



ural sharma <uralsharma1995@gmail.com>

Fwd: Fwd: Comment on CERC Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (Second Amendment) Regulations, 2024).

1 message

Mukesh Kumar <mukeshkr.cea@gov.in>
To: uralsharma1995 <uralsharma1995@gmail.com>

Sat, Mar 9, 2024 at 7:33 PM

With Best Regards Mukesh Kumar Assistant Chief (Engg.) Central Electricity Regulatory Commission New Delhi - 110001 Contact- 23353503

----- Forwarded Message -----

From: Shilpa Agarwal <shilpa@cercind.gov.in>
To: Mukesh Kumar <mukeshkr.cea@gov.in>, ramakant ece <ramakant.ece@gmail.com>, Awdhesh Kumar Yadav <awdhesh@nic.in>
Sent: Sat, 09 Mar 2024 07:48:49 +0530 (IST)
Subject: Fwd: Comment on CERC Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (Second Amendment) Regulations, 2024).

----- Forwarded Message -----

From: srikrishna chakravarthi <srikrishna.chakravarthi@suzlon.com>
To: Harpreet Singh Pruthi <secy@cercind.gov.in>, Shilpa Agarwal <shilpa@cercind.gov.in>
Cc: b jagannadham <b.jagannadham@suzlon.com>, vbishnoi@suzlon.com, vikalp vats <vikalp.vats@suzlon.com>
Sent: Fri, 08 Mar 2024 22:41:49 +0530 (IST)
Subject: Comment on CERC Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (Second Amendment) Regulations, 2024).

Dear Sir,

PFA below comment on CERC Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (Second Amendment) Regulations, 2024).

Draft regulation - Page No. 2, Clause No. 5.8 -VII - d:

"Government Order issued by the concerned Government for allotment of the land along with possession documents for 100% of the land required for the capacity for which Connectivity is sought."

We want to insert the clause: Honourable CERC shall allow the sublease of Revenue land from Project Developer to IPP/Connectivity holder as per State Govt. Land Policy.

Justification: Almost all the state connected projects are developing the projects with Revenue land on sublease concept. Even few projects connected in ISTS through bidding route, SECI has accepted the revenue sublease registered documents of Project Developers for IPP/Connectivity Holders. Attached Revenue land Sublease Note for kind reference.

Thanks

V. V. Srikrishna Chakravarthi
agm, power evacuation-

Suzlon Global Services Ltd.
Level -1, LEFT WING, TREE Building,
SUZLON, ONE EARTH, Hadapsar, Pune, 411028, INDIA
Phone 020-67025411, Mobile: 7350596800

[cid:image001.jpg@01DA4EE2.22D375F0]<http://www.suzlon.com/>

28 years of harnessing Renewable Energy for a Greener Tomorrow.
Transforming energy, transforming lives!

Visit us at: www.suzlon.com<http://www.suzlon.com/> | [Twitter](https://twitter.com/suzlon)<https://twitter.com/suzlon> | [LinkedIn](https://www.linkedin.com/company/suzlon-group)<https://www.linkedin.com/company/suzlon-group>

-----CONFIDENTIALITY NOTICE-----

This email and any files transmitted with it are confidential and may be privileged or otherwise protected from disclosure under respective laws and are intended solely for the use of the entity / individual to whom they are addressed. If you have received this email in error or If you are not the intended recipient, please notify the sender immediately by way of telephone or email and delete this message and any files transmitted from your system. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. Please note that any views presented in the email are solely those of the author and do not necessarily represent those of the organization. While all care has been taken to avoid viruses the recipient is advised to check this email and attachments for presence of viruses. The organization accepts no liability on this account. We do not guarantee the security of any information transmitted through email and are not liable for any interception, corruption or delays. Anyone communicating with us by email accepts the risks of email communications and their consequences.

-----CONFIDENTIALITY NOTICE-----

2 attachments



image003.jpg
8K

 **note_revenue_land_gna_connectivity.pdf**
1243K

Date: 11th December '23

**NOTE ON ACCEPTANCE OF SUBLEASE OF REVENUE LAND FOR
GNA CONNECTIVITY**

- In the state of Gujarat, revenue land is allotted to Developers for Wind Power Projects as per Government of Gujarat (GoG) order no. JMN/3093/UOR-29/A dated 11th June 2004 (enclosed as Schedule 1).

- Clause 5 of the above order specifies as below :
*The Wind Farm Project Developer after getting lease land and after developing, can one time **sublease to Client**.*

- Thereafter, Wind Turbine Manufacturers were also included towards allotment of revenue land through GoG order no. JMN/2018/2256//A-1 dated. 8th March 2019. A copy of the said order is enclosed as Schedule 2.

- Accordingly ALL the projects, on revenue land, have been executed in the state of Gujarat; for both CTU as well as STU connectivity by way of sublease to Customers.

- A sample copy of the Revenue land allotment order is enclosed as Schedule 3, wherein the reference of the above-mentioned 2004 GoG order is explicitly specified.

In light of the above facts, it is earnestly requested that in case of revenue lands, sublease should be accepted as valid document; while availing Connectivity through the Land Route and the Land BG route.

(Translated copy)

Government Land on lease
to Wind Farm Project

Gujarat Government,
Revenue Department,
Resolution No. JMN / 3903/ UOR-29 / A
Sachivalaya, Gandhinagar ,
Dated. 11 / 6 / 2004

Reference :- M.V.N. dated 5/4/2003 Resolution No. Land / 392003 / 57 / A

According to the above mentioned resolution of the Revenue Department the policy for recovery of rent for non-agriculture use for Commercial, Residential and Industrial purposes is in existence, last year under Vibrant Gujarat, the State Government convened global investment conference in which M.O.U. was entered into for creation of 1100 M.W. energy through Wind Farm Project. Therefore a question for making a land policy for Wind Farm Project has arisen -

RESOLUTION :-

After due examination of all the prominent items with reference to above following main policy is decided as per this resolution .

1) **TYPE OF LAND :-**

For wind farms Government waste lands are given priority. As an exception after approval of local self Government even giving of Gancher Land can also be considered.

2) **AREA OF LAND :-**

The norm for 1 WTG unit is considered as 1 hectare land. Accordingly, while allotting land it should be seen that the development of the adjoining land should not disturb the wind velocity. The developer will be eligible for getting right of way for WTG and transmission .

3) **NON - AGRICULTURAL PERMISSION :-**

i) **FOR GOVERNMENT LAND :-**

Energy production is a non - agricultural purpose, accordingly in the order allotting the land N. A. permission will be given and the N. A. tax will have to be remitted. It is not necessary for the developer to make a separate application for N. A. permission .

ii) **PRIVATE LAND :-**

For those Wind Farm Project, private land is to be used for such projects private land can be used as for standard industrial purposes. For deemed N. A. and for agricultural land purchased for non-agricultural purposes, related concessions of Land Development Act will be applicable and will also be applicable to Wind Farm Project

4) LEASE PERIOD :

Period for lease will be 20 years

5) SUB LEASE CONCESSIONS : -

The Wind Farm Project developer after getting lease land and after developing, can one time sublease to a client . After the agreement for sublease the same will be endorsed before the Collector within 30 days. This concession is necessary for recovery of lease rent from the sublease holder on time . On violation of this concession the lease agreement will be cancelled and the land will be seized by Government without any compensation and without any liability.

6) LEASE RENT : -

FIRST STAGE :- At the time of granting possession of the land, 10% of market value as decided by the District Valuation Committee or Statelevel Valuation Committee , will have to be recovered for the first 5 years or when the developer grants sublease to the client , which ever occurs earlier .

* SECOND STAGE :- After first stage mentioned above 15% of the market value will be recovered . The market value for the land will be recovered every 5 years as per due examination as per Revenue Department resolution Reference-1.

ADVANCE POSSESSION

The collector can give advance possession of the land demanded for Wind Farm project after recovery of the lease rent decided by the Dist Valuation Committee . When the price of the land in question is more than Rs 50 lacs , the difference in the lease rent based on the value of the land decided by State Valuation Committee, will be remitted and bond is necessary to be taken for remittance of such amount.

This resolution will come in to force from the date of issue . This order is issued on approval from Energy and Petro-chemical Department dated 25/5/2004 and approval of Finance Department dated 3/6/2004 .

By order and in the name of Governor of Gujarat ,

Sd/-----

(Mukesh modi)

Deputy Secretary,

Revenue Department, Government of Gujarat .

ગુજરાત સરકાર



ક્રમાંક:- જમન/૨૦૧૮/૨૨૫૭/અ-૧
મહેસૂલ વિભાગ,
બ્લોક નં. ૧૧/૫મો માળ,
સચિવાલય, ગાંધીનગર.
તારીખ:- ૦૮/૦૩/૨૦૧૯.

પ્રતિ,
સર્વે કલેક્ટરશ્રીઓ.

વિષય:-માન. મુખ્યમંત્રીશ્રીની અધ્યક્ષતામાં તા. ૨૦/૦૬/૨૦૧૮ના રોજ મળેલ
વિવિધઉદ્યોગિકમુદાઓ અન્વયે ઉચ્ચસ્તરિય સમિતિની બેઠક બાબત.

સંદર્ભ:- (૧) અત્રેના સમાન ક્રમાંકનો તા. ૨૫/૦૭/૨૦૧૮નો પત્ર.
(૨) અત્રેના સમાન ક્રમાંકનો તા. ૧૧/૦૮/૨૦૧૮નો પત્ર.

શ્રીમાન,

ઉપર્યુક્ત વિષય પરત્વે આજ્ઞાનુસાર જણાવવાનું કે, પ્રસ્તુત કિસ્સામાં સંદર્ભમાં દર્શાવેલ અત્રેના
સમાન ક્રમાંકના તા.૧૧/૦૮/૨૦૧૮ના પત્રથી જે સુચનાઓ આપવામાં આવેલ છે તેમાં સુધારો કરી નીચે
મુજબની બે કેટેગરીના અરજદારોની અરજીઓ વિન્ડ ફાર્મ માટે સરકારી જમીન ભાડાપટ્ટે ફાળવણી
કરવા અન્ય સુચનાઓ ના આપવામાં આવે ત્યાં સુધી વિચારણામાં લેવા નિર્ણય કરવામાં આવે છે.

1. Companies who have won wind bids invited either by GUVNL or Solar
Energy Corporation of India or other agencies of the Government of
India, Supported by a letter to that effect from GEDA”

OR

2. Wind Turbine manufacturers or their 100% subsidiaries, and their
associate companies, appearing in the Revised List of Models and
Manufacturers of Wind Turbine(RLMM) as approved by the National
Institute of Wind Energy (NIWE)

સદરહુ બાબતે લેવાયેલ નિર્ણય મુજબ આપના હક્કમાં વિન્ડમિલ સ્થાપવા, જમીન ફાળવણી માટે
આવેલ અરજીઓ અન્વયે ઉક્ત નિર્ણય અનુસાર કાર્યવાહી કરવા વિનંતી છે.

આપનો વિશ્વાસુ,

(વી.જી. દેસાઈ)

ઉપ સચિવ

મહેસૂલ વિભાગ, ગુજરાત સરકાર.

Sub :- Moje – Ashaladi, Teh. Lakhpat's R.S.No.40/1 paiki's land H. 27-00-00 are to be availed for wind farm project on lease rent basis.
Shri Suzlon Gujarat Wind Park Ltd., Rajkot

- Ref.:- (1) Government's Revenue department's resolution no. JMN/3903-UOR/29/A, Dt.11/6/2004.
(2) Suzlon Gujarat Wind park Ltd.'s application dated 25/3/2008.
(3) Deputy collector, Nakhatrana's letter no. Land/Vashi/3739/2008 dated 2/8/2008
(4) DILR Bhuj's M.R.No.1/4/08-09, Dt.25/12/2008 & Dt.28/1/2009
(5) Govt. revenue department's resolution Sr.No.JMN/3903/UOR/29/A Dated 2/12/2004
(6) This office's letter no. JMN/2/Lease/Vashi/337/2009 Dated 7/2/2009
(8) Lakhpat Mamlatdar's letter no.486, Dated 25/2/09

Order :-

As per the Government revenue department's resolution of Ref(1), a new policy for allotment of land on lease rent basis for the purpose of wind farm project was declared and with reference to that applicant Shri Suzlon Gujarat Wind park Ltd., Rajkot applied through the Ref.(2)'s application for availing on lease rent basis for a duration of 20 years the land of Ashaladi, Teh. Lakhpat's R.S.No.40/1 paiki's Hec.27-00-00 for the purpose of wind farm units.

In the matter of the company's demand, Lakhpat mamlatdar prepare legal submission and the favorable request is forwarded by Dep. collector Nakhatrana Ref. at (3). The land asked for has not been sanctioned to anybody up to now. Neither telephone lines nor electric lines pass through or over it.

As per the DILR Bhuj's letter of Ref. (4) measurement of the land in demand was done and measurement sheet has been submitted through M.R.No.1/4/08-09. And as per that survey of demanded land Hec.32-00-00, out of that available land Hec.27-00-00 has been measured on measurement sheet is submitted on produced. As per DILR Bhuj's explanation letter on dt.28/1/2009, measurement land Hec.27-00-00 is Govt. waste land. As per that applicant's measured land of R.S.No.40/1 paiki's total land Hec.27-00-00 area are available.

As per the provisions of the Government's Revenue department's resolution ref. at (5), the rental rates to be charged, for the land allotted for wind farm projects have been fixed. And as per that the rates fixed are Rs.10,000/- per hectore per year. As per that resolution applicant company was informed to pay Rs.2,70,000/- as lease rent for the Mouje Ashaladi, Teh. Lakhpat's R.S.No.40/1 paiki's Hec.27-00-00 to Lakhpat's mamlatdar within 21 days and this was conveyed through this office's letter Ref. at (6), and the applicant company paid lease rent amount of Rs.2,70,000/- on dated 25/2/2009. As per Ref. (7)'s report of Mamlatdar, Lakhpat are submitted with original challans.



As per the resolution of government dated 02/12/2004, the applicant company has paid the annual rent amount, therefore as per the resolution of the government ref. at (1) and (5), mouje Ashaladi, Teh. Lakhpat's R.S.No.40/1 paiki's Hec.27-00-00 which has been surveyed and measured by DILR Bhuj and submitted as M.R.No.1/4/08-09 dated 25/12/2008 for the purpose of wind mill, bound by the following terms and conditions is to be allotted to Shri Suzlon Gujarat Wind Park Ltd., Rajkot for a duration of 20 years on lease rent basis.

Terms & Conditions:-

- (1) The lease term of the land will be of 20 years.
- (2) After expire lease period, it may be thinking for renewed for further lease period.
- (3) As per the resolution of the Government dated 02/12/2004, per hector Rs.10,000/- shall have to be paid as annual rent regularly. And also non agriculture cess and other taxes pertaining to the land too shall have to be paid regularly. This rent will have to be paid either by Developer Company or by the Sub lease holder client. And if any charges are made with reference annual rent in future by the government those will be binding to the company.

One hector land will be proper for one WTG unit. On allotting the land as per this area, it will be necessary to this land do not suffer due to wind velocity disturbances when they (adjoining land owners) develop their lands. The developer has the right of passage for WTG and Transmission.

The developer of the wind farm project shall obtain the land on lease rent and after developing he could sublease to a client once only. After executing the sublease agreement, within 30 days of it. It must be sent for endorsement to the collector. This permission is necessary so that the rent could be collected from the sublease holder within time frame. If this provision is allotted, the lease rent agreement will be cancelled. The land shall go back to the government sans and compensation as burden.

In case there is breach of any of the above terms and conditions as if the land is used for any other purpose save the one for which it is granted then the lease rent will be terminated on account of breach of terms and conditions and can to be cancelled without compensation with immediate effect.

Authorised for Sent

sd/-

Chitnish To The Collector
Bhuj (Kutch)

CC Sent:-

- Deputy collector Nakhatrana, Kutch
- Mamlatdar Dayapar (Kutch) with necessary paper.
- DILR Bhuj
- Taluka Development Officer, Lakhpat
- Talati, Ashaladi, Teh. Lakhpat-Kutch
- Suzlon Gujarat Wind Park Ltd., 1st Floor, "Mangal Shanti", Opp. Oriental Bank, Nirmala Convent Road, Rajkot
- To the office file.

CC Sent:-

- Deputy Secretary, Revenue Department, 'A' Branch, Sachivalay, Gandhinagar.

Sign (R. R. Varsani)
Collector Kutch

Page No..... 6
Serial No..... 11195
Receipt No..... 11095
Date..... 17/11/19

**Gujarati in to English
Translation authenticate by**


**D. C. RAVAL
Advocate & Notary.
RAJKOT**