)- Overall (4G) | | | | NA | | | | 18.0 |
| | 7B | 3.11.2 (ii) The quantity of Coal not supplied by the Seller owing to Seller exercising the right of suspension of supplies in terms of Clause 14. | | | | | | | | | | 0.0 |
| | 7C | 3.11.2 (iii) The quantity of Coal not supplied by the Seller owing to Purchaser's failure to place the requisite number / type of transport at the Delivery Point for delivery of Coal within the validity period of the sale order/delivery order. | | | | | | | | | | 0.0 |
| | 7D | 3.11.2 (iv) The quantity of Coal offered by Seller from domestic and/or imported coal in terms of Clause 3.3.1 and 3.3.2 not accepted by the Purchaser. | | | | | | | | | | 0.0 |
| | 7 | Total DDQ for Road/Ropeways/MGR/Belt conveyor | | (7A)+(7B)+(7C)+(7D) | | | | | | | | 18.0 |
| | 8 | Overall DDQ including non-linked plants | (6)+(7) | | | | | | | | 151.0 | |
| Failed Quantity under Level of Lifting & Apportionment | 9 | Level of Lifting i.e. $\{(AACQ-DDQ)*100\}/AACQ$ | $\{Overall(1)-Overall(8)\}*100/Overall(1)$ | | | | NA | | | | 66.4% | |
| | 10 | Weighted Average Trigger Level | Overall(2) | | | | | | | | 78.3% | |
| | 11 | Total failed quantity eligible for Compensation* | $\{Overall(10)-Overall(9)\}*Overall(1)$ | | | | | | | | 53.5 | |
| | 12 | Apportionment of failed quantity among linked plants** | $\{1*Overall(11)\}/Overall(1)$ | | | | 11.9 | 17.8 | 23.8 | 53.5 | NA | |
| | 13 | Post apportionment, Lifted quantity of linked plants | (3)-(12) | | | | 78.1 | 94.7 | 126.2 | 299.0 | | |
| | 14 | Level of Lifting of linked plants*** | $(13)*100/(1)$ | | | | 78.1% | 63.1% | 63.1% | - | | |
| Compensation Bill | 15 | Compensation Bill (in Rs.)**** | | | | | x | y | z | (x+y+z) | | |

| | | | | | | | | | | |
|-----------|--|--|--|--|--|--|--|--|--|--|
| Footnotes | | | | | | | | | | |
| # | Trigger levels of Post 2009 FSAs are as per SHAHTI Policy approved by Cabinet Committee on Economic Affairs(CCEA) and issued by MoC vide letter dated 22.05.2017 | | | | | | | | | |
| ## | The formula shall be $\{Overall(4B)-Overall(4C)\}$ or $\{Overall(4)-Overall(4C)\}$ whichever is less. This is to address the situation in cases where the program quantity is more than scheduled quantity | | | | | | | | | |
| * | If level of lifting exceeds weighted average trigger level, then, no quantities shall be eligible for compensation | | | | | | | | | |
| ** | Failed Quantity eligible for Compensation shall be apportioned to the linked plants in the proportion of their individual ACQs, if the choice of apportionment of the eligible quantity to linked plants is not indicated by the purchaser within the stipulated date mentioned in the modalities. | | | | | | | | | |
| *** | Post apportionment of failed quantity among linked plants, the amount of compensation shall be calculated on individual plants as per the T&C of respective type of agreement | | | | | | | | | |
| **** | This total compensation amount (x+y+z) amount shall be indicated to consumer. Post which, the consumer shall have an option of payment of this amount from their choice of both linked and non-linked plants of the subsidiary in whatever proportion suited to them. However, they have to pay the complete amount i.e. (x+y+z). Such choices shall be submitted by the consumers within 30 days post indication of the amount by the Seller. Otherwise, invoice bill on linked plants shall be raised by the Seller. | | | | | | | | | |

Note

The quantities are in Tonne (Te)

The above calculation is for illustrative purpose only and figures are arbitrary. In case of difference in nomenclature, the nomenclature of FSA shall supersede.

The clause numbers mentioned in above illustration are of LOA Route FSA for SEBs. In case of calculation for different FSA, relevant clauses is to be referred.

Other guidelines regarding Performance Incentive, Trigger Level, Compensation etc. applicable to relevant financial years are also to be referred.

ANNEXURE-C

CALCULATION OF ELIGIBLE QUANTITY FOR SHORTFALL IN LEVEL OF DELIVERY AND APPORTIONMENT (PENALTY TO SELLER) UNDER FLEXI SYSTEM

| Particulars | Sl.No. | Description | Formula | Linked Plants of the subsidiary | | | | Non-linked Plants of the subsidiary | | | | Overall |
|-------------|--------|---|--|---------------------------------|------------------------|------------------------|-------|-------------------------------------|---------|---------|-------|---------|
| | | | | Plant A (Pre-NCDP) | Plant B (Post NCDP) | Plant C (Post NCDP) | Total | Plant D | Plant E | Plant F | Total | |
| | 1 | Annual Contracted Qty. | | 100 | 150 | 200 | 450 | NA | | | | 450.0 |
| | 2 | Trigger Level [#] | | 90.0% | 75.0% | 75.0% | 78.3% | NA | | | | 78.3% |
| | 3 | Trigger Qty. | | 90.0 | 112.5 | 150.0 | 352.5 | NA | | | | 352.5 |
| | 4 | Rail ACQ (for understanding purpose only) | | NA | | | | | | | | 418.0 |
| | 4A | Road ACQ (for understanding purpose only) | | NA | | | | | | | | 32.0 |
| | 4B | Submission of rail program by Purchaser in Rail mode as per agreed timelines for quantity | | 70 | 105 | 148 | 323 | 10 | 12 | 8 | 30 | 353.0 |
| | 4C | Submission of payment and/or IRLC by Purchaser as per T&C of FSA for quantity for Rail | | 40 | 90 | 145 | 275 | 10 | 11 | 8 | 29 | 304.0 |
| | 4D | Valid Offer/indent to railways by seller for wagon allotment | | 40 | 90 | 145 | 275 | 10 | 11 | 8 | 29 | 304.0 |
| | 4E | Wagon Allotment Qty by Railways | | 40 | 90 | 144 | 274 | 10 | 10 | 8 | 28 | 302.0 |
| | 4F | Cancellation, withdrawal or modification of the rail programme(s) by the Purchaser after its submission whether before or after allotment of wagon(s) by Railways for quantity | | 3 | 4 | 5 | 12 | 1 | 2 | 3 | 6 | 18.0 |
| | 4G | Submission of payment and/or IRLC by Purchaser as per T&C of FSA for quantity of Road/MGR/Rope/Belt mode | | 0 | 0 | 9 | 9 | 1 | 4 | 0 | 5 | 14.0 |
| | 4H | Issuance of delivery order by Seller for quantity of Road/MGR/Rope/Belt | | 0 | 0 | 9 | 9 | 1 | 4 | 0 | 5 | 14.0 |
| | 4I | Placement of Requisite number/type of transport by the Purchaser for quantity of Road/MGR/Rope/Belt | | 0 | 0 | 9 | 9 | 1 | 4 | 0 | 5 | 14.0 |
| | 5 | Delivered Qty. (DQ) | | 35 | 50 | 68 | 153 | 5 | 5 | 3 | 13 | 166.0 |
| INPUTS | 6A | 3.11.1 (i) The quantity of Coal not supplied by the Seller owing to omission or failure on the part of Purchaser to submit in advance the designated rail programme (s) to the Seller as per agreed time-table with respect to the Scheduled Quantity. | Overall (4)-Overall (4B) | NA | | | | | | | | 65.0 |
| | 6B | 3.11.1 (ii) The quantity of Coal not supplied by the Seller owing to cancellation, withdrawal or modification of the rail programme(s) by the Purchaser after its submission whether before or after allotment of wagon(s) by Railways. | | NA | | | | | | | | 18.0 |
| | 6C | 3.11.1(iii) The quantity of Coal not supplied by the Seller owing to Purchaser's failure to pay and/or submit / maintain IRLC, as applicable, in accordance with Clause 11.1.2. | DDQ for Rail | NA | | | | | | | | 49.0 |
| | 6D | 3.11.1(iv) The quantity of Coal not supplied by the Seller owing to Seller exercising the right of suspension of supplies in terms of Clause 14. | Overall (4B) ^{##} - Overall(4C) | NA | | | | | | | | 0.0 |
| | 6E | 3.11.1 (v) The quantity of Coal offered by Seller from domestic and/or imported coal in terms of Clause 3.3.1 and 3.3.2 not accepted by the Purchaser. | | NA | | | | | | | | 0.0 |
| | 6 | Total DDQ for Rail | (6A)+(6B)+(6C)+(6D)+(6E) | NA | | | | | | | | 132.0 |

| | | | | | | | | | |
|---|----|--|---|----------------------------|-------|-------|---------|----|-------|
| | 7A | 3.11.2(i) The quantity of Coal not supplied by the Seller owing to Purchaser's failure to pay and/or submit IRLC, as applicable, in accordance with Clause 11.1.2. | DDQ for Road/ Ropeways/ MGR/ Belt conveyor | Overall (4A)- Overall (4G) | NA | | | | 18.0 |
| | 7B | 3.11.2 (ii) The quantity of Coal not supplied by the Seller owing to Seller exercising the right of suspension of supplies in terms of Clause 14. | | | | | | | 0.0 |
| | 7C | 3.11.2 (iii) The quantity of Coal not supplied by the Seller owing to Purchaser's failure to place the requisite number / type of transport at the Delivery Point for delivery of Coal within the validity period of the sale order/delivery order. | | | | | | | 0.0 |
| | 7D | 3.11.2 (iv) The quantity of Coal offered by Seller from domestic and/or imported coal in terms of Clause 3.3.1 and 3.3.2 not accepted by the Purchaser. | | | | | | | 0.0 |
| | 7 | Total DDQ for Road/Ropeways/MGR/Belt conveyor | | (7A)+(7B)+(7C)+(7D) | | | | | |
| | 8 | Overall DDQ | (6)+(7) | | NA | | | | 150.0 |
| | 9 | Force Majeure Qty. (FM) | | | NA | | | | 1.0 |
| | 10 | Railway Failure (RF) | Overall (4D)- Overall (4E) | | | | | | 2 |
| Failed Quantity under Level of Delivery & Apportionment | 11 | DQ+DDQ+FM+RF including non-linked plants | (5+8+9+10) | | | | | | 319 |
| | 12 | Level of Delivery i.e. $\{(DQ+DDQ+FM+RF)*100\}/AACQ$ | $\{Overall(11)*100\}/Overall(1)$ | | NA | | | | 70.9% |
| | 13 | Weighted Average Trigger Level | Overall(2) | | | | | | 78.3% |
| | 14 | Total failed quantity eligible for Compensation* | $\{Overall(13)-Overall(12)\}*Overall(1)$ | | | | | | 33.5 |
| | 15 | Apportionment of failed quantity among linked plants** | $\{1*Overall(14)\}/Overall(1)$ | 7.4 | 11.2 | 14.9 | 33.5 | NA | |
| | 16 | Post apportionment, delivery to linked plants | (3)-(15) | 82.6 | 101.3 | 135.1 | 319.0 | | |
| | 17 | Level of Delivery of linked plants*** | $(16)*100/(1)$ | 82.6% | 67.6% | 67.6% | - | | |
| Compensation Bill | 18 | Compensation Bill (in Rs.)**** | | x | y | z | (x+y+z) | | |

| | |
|------------------|--|
| Footnotes | |
| # | Trigger levels of Post 2009 FSAs are as per SHAKTI Policy approved by Cabinet Committee on Economic Affairs(CCEA) and issued by MoC vide letter dated 22.05.2017 |
| ## | The formula shall be $\{Overall(4B)-Overall(4C)\}$ or $\{Overall(4)-Overall(4C)\}$ whichever is less. This is to address the situation in cases where the program quantity is more than scheduled quantity |
| * | If level of delivery exceeds weighted average trigger level, then, no quantities shall be eligible for compensation |
| ** | The Seller may give their choice of apportionment of failed quantity in whatever proportion or may apportion the failed quantity in the proportion of ACQs of linked plants. |
| *** | Post apportionment of failed quantity among linked plants, the amount of compensation shall be calculated on individual plants as per the T&C of respective type of agreement |
| **** | This total invoice bill amount (x+y+z) amount shall be indicated to Seller for Payment. |

Note

The quantities are in Tonne (Te)

The above calculation is for illustrative purpose only and figures are arbitrary. In case of difference in nomenclature, the nomenclature of FSA shall supersede.

The clause number mentioned in above calculation are of LOA Route FSAs for SEB. In case of calculation for different FSA, relevant provisions are to be referred

Other guidelines regarding Performance Incentive, Trigger Level, Compensation etc. applicable to relevant financial years are also to be referred.