

Gujarat Energy Development Agency
4th Floor, Block No. 11/12, Udyog Bhavan
Sector-11, Gandhinagar 382 017

Instructions/Guidelines/Terms & Conditions for setting up of Windfarm

1. Application form :

The permission granted for setting up of Windfarms to the developer, shall be governed by the provisions of the Wind Power Generation Policy-2013 declared by the state Government vide its resolution No. EDA-10-2001-3054-B dated 25th July, 2013. **(Annexure-1)**, the GERC orders related to Wind power and guidelines / the terms and conditions mentioned below, and those may be specified by the concerned authorities from time to time.

The Developer application form **(Annexure-2)** and the Transfer application form **(Annexure-3)** shall be filled in all respect, relevant information requested for, shall be enclosed with the application form, separate sheets, if required, for providing the information be attached, not applicable options stricken off. All requisite fee/processing charges etc. + service tax as per prevailing rate, shall be paid alongwith the application form, unless otherwise specified, in form of a bank demand draft drawn on a nationalised bank in favour of Gujarat Energy Development Agency payable at Gandhinagar. Incomplete applications shall be processed after furnishing of the residual information. The date of application of such applications shall be reckoned from the date of the submission of the residual information.

The application form shall be signed and sealed by an authorised signatory of the applicant Company, who should be authorized by the Board of Directors of the company, for signing all the documents, legal deeds, declarations/ undertakings and correspondence, pertaining to the proposed Windfarm project. A copy of the resolution of the Board of Directors, authorizing the signatory for the above purpose be enclosed with the application form. In case of partnership firm, the application form shall be sealed and signed by the partners. One copy each of the, annual report of the immediate preceding year, Memorandum of Association, Memorandum of Articles/partnership deed duly certified by Company Secretary of the applicant company, Income tax Return filed for the immediate preceding year, list of the Directors of the applicant and the details of the past experience of the Developer in development of the Windfarms, and in case of transferees, the details of the earlier Windfarms set up shall be furnished along with the application form.

All correspondence regarding the Windfarm project with GEDA shall be made, on the letter head of the company under the name and designation of the above referred authorised signatory. All communications shall be addressed to the Company at the address/ fax / e mail id given against the particulars of the Authorised signatory of the applicant, and such communication sent shall deemed to be have been delivered to the applicant.

2. Application Processing Fee :

The Developer application form fee and processing fee alongwith the application form shall be paid as follows, in the form of demand draft drawn on a nationalized bank in favour of Gujarat Energy Development Agency, payable at Gandhinagar.

- Developer Application form fee: Rs. 5000 (Rupees Five thousand)
- Developer Application Processing fee:

Upto 25 MW	Rs. 3.00 lacs (Rupees Three lacs)
26 MW - 50 MW	Rs. 6.00 lacs (Rupees Six lacs)
51 MW – 75 MW	Rs. 9.00 lacs (Rupees Nine lacs)
76 MW and above	Rs.15.00 lacs (Rupees Fifteen lacs)

- Reprocessing fee: Rs.25,000 per Developer/ Transfer application.

The reprocessing fee shall be applicable In the event of the Developer/Transferee , requiring to change the location/s of the WTG/s, their configuration etc, after having granted the permission, before commissioning of the Wind farm.

- Transfer Fee: Rs. 25,000 / MW (Min. Rs. 25,000, Max. Rs. 2.50 lacs)
The transfer fee shall be paid alongwith the application of transfer of the Windfarm capacity to the client of the Developer. The aforesaid transfer fee shall also be applicable for Transfer of the ownership of the Windfarm, subsequent to commissioning of the Windfarm.
- Certification Charges: Rs. 10,000 /MW/year

The Certification charges towards the certification of the monthly generation of electricity, shall be paid by the transferee, alongwith the transfer application to GEDA in advance for the financial year, on prorata basis, beginning the month of commissioning of the Windfarm.

- Extension of Permission: Rs. 25,000 / MW for the residual capacity.

Extension of the time period for the Development / Transfer permission, beyond the time period mentioned at clause No. 4, will I be granted on request of the Developer/Transferee, with adequate and genuine reasons for such extension, fifteen days prior to the expiry date. GEDA reserves the right to reject the Extension of timeline, depending on the Work progress achieved by the Developer.

3. Deadlines for filing of application:

The application complete in all respect, by the Developer for obtaining Developer permission for setting up of Windfarm, shall not be filed later than:

- 15th July – for part/full commissioning of the proposed Windfarm capacity by 30th September.
- 15th January – for part/full commissioning of the proposed Windfarm capacity by 31st March.

While the application for transfer of the Windfarm capacity from the Developer to the Client (transferee) of the Developer shall be filed, thirty days prior to the date of commissioning.

4. Validity of the Developer /Transfer permission:

The validity of the developer permission shall be as below from the date of permission granted or up to the period that the wind power policy is in force, whichever is earlier:

Up to 50 MW	: One year
50 MW to 100 MW	: One year and Six months
100 MW and above	: Two years

The Transfer Permission shall be valid for a period of Six months and One Year for Wind farm capacity upto 25 MW and above 25 MW respectively, or upto the period that the Wind Power Policy is in force, whichever is earlier.

5. Work Progress:

The Developer shall submit a work progress report on quarterly basis from the date of the Developer permission granted, giving the important mile stones of the work completed, viz; Civil Works, Electrical works of the Substation and the transmission line, with relevant details of the work.

6. Suitability of the Sites:

It is advised that the applicant ascertains the feasibility of the site and expected energy output from the Wind farm, prior to selection of a site and micrositing of the Wind turbines.

The Government of Gujarat and/or GEDA neither guarantees the expected generation of electricity nor shall be responsible for sub-optimal generation of electricity. The Developer shall share the wind data of the sites monitored by them, with GEDA.

Developer is required to submit the declaration that they have ascertained the potentiality and suitability of the site for setting up of the Windfarm project, in terms of the annual average wind speed, wind power density etc.

7. Land related responsibilities

It shall be the sole responsibility of the developer to ensure that all the statutory permissions/terms and conditions, required pertaining to the use of revenue land and/or private land for the setting up of windfarm project are obtained/fulfilled with, from the concerned authorities. GEDA/Government shall be absolved from all such disputes and responsibilities pertaining to the revenue land and /or private land matters those may arise.

8. Power Evacuation arrangement:

The Developer shall furnish a copy of the approval granted by GETCO, for the construction of the Windfarm Substation, the transmission line between the Windfarm and the GETCO's substation and the quantum of power allowed for transmission, alongwith this application. A copy of the requisite receipt of the supervision fees paid to GETCO, towards the above shall also be enclosed.

9. Metering arrangement and meter reading:

The Developer shall provide metering arrangement at all the WTGs as well as at the sending end of the Windfarm, as per the technical specifications given by GETCO and in accordance with the provisions of the GERC order regarding metering. The Developers shall provide ABT meters at each of the WTGs as per the GERC order.

The Developer shall furnish a weekly statement of the generation of electricity from all the Windfarms of its clients, as per prescribed format to GEDA, for its onward transmission to SLDC, as per the requirements of the GERC, for the purpose of the energy accounting.

For the purpose of the commercial accounting, the individual Windfarm wise generation figures shall be furnished by the Developer, to the field offices of GEDA. GEDA and GETCO on the last day of the month, shall on the basis of SLDC report or jointly record the active and reactive energy exported and consumed respectively, at the Windfarm substation, and GEDA shall apportion the energy, to the individual Windfarm owners, upon deduction of the transmission loss from the individual Windfarm upto the metering point of the sending substation.

10. Micrositing of the Wind turbine generators:

The WTGs proposed for installation shall have type test approval of the Centre for Wind Technology, Chennai, under the Ministry of New and Renewable Energy, Govt. of India, or its recognized test centres. Old/used/second hand WTG/s shall not be eligible for installation under the present Wind Power Policy of the Govt. of Gujarat.

Only new WTG/s shall be eligible for installation, under this application. An undertaking to this effect shall be given by the authorized signatory as per prescribed format.

The applicant is free to decide the location and the spacing between the WTGs within rows and between the rows, for optimum utilization of the land. GEDA shall merely endorse the proposed locations, only for the purpose of the identification of the WTG and its location on the survey number of the plot and the village. The endorsement of GEDA of the micrositing proposed by the Developer, shall not be construed to be the best location for the WTGs performance or certifying the ownership of the land. The Developers shall provide the latitude and longitude co-ordinates of the proposed locations of the WTGs.

Each of the location of the WTG shall be given an unique number, which shall not be used by the Developer in the subsequent Developer applications made to GEDA. Scaled drawing of for the wind turbine locations proposed to be installed on the revenue land / private land in four copies shall be submitted to GEDA. All these copies should be signed by the authorised employee of the company with the seal of the company. A copy of the Revenue map of the village showing the survey numbers on which the WTGs are proposed to be located, as well as the survey numbers of all the adjoining plots shall also be submitted with the application form.

The locations of the WTG shown should be matching with the area of the land allotted by revenue survey number/plot number and area of the land allotted/purchased for setting up of the windfarm.

In the event of two developers seeking permission for setting up of Windfarms with locations of the WTGs in adjacent land area, it shall be mandatory that the distance between two WTGs within a row and between the adjacent rows shall not be less than five times and seven times, respectively, of the average rotor diameter of the two WTGs. The locations of such existing WTGs of the fellow Developer shall also be shown in the scaled micro-siting drawing, specifying the distances between the WTGs.

In the event of the Developer not being a manufacturer of the WTGs, a notarised copy of the agreement between the Developer and the WTG manufacturer, entailing the terms and conditions, WTG ratings, its supplies etc. and the valid type test approval of the WTG shall be furnished with the application seeking Developer permission.

Four copies of the scaled micro-siting drawings shall be submitted with following details given in the right hand bottom corner.

Name of the Developer/ Transferee:

Name of the site : Village : Tal: District :

Land Survey No. Plot No. : Land area : Hectare

Windfarm Capacity : MW, Number of WTGs : Rating of WTG : MW

Make & Model of WTG : Rotor diameter meter, Hub height: meter

Date :

11. Bar Chart of Activities:

The Developer along with the application for permission for setting up of Windfarm, shall submit a bar chart of the activities, with dates/deadlines of each of the activity. GEDA shall have the right to monitor the progress of the activities and also shall have right to inspect the works, if required, and shall also have right to access to the WTG/s, and the Substation, as and when deemed fit.

12. Commissioning of the Substation:

After having granted the Developer permission for setting up of the Windfarm, the Developer upon having completed the construction of the Substation and the transmission line under the supervision of GETCO, shall get the Substation and allied electrical installations, inspected and certified by the Chief Electrical Inspector, Govt. of Gujarat, for the charging of the Substation and the Transmission lines, in presence of GETCO and GEDA representative. The tentative date of the charging of the Substation and the transmission line shall be also be informed to GEDA, in advance.

13. Transfer and Commissioning of the Windfarm:

The Wind farm Capacity permitted to the Developer or part thereof could be transferred to its client/s prior to its commissioning, upon request of the Developer to transfer the Windfarm capacity alongwith the application of the client on prescribed format. Upon processing of the Developers request and his clients application, permission for transfer of capacity in the name of the client shall be given by GEDA, under standard terms and conditions.

The transferee shall enter into the Power Purchase agreement/ Wheeling agreement with the DISCOM/GETCO/Third Party.

The Developer/Transferee shall get the Wind turbine generator and its allied electrical installations inspected by the Chief Electrical Inspector, Govt. of Gujarat, and the certificate of such inspection and permission for charging of the installation, with the unique WTG/s number defined earlier, shall be submitted to GEDA.

Only after the submission of the copy of the PPA/Wheeling agreement/Third Party sale agreement and the Certificate from the Chief Electrical Inspector, Govt. of Gujarat, for charging of the electrical installation, accompanied by requisition for commissioning by the Windfarm owner (**Annexure –5**), the commissioning of the WTG/s shall be taken up by GEDA. The representative of the Windfarm owner shall also remain present during the commissioning of the Windfarm. The requisition for Commissioning shall be submitted minimum seven days ahead of the proposed date of Commissioning. Commissioning certificate shall be issued to the applicant within 15 days of the Commissioning of the Windfarm.

14. Name Change - Post Commissioning:

The request for change of the name of the Wind farm owning Company subsequent to its commissioning, in case of change of the status of the company, shall be considered on submission of the notarized copy of the Certificate of the Registrar of Companies and /or the Order of the Court, and related relevant documents.

The change in name of the Company by the virtue of change of the ownership i.e sale of the Windfarm to another company, post commissioning shall be considered on payment of the Transfer fee as per clause 2, and submitting the details of the taking over company in the Transfer application form. Sale of Windfarm located on Government, wasteland shall require prior permission of the Collector of the concerned district.

15. Correspondence - Reference:

Each of the WTG shall be given a unique ID number, and the name of the Windfarm Substation to which the WTG is connected. All correspondence by the owner of the Windfarm shall exclusively mention the name of the Wind farm owning Company, Unique ID number and the name of the Substation to which the WTG is connected.

15. Declaration/ Undertaking :

The authorized signatory of the Developer shall, on a Rs. 100/- non judicial Stamp paper, sign a declaration/ undertaking, as per the contents and format enclosed. (**Annexure-4**)