

## GOVERNMENT OF RAJASTHAN ENERGY DEPARTMENT

WHEREAS the Government of Rajasthan has published a Policy with amendments on different dates the following, namely:

01Policy for Promoting Generation of Electricity from Wind, 2012  
(Notification No.: F.20(4)Energy/2011, Dated: 18.07.2012)

A. Policy for Promoting Generation of Electricity from Wind, 2012, (First Amendment), 2015  
(Notification No.: F.20(4)Energy/2011, Dated: 04.03.2014)

- Inserted/ Replaced matter is shown as [ ]<sup>A</sup> at appropriate place; wordings inserted/ replaced shown within square brackets;
- In both of above cases; -<sup>A</sup> ; superscript A implies that change is caused by First Amendment '1'

Government of Rajasthan Energy  
Department

### NOTIFICATION

No. F.20(4)Energy/2011

Dated: 18.7.2012

In order to promote generation of power from Wind, the State Government hereby makes the "Policy for Promoting Generation of Electricity from Wind-2012" as under:-

#### **1. Objectives:**

- 1.1** Whereas with a view to promote generation of power from non-conventional energy sources, Government of Rajasthan promulgated a Policy on 11.3.1999. This Policy known as "Policy for Promoting Generation of Power through Non-Conventional Energy Sources". During the currency of this Policy, a separate Policy was issued on 4<sup>th</sup>February, 2000 exclusively for promoting generation of electricity from wind. This Policy known as "Policy for Promotion of Electricity Generation from Wind". During the currency of Wind Policy 2000, a new Policy was promulgated in April 2003.
- 1.2** And whereas, among the non-conventional sources of energy, Solar, Wind, Mini-Small hydel and Bio-mass have good potential for generation of electricity in Rajasthan and after having gathered the experiences from the earlier Policies and identifying the impediments in the process of generation of electricity from non-conventional sources, State Government has issued a comprehensive Policy for "Generation of Electricity through Non-Conventional Energy Sources", known as Policy-2004.
- 1.3** And whereas, clause 2.2 of Policy 2004 provides for supersession of the same.
- 1.4** And whereas, the Electricity Act 2003 has come into effect from 10.6.2003 and whereas, in exercise of the powers conferred on Rajasthan Electricity Regulatory Commission by Section 42, Section 61 and Section 62 read with Section 181 of the Electricity Act. 2003 (No. 36 of

2003), the Rajasthan Electricity Regulatory Commission has issued RERC MYT Tariff Regulations, 2009 vide notification dated January 23, 2009.

**1.5** And whereas, in accordance with the provisions of Electricity Act 2003 and Tariff Policy, RERC has to determine the tariff of the wind power plant in the state to be set up in the year 2012-13 for sale of power to distribution companies, the State Government has decided to issue a comprehensive Policy for Generation of Electricity from Wind which offers solution to various problems faced by Developers, Power Producers and utilities.

## **2. Title and enforcement:**

**2.1** This Policy will be known as “Policy for Promoting Generation of Electricity from Wind, 2012”.

**2.2** The Policy will come into operation with effect from 18.7.2012 and will remain in force until superseded or modified by another Policy.

**2.3** State Government may undertake review of this Policy as and when the need arises in view of any technology breakthrough or to remove any inconsistency with Electricity Act 2003, Rules & Regulations made thereof or any Government of India Policy/State Electricity Regulatory Commission's order etc.

## **3. Definitions:**

**3.1** Following expressions used in the Policy would have meanings assigned to them as defined hereunder:-

(1) "**Act**" means Electricity Act 2003 (36 of 2003), including amendments there to.

(2) "**CEA**" means Central Electricity Authority.

(3) "**Central Agency**" means National Load Dispatch Centre (NLDC) as designated by the Central Electricity Regulatory Commission vide order dated 29.1.2010 as or any other agency as may be designated by the Central Electricity Regulatory Commission for the purposes of the REC Regulations.

(4) "**CERC**" means the Central Electricity Regulatory Commission of India, constituted under sub-section (1) of Section 76 of the Electricity Act, 2003, or its successors.

(5) "**CERC REC Regulation**" means Central Electricity Regulatory Commission (Terms & Condition for recognition and issuances of Renewable Energy Certificate for Renewable Energy Generation) Regulation, 2010 notified by CERC vide Notification dated 14.1.2010 as amended from time to time.

(6) "**COD**" means Commercial Operation Date i.e. the date when the WTG is connected to the Grid.

(7) "**Collector**" means Collector of a district as defined in the Rajasthan Land Revenue Act and includes every officer authorized to discharge the duties of Collector under the Act/Rules/executive orders of the Government of Rajasthan.

(8) "**Commission**"/"**RERC**" means the Rajasthan Electricity Regulatory Commission.

(9) "**C-WET**" means Centre for Wind Energy Technology, an autonomous R&D institution established by the Ministry of New and Renewable Energy (MNRE), Government of India.

- (10) "**Developer**" means a person who develops and/or maintains Wind Farms and also creates and/or maintains common infrastructure facilities.
- (11) "**Discom of Rajasthan/Discoms**" means distribution licensees such as Rajasthan Discom viz. Jaipur Discom, Jodhpur Discom and Ajmer Discom.
- (12) "**District Level Committee**" or "**DLC**" means the committee constituted by the State Government for a District from time to time under clause (b) of sub-rule (1) of rule 2 of the Rajasthan Stamps Rules, 2004.
- (13) "**Financial year**" means a period commencing on 1st April of a calendar year and ending on 31st March of the subsequent calendar year.
- (14) "**Form**" means a form appended to this Policy.
- (15) "**Force Majeure**" means any event or circumstance which is beyond the reasonable direct or indirect control and without the fault or negligence of the Developer/Power Producer and which results in Developer's/Power Producer's inability, notwithstanding its reasonable best efforts, to perform its obligations in whole or in part and may include rebellion, mutiny, civil unrest, riot, fire, explosion, flood, cyclone, lightening, earthquake, act of foreign enemy, war or other forces, burglary, ionizing radiation or contamination, Government action, inaction or restrictions, accidents or an act of God or other similar causes.
- (16) "**Grid Code**" means Rajasthan Electricity Regulatory Commission (Rajasthan Electricity Grid Code) Regulations, 2008 / Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010 as amended from time to time.
- (17) "**Interconnection Point**" means interface point of wind energy generating facility with the transmission system or distribution system; as the case may be i.e. interconnection point shall be line isolator on outgoing feeder on EHV/HV side of the Pooling station.
- (18) "**IREDA**" means Indian Renewable Energy Development Agency.
- (19) "**Licensee**" means a person deemed to be a licensee under Section 14 of the Act.
- (20) "**MNRE**" means Ministry of New and Renewable Energy, a Central Government Ministry responsible to develop and deploy new and renewable energy for supplementary energy requirement of the country.
- (21) "**Nodal agency**" means Rajasthan Renewable Energy Corporation Limited (RREC) or any other agency designated by Government of Rajasthan for promotion of electricity generation from renewable energy sources.
- (22) "**Non-firm RE power**" means the power generated from renewable sources, the hourly variation of which is dependent upon nature's phenomenon like sun, cloud, wind, etc. that cannot be correctly predicted.
- (23) "**Person**" means an individual or a firm/company registered under the Companies Act, 1956.
- (24) "**Policy-1999**" means Policy for Promoting Generation of Power through Non-Conventional Energy Sources issued on 11th March, 1999.
- (25) "**Policy-2000**" means Policy for Promoting Generation of Power from Wind issued on 4<sup>th</sup> February, 2000.

- (26) "**Policy-2003**" means Policy for Promotion of Electricity Generation from Wind issued on 30th April, 2003.
- (27) "**Policy-2004**" means Policy for Promoting Generation of Electricity through Non-Conventional Energy Sources issued on 25.10.2004.
- (28) "**Pooling Sub-station**" means sub-station developed by the Developer for interface with the Receiving Sub-station.
- (29) "**Power/Energy**" means electricity produced from Wind Energy through Wind Turbine.
- (30) "**Power Producer**" means a person that makes an investment for setting up of wind power project and generating grid-grade electricity from Wind Energy.
- (31) "**PPA**" means Power Purchase Agreement.
- (32) "**RERC REC Regulation**" means Rajasthan Electricity Regulatory Commission (Renewable Energy Certificate and Renewable Energy Purchase Obligation Compliance Framework) Regulation, 2010 notified on dated 23.12.2010 as amended from time to time.
- (33) "**REC Regulation**" refers to CERC REC Regulation and RERC REC Regulation.
- (34) "**Receiving Sub-station**" means EHV/HV sub-station developed by RVPN/Concerned Discom for evacuation of power generated from Wind Energy.
- (35) "**Renewable Energy Certificate**" or "**REC**" or "**Certificate**" means the Renewable Energy Certificate (non-solar) issued by the Central Agency in accordance with the procedure prescribed by it and under the provision specified in the Central Electricity Regulatory Commission (Terms & Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulation, 2010
- (36) "**Renewable Energy Sources**" means and includes non-conventional renewable generating sources such as mini hydel, wind, solar including its integration with combined cycle, biomass, bio fuel cogeneration, urban/municipal waste and other such sources as approved by the Ministry of Non-conventional Energy Sources, Government of India, excluding the nuclear power stations and hydel power stations of capacity above 25 MW.
- (37) "**RREC**" means Rajasthan Renewable Energy Corporation Ltd.
- (38) "**RVPN**" means the Rajasthan Rajya Vidyut Prasaran Nigam Ltd.
- (39) "**Schedule Commissioning Period**" means the scheduled period of the completion of the project counted from the date of "in-principle clearance" to the date of "COD".
- (40) "**State Agency**" means Rajasthan Renewable Energy Corporation Ltd. or any other agency designated by the Rajasthan Electricity Regulatory Commission for accreditation and recommending the Renewable Energy Project for registration with Central Agency in accordance with the procedure prescribed by the appropriate Commission.
- (41) "**State**" and "**Government**" means, respectively, the State of Rajasthan and the Government of Rajasthan.
- (42) "**State Load Dispatch Centre**" or "**SLDC**" means the centre established by the State Government for the purpose of exercising the powers and discharging the functions under

Section 31 and 32 of the Act.

- (43) **“Tariff”** means the schedule of charges for generation, transmission, wheeling and supply of electricity together with terms and conditions for application thereof.
- (44) **“Wind Farm”** means a group of wind turbines in the same location used for production of electric power.
- (45) **“WBA”** means Wheeling and Banking Agreement and
- (46) **“WRA”** means Wind Resource Assessment.
- (47) **“WTG”** means Wind Turbine Generator.

**3.2** The singular includes the plural and vice versa.

**3.3** The terms not defined above will have their usual meaning.

#### **4 Targets**

To achieve the objectives of this Policy, the targets are as under:

##### **4.1 Wind Power Plants for direct sale of power to Discom(s) of Rajasthan:**

##### **4.1.1 Wind Power Plants for direct sale of power to Discom(s) of Rajasthan upto year 2012-13:**

The State will promote setting up of wind power plants of unlimited capacity for direct sale to Discoms of Rajasthan upto year 2012-13 on the preferential tariff determined by RERC.

##### **~~4.1.2 Wind Power Plants for direct sale of power to Discom(s) of Rajasthan for the years 2013-14 onwards:~~**

~~The State will promote setting up of wind power plants for direct sale to Discoms of Rajasthan on the tariff determined through competitive bidding process for the years 2013-14 onwards.~~

~~The target under this category for the year 2013-14, 2014-15 and 2015-16 will be as follows:-~~

<b>Year</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
<del>Wind power plants to be set up for direct sale to Discoms of Rajasthan</del>	<del>300 MW</del>	<del>400 MW</del>	<del>500 MW</del>

##### **4.1.2 Wind Power Plants for direct sale of power to Discom(s) of Rajasthan for the years 2013-14 to 2015-16:**

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<sup>1</sup> Omitted and inserted sub clause 4.1.2 of clause 4.1 of principal clause 4 of policy, vide First amendment (A), 2014

*The State will promote setting up of wind power plants for direct sale to Discoms of Rajasthan for the years 2013-14 to 2015-16 on the preferential tariff determined, by the RERC up to the extent of Renewable Purchase Obligation (RPO) target fixed by RERC for that financial year.<sup>1</sup>*<sup>A</sup>

- 4.1.3** The State Government may undertake review of clause No. 4.1.1 and 4.1.2 in the light of any technological breakthrough in wind power generation industry, pricing trend of wind power, pricing trend of conventional power, energy requirement of the State and preparedness for procurement of wind power through competitive bidding process.

**4.2 Utility Grid Power Projects for captive use/third party sale within the State of Rajasthan:**

~~<sup>A</sup><sup>2</sup>Rajasthan State will promote wind power plants of unlimited capacity for captive use or sale to third party located within the State of Rajasthan at mutually agreed rates.~~

*Rajasthan State will promote wind power plants of unlimited capacity for captive use or sale to third party located within and outside the State of Rajasthan at mutually agreed rates between the parties.<sup>2</sup>*<sup>A</sup>

**4.3 Utility grid power projects for sale through RE (Non-Solar) certificate mechanism:**

The Power Producers will also be allowed to set up Wind Power Plants of unlimited capacity for sale through RE (Non-Solar) Certificate Mechanism. The power generated from these power projects shall be purchased by Discoms of Rajasthan at Pooled Cost of Power Purchase determined by the Commission from time to time. The Power Producers will be required to apply for accreditation to the State Agency and thereafter to Central Agency for registration and issuance of RE (Non-Solar) Certificate under REC mechanism as per order/regulations of appropriate Commission issued in this regard. The Power Producers will sell RE (Non-Solar) Certificates as per the regulations/orders of the appropriate Commission.

- 4.4** The benefit of the provision of this Policy shall be available to only those Wind Power Producers who opt for sale of power as per clause 4.1 (4.1.1 and 4.1.2), 4.2 & 4.3.

- 4.5** Any Power Producer opting to sell power in contravention to the provision of clause 4.1 (4.1.1 and 4.1.2), 4.2 & 4.3 shall not be eligible for any benefits & concessions of this Policy.

**5. Purchase of Wind Power by Discoms:**

- 5.1** The minimum Renewable Energy Purchase Obligations (RPO) for the Discoms of Rajasthan shall be governed by the relevant orders of RERC.

- 5.2** The Discoms of Rajasthan will purchase the power produced by the wind power projects sanctioned under clause 4.1 (4.1.1 and 4.1.2) and 4.3 of this Policy.

- 5.3** ~~The Discoms of Rajasthan will purchase the wind power to the extent of the targets mentioned at clause 4.1.2 even if it exceeds Renewable Energy Purchase Obligations prescribed by RERC. In case of any shortfall in meeting the RPO after purchase of power as mentioned at clause 5.2, the Discoms of Rajasthan will purchase remaining quantity of power from the wind power plants selected through the competitive bidding process as per clause 4.1.2 or by acquiring Renewable Energy (Non-Solar) Certificate.~~

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<sup>2</sup> Omitted and inserted sub clause 4.2 of principal clause 4 of policy, vide First amendment (A), 2014

<sup>A3</sup>The Discoms of Rajasthan will purchase the wind power upto the extent of Renewable Energy Purchase Obligations prescribed by RERC. In case of any shortfall in meeting the RPO as prescribed by RERC for the said year, after purchase of such power, the Discoms of Rajasthan will fulfill the shortfall in RPO by acquiring Renewable Energy (Non- Solar) Certificate.<sup>3A</sup>

## **6. Grid Interfacing:**

The grid interfacing arrangements for power using Wind as Renewable Energy Sources will be made by Developer/RVPN/ Discom as under:

**6.1** Pooling Sub-station-Interfacing arrangements such as transformers, panels, kiosks, protection, metering, HT lines from the points of generation to the Pooling Sub-station including the Pooling Sub-station shall be developed and maintained by the Developer as per the Grid Code applicable from time to time and the entire cost for this will be borne by them.

**6.2** Receiving Sub-station-RVPN/Concerned Discom shall finalize the location of Receiving Station in consultation with RREC on which the electricity generated will be received at minimum 33 kV level.

**6.3** Grid Connectivity-For creation of proper facility for receiving power at the Receiving Sub-station of RVPN/Discom, the Developer/Power Producer shall pay grid connectivity charges, as finalized by RERC from time to time, to RVPN/ Discom as the case may be. These charges will be paid by the Developer/Power Producer to RVPN/Discom as the case may be within 1 month of project approval by RREC. These charges include cost of complete line bay (including civil works) and its interconnection with existing electrical system. Line Bay includes breakers, CTs, CVT/PTs, isolators and protection equipments, bus bar material and other allied materials.

## **6.4 Transmission and Distribution Network Augmentation-**

**6.4.1** For augmentation of transmission/distribution systems to evacuate the power from receiving Sub-station, RVPN/Discom shall develop/augment the necessary transmission/ distribution network within mutually agreed timeframe.

**6.4.2** For grid connectivity/construction of line to be arranged by RVPN/Discom, the Developer/Power Producer shall submit period for construction of Wind Farm along with Bank Guarantee equivalent to the cost of bay and dedicated transmission/distribution line with an undertaking to use the system within prescribed period. In case there is any delay in utilization of system, a recovery @ 12% per annum for the period of delay on the amount of Bank Guarantee will be levied by RVPN/Discom. The Bank Guarantee shall be returned to the Developer/Power Producer after commissioning of the project on depositing amount of penalty, if any on account of delay in the utilization of the system.

**6.4.3** In case line bay and grid connectivity has been provided by RVPN/Discom at a particular voltage (say 33 kV), but later on Developer/Power Producer desires to supply the power on higher voltage (say 132 kV) then based on feasibility, RVPN may carry out requisite modification, viz addition of line bay to receive the power on higher voltage, as a deposit work of the Developer/Power Producer.

**6.4.4** In case, Developer/Power Producer first connects his feeder to Discom's sub-station, but later

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<sup>3</sup> Omitted and inserted sub clause 5.3 of principal clause 5 of policy, vide First amendment (A), 2014

on desires to connect his feeder to RVPN's sub-station, then subject to feasibility, additional line shall be constructed by Developer/Power Producer and additional line bay at the grid substation shall be constructed by RVPN as deposit work of Developer/Power Producer.

- 6.4.6** RVPN/DISCOM shall provide the inter-connection facility one month before scheduled COD as intimated by the Developer subject to condition that the grid connectivity charges are deposited by the Developer/Power Producer, and sufficient time is available with RVPN/Discom for creating the interconnection facility. The Developer/Power Producer shall install necessary current limiting devices such as Thyristor in the generating equipment. Capacitors of sufficient rating shall also be provided to ensure that the average power factor is maintained as per requirements of State Load Dispatch Centre, measured at metering point of the Wind Farm.
- 6.4.7** The power injection beyond the nominal voltage range of 97% - 103% may attract VAr charges as per the relevant Grid Code.
- 6.4.8** All Wind Farms shall forecast and schedule their generation as per Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010, RERC (Intra-state ABT) Regulation, 2006 and RERC (Rajasthan Electricity Grid Code) Regulation, 2008 amended from time to time. Actual generation beyond a limit as prescribed in these regulations may attract UI charges as per prevailing Grid Code and regulations.
- 6.4.9** A committee consisting of following members will be constituted for implementation and monitoring of wind generation forecasting and scheduling:
1. Director (Operation), RVPN.
  2. Director (Technical), RVPN.
  3. Director (Power-Trading), Rajasthan Discoms.
  4. Director (Technical), RREC.
  5. In charge of SLDC, RVPN – Convener.
  6. Two members appointed by the State Government from the persons of eminence in power sector and representatives of wind power industry.

**6.5** **Transmission Line from Pooling Sub-station to Receiving Sub-station:**  
The evacuation system beyond Pooling Sub-station till the nearest Receiving Substation shall be developed as under:

**6.5.1** **Grid Connected Wind Power Plants commissioned under Clause 4.1.1, 4.2 & 4.3:**

~~<sup>4</sup>The power evacuation transmission line from the Pooling Sub-station to the RVPN/Discom Receiving Sub-station will be laid as per provisions of the orders of RERC.~~

*The power evacuation transmission line from the Pooling Sub-station to the RVPN/Discom Receiving Sub-station will be laid as per provisions of the orders of RERC.<sup>4</sup>*

**6.5.2** **Grid Connected Wind Power Plants commissioned under Clause 4.1.2**

~~<sup>5</sup>The power evacuation transmission line from Pooling Sub-station to the Receiving Sub-station of RVPN/Discoms of Rajasthan will be laid as per provision of bid document and Power Purchase Agreement.~~

*The power evacuation transmission line from Pooling Sub-station to the Receiving Sub-station*

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<sup>4</sup> Omitted and inserted sub clause 6.5.1 of clause 6.5 of principal clause 6 of policy, vide First amendment (A), 2014

<sup>5</sup> Omitted and inserted sub clause 6.5.2 of clause 6.5 of principal clause 6 of policy, vide First amendment (A), 2014



*of RVPN/Discoms of Rajasthan will be laid as per provision of bid document and Power Purchase Agreement.<sup>6</sup>*

- 6.6** The Developer/Power Producer shall comply with Grid Code including Load Dispatch and System Operation Code, Metering Code, Protection Code, Safety Code, relevant regulations/orders of the Commission etc. as applicable from time to time in the State of Rajasthan.

**7. Power Purchase Agreement:**

The Power Purchase Agreement between the Power Producer/Developer and Discoms of Rajasthan/RVPN will be executed in the following manner:

**7.1 Wind power plants for direct sale of power to Discom(s)**

**7.1.1 Wind power plants for direct sale of power to Discom(s) of Rajasthan upto 2012-13 (clause 4.1.1):**

For the projects sanctioned under clause 4.1.1, the Power Purchase Agreement will be executed between Discoms of Rajasthan and Power Producer on the preferential tariff determined by RERC.

**7.1.2 ~~<sup>A6</sup> Wind power plants for direct sale of power to Discom(s) of Rajasthan for the years 2013-14 onwards (clause 4.1.2):~~**

~~For the projects sanctioned under clause 4.1.2, the Power Purchase Agreement will be executed between Discoms of Rajasthan and successful bidders as per the provisions of bid documents on the tariff arrived at by the process of competitive bidding.~~

***Wind power plants for direct sale of power to Discom(s) of Rajasthan for the years 2013-14 to 2015-16 (clause 4.1.2):***

*For the projects sanctioned under clause 4.1.2, the Power Purchase Agreement will be executed between Discoms of Rajasthan and Wind Power Producers for the years 2013-14 to 2015-16.<sup>6A</sup>*

**7.2 ~~<sup>A7</sup> Wind power plants for captive use/third party sale within the state of Rajasthan (clause 4.2):~~**

~~For the projects sanctioned under clause 4.2, the Developer/Power Producer shall execute a Wheeling and Banking Agreement with Discom(s) for such banking. In case transmission system of RVPN is also used then Power Producer and Developer will execute separate Wheeling Agreement with RVPN.~~

***Wind power plants for captive use/third party sale within and outside the state of Rajasthan (clause 4.2):***

*For the projects sanctioned under clause 4.2, the Developer/Power Producer shall execute a Wheeling and Banking Agreement with Discom(s) for such banking. In case transmission system of RVPN is also used then Power Producer and Developer will execute separate Wheeling Agreement with RVPN.<sup>7A</sup>*

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<sup>6</sup> Omitted and inserted sub clause 6.5.2 of clause 6.5 of principal clause 6 of policy, vide First amendment (A), 2014

<sup>7</sup> Omitted and inserted sub clause 7.2 of principal clause 7 of policy, vide First amendment (A), 2014

### **7.3 Sale of power through RE (Non-solar) certificate mechanism (clause 4.3):**

In case of wind power plants established for sale of power through REC mechanism, the Power Purchase Agreement will be executed between Developer/Power Producer and the Discom(s) as per the regulations/orders of appropriate commission issued from time to time in this regard.

On expiry of the registration with Central Agency under REC mechanism, Power Producer will have option to sell power to Discom(s) at the tariff as determined/specified by RERC from time to time in this regard.

**7.4** PPA/WBA may be allowed to be assigned, in parts or full, to other parties after completion of the project and its connectivity to the grid, with the consent of RREC & RPNV/Discom(s) on payment of Rs. 2.00 lac per application to RREC. The taxes will be payable as applicable from time to time.

**7.5** The draft of PPA will be finalized by RREC in consultation with RPNV/Discom.

### **8. Settlement of Accounts:**

The account of all transactions between the Power Producer and the Discom/RPNV regarding price of power and wheeling charges shall be settled on monthly basis

### **9. Incentive by the State Government:**

#### **9.1 Exemption from Electricity Duty-**

~~<sup>A</sup>8 The energy consumed by the Power Producer for his own captive use under clause 4.2 will be exempted from payment of the electricity duty.~~

*The energy consumed by the Power Producer for his own captive use within the state of Rajasthan under clause 4.2 will be exempted from payment of the electricity duty.<sup>8</sup>A*

#### **9.2 Grant of incentives available to industries-**

Generation of electricity from Renewable Energy Sources shall be treated as eligible industry under the schemes administered by the Industries Department and incentives available to industrial units under such schemes shall also be available to the Developer/Power Producers.

#### **9.3 Allotment of land for establishing Wind Power Generation Projects-**

**9.3.1** The allotment of land to the Wind Power Developers will be done as per the provisions of Rajasthan Land Revenue (Allotment of Land for setting up of Power plant based on Renewable Energy Sources) Rules, 2007 as amended from time to time.

**9.3.2** The Government land required for Wind Power Projects shall be allotted to the Wind Power Developers at concessional rate of 10% of the DLC rate (agriculture land) as per the provision of rules mentioned at 9.3.1.

**9.3.3** For setting up of Wind Power Project, maximum allotable land to the Developer shall be 5 Hect. /MW.

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<sup>8</sup> Omitted and inserted sub clause 9.1of principal clause 9 of policy, vide First amendment (A), 2014

**9.3.4** RREC will recommend the case of land allotment to concern District Collector only on submission of cash security deposit of Rs. 1 lac/MW by Demand Draft in favour of RRECL, Jaipur. The security deposit will be refunded on successful completion of the project. The security deposit will be forfeited in case allotment of land is cancelled as per provision of the rules mentioned at 9.3.1.

**9.3.5** The cases where recommendation for allotment of land have been made before issue of this Policy but the land allotment has not been done by the District Collector, will be governed by the provisions of clause 9.3.4. The allotment of land in such cases will be done only after submission of cash security deposit of Rs. 1 lac/MW by Demand Draft in favour of RRECL, Jaipur.

**9.3.6** Sub-Lease of part of land in favor of Power Producer shall be permitted as per the Rajasthan Land Revenue (Allotment of Land for setting up of Power plant based on Renewable Energy Sources) Rules, 2007 as amended from time to time. Sub-Lease can be done by the concerned District Collector on recommendation of RREC before or after commissioning of WTG. In case sub lease is done after commissioning of WTG, the stamp duty shall be levied on land cost only.

#### **9.4 Procurement of private land for establishing Wind Generation Projects:**

**9.4.1** Wind Power Developer shall be allowed to purchase private land from the Khatedar for setting up of wind power plants in excess of ceiling limit prescribed in the Ceiling Act, 1973.

**9.4.2** Conversion of private land to the industrial use shall be required for setting up of wind power plants before start of work. The conversion charges shall be 10% of charges levied for industrial purposes under the relevant rules.

#### **9.5 Forest Lands and Protected Areas:**

**9.5.1** If the land proposed for setting up Wind Generation Projects involves land which is categorized as forest land in light of the judgment of Hon'ble Supreme Court in Writ Petition (Civil) No. 202/95 dated 12.12.1996, the developer will be required to seek diversion of forest land under the general guidelines issued by MoEF, Gol's letter No. F. No. 8-84/2002-FC dated 14.5.2004 and amendments issued from time to time.

Explanation: "The word "Forest" must be understood according to its dictionary meaning. This description covers all statutorily recognized forests, whether designated as reserved, protected or otherwise for the purpose of Section 2(1) of the Forest Conservation Act. The term "forest land", occurring in Section 2, will not only include "forest" as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of the ownership. This is how it has to be understood for the purpose of Section 2 of the Act. The provisions enacted in the forest Conservation Act, 1980 for the conservation of forests and the matters connected therewith must apply clearly to all forests so understood irrespective of the ownership or classification thereof."

**9.5.2** No wind generation project can be set up if the land falls in the areas like National Parks and Sanctuaries, Area of Outstanding Natural Beauty (AONBs), Natural Heritage Site, sites of Archeological importance and sites of Special Scientific Interests and other important landscapes.

#### **<sup>A</sup>9.10. RREC to be Nodal Agency:**

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<sup>9</sup> Omitted and inserted principal clause 10 of policy, vide First amendment (A), 2014

~~RREC will act as Nodal Agency for single window clearance of the projects for following activities:-~~

- ~~a) Registration of projects.~~
- ~~b) Approval of capacity of projects under clause 4.1.1, 4.2 & 4.3~~
- ~~c) Selection of projects under clause 4.1.2 by process of competitive bidding.~~
- ~~d) Facilitation of loans from IREDA/PFC/REC/Financial Institutions/Commercial Banks.~~
- ~~e) Allotment of revenue land.~~
- ~~f) Approval of power evacuation plan and allocation of bays etc.~~
- ~~g) Arranging other statutory clearances/approvals.~~
- ~~h) Execution of PPA/WBA with RVPN/Discoms of Rajasthan.~~
- ~~i) Co-ordination with MNRE/C-WET/Discoms of Rajasthan/RVPN/Central Agency/State Agency.~~
- ~~j) Accreditation and recommending the wind power project for registration with Central Agency under REC mechanism.~~

**10. RREC to be Nodal Agency:**

- (a) Approval of capacity of projects under clause 4.1, 4.2 & 4.3.*
- (b) Selection of projects through process of competitive bidding.<sup>9f</sup>*

**11. Registration for Power Project:**

**11.1** The Developer/Power Producer will submit the application to RREC in prescribed Performa "Form-A" appended with the Policy along with following required documents, as applicable.

1. A certified copy of the Memorandum & Article of Association of the Company/Certified copy of the registration certificate/Certified copy of the partnership deed.
2. Certified copy of the Authority conferring powers on the person(s) who are competent to execute the MOU/the agreement with GoR/RREC/RVPN/ Discom of Rajasthan /Central Agency/State Agency.
3. Detailed Feasibility/Project Report.
4. Demand Draft for processing fees @ Rs. 50000 per MW + Service Tax as applicable in favor of Rajasthan Renewable Energy Corporation Ltd. payable at Jaipur.
5. Annual Report of the Company/Firm for last three years.

**11.2** The Developer/Power Producer will deposit an amount of Rs. 50000/- per MW with RREC towards processing fee, which shall be non-refundable. The service tax shall also be payable extra as applicable from time to time.

**11.3** The processing fee for the projects registered under Policy 2004 after 31.3.2012 shall be Rs. 50000/- per MW. The service tax shall also be payable extra as applicable from time to time.

**11.4** The Wind Power Projects, which have been registered under Policy, 2004, will be deemed to have been registered under this Policy-2012 on the same registration Number allotted earlier. These power projects will be governed by provisions of this Policy.

**11.5** For the projects under RE (Non-Solar) certificate mechanism(clause 4.3), in addition to the registration with RREC as above, the Power Producers will have to deposit accreditation/registration fee with State Agency/Central Agency as per procedure laid down by the regulations/orders of the appropriate Commission.

**12. Open Access for Third Party Sale:**

Open access will be granted to any Wind Power Producer or beneficiary. They shall have to pay

the applicable open access charges and losses as approved by RERC/ CERC from time to time.

### **13 State level Screening Committee (SLSC):**

The State Level Screening Committee (SLSC) consisting of the followings will be constituted for in principle clearance of the projects:-

- i) Principal Secretary/Secretary, Energy, Government of Rajasthan
- ii) Chairman & Managing Director, RREC
- iii) Chairman & Managing Director, RVPN
- iv) Chairman Discoms
- v) Director (Finance), RVPN
- vi) Director (Technical), RREC – Convener

### **14 In Principle Clearance of Projects:**

<sup>A</sup>~~10~~**14.1** ~~In principle clearance of Wind Power Projects under Clause 4.1.1, 4.2 & 4.3 In principle clearance of projects under clause 4.1.1, 4.2 & 4.3 will be granted by the State Level Screening Committee after evaluating/examining the project proposals on the following criteria:~~

- ~~i) Detailed Project Report.~~
- ~~ii) Financial Capability of the Power Producer.~~
- ~~iii) Technical Capability of the Power Producer.~~
- ~~iv) Status of Power Evacuation System for proposed project and allotment of land.~~
- ~~v) For projects under REC mechanism, undertaking from the power producers regarding accreditation and registration with State Agency/Central Agency.~~

### **14.2 In principle clearance of Projects under Clause 4.1.2**

~~In principle clearance of the projects under clause 4.1.2 will be granted by SLSC. RREC will be nodal agency for carrying out the tariff based competitive bidding process on behalf of Discoms of Rajasthan. The bid process will be conducted by RREC under guidance of SLSC. SLSC will be empowered committee for granting all necessary approvals related to bid process. Approval from RERC will be taken wherever necessary.~~

### **14.1 In principle clearance of Wind Power Projects under Clause 4.1, 4.2 & 4.3**

*In principle clearance of projects under clause 4.1, 4.2 & 4.3 will be granted by the State Level Screening Committee after evaluating/examining the project proposals on the criteria as mentioned in the earlier notification dated 18.7.2012 under the same clause.*

### **14.2 In principle clearance of Projects selected through competitive bidding process**

*In principle clearance of the projects selected through competitive bidding process will be granted by SLSC. RREC will be nodal agency for carrying out the tariff based competitive bidding process on behalf of Discoms of Rajasthan. The bid process will be conducted by RREC under guidance of SLSC. SLSC will be empowered committee for granting all necessary approvals related to bid process. Approval from RERC will be taken wherever necessary.<sup>10</sup><sup>A</sup>*

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<sup>10</sup> Omitted and inserted sub clause 14.1 & 14.2 of principal clause 14 of policy, vide First amendment (A), 2014

## 15. Security Deposit:

### ~~15.1 For projects under Clause 4.1.1, 4.2 & 4.3~~

~~After in principle clearance of the projects by the State level Screening Committee as per clause 14.1, the Power Producers will be required to deposit security amount @ Rs. 5.00 Lac per MW by Demand Draft within two months from the date of issue of in principle clearance. In case Developer/Power Producer fails to deposit security money within stipulated time, the in-principle clearance shall be cancelled without any notice. The security amount deposited by the Developer/Power Producers shall not be convertible or transferable and shall only be refunded to the Developer/Power Producer on his written request after commissioning of the Project. In case Developer/Power Producer fails to commission the Power Plant in time schedule including extension as per Clause 18.1, the security deposit shall be forfeited.~~

### ~~15.2 For projects under clause 4.1.2~~

~~The security deposit will be governed by provision of bid document and power purchase agreement.~~

### 15.1 For projects under Clause 4.1, 4.2 & 4.3

*After in principle clearance of the projects by the State level Screening Committee as per clause 14.1, the Power Producers will be required to deposit security amount @ Rs. 5.00 Lac per MW by Demand Draft within two months from the date of issue of in principle clearance. In case Developer/Power Producer fails to deposit security money within stipulated time, the in-principle clearance shall be cancelled without any notice. The security amount deposited by the Developer/Power Producers shall not be convertible or transferable and shall only be refunded to the Developer/Power Producer on his written request after commissioning of the Project. In case Developer/Power Producer fails to commission the Power Plant in time schedule including extension as per Clause 18.1, the security deposit shall be forfeited.*

### 15.2 For projects selected through competitive bidding process

*The security deposit will be governed by provision of bid document and power purchase agreement.*<sup>11A</sup>

## 16. SLEC Clearance of Power Projects:

All in principle cleared projects will be submitted to the State Level Empowered Committee (SLEC) for final approval. The State Level Empowered Committee will consist of following members:-

1. Chief Secretary, GoR (Chairman).
2. Principal Secretary, Revenue, GoR (Member).
3. Principal Secretary/Secretary, Energy, GoR (Member);
4. CMD, Rajasthan Vidyut Prasaran Nigam Ltd, (Member).
5. Pr. Chief Conservator of Forest (HoFF), Forest Department, GoR (Member)
6. District Collector of concerned District- Special Invitee.
7. CMD, Rajasthan Renewable Energy Corporation Ltd., (Member- Secretary).

## 17. Wind Resource Assessment Programme:

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<sup>11</sup> Omitted and inserted sub clause 15.1 & 15.2 of principal clause 15 of policy, vide First amendment (A), 2014

For utilization of wind as an energy source, Wind Resource Assessment (WRA) studies had been carried out by MNRE at various locations in the State. The MNRE has also permitted independent private participation for WRA. Looking to the immense potential assessed in the limited locations, RREC has also carried out wind energy resource assessment studies for additional locations with participation of private developers.

**17.1 Registration for establishment of wind monitoring station for wind resource assessment studies-**

**17.1.1** For carrying out wind resources assessment studies, Developer shall select the location for establishment of wind monitoring station and shall register the application with RREC in prescribed Performa "Form-B" appended with the Policy along with the required documents, attachments as applicable.

**17.1.2** Along with application, the Developer shall deposit an amount of Rs.10000/- per site with RREC towards processing fee, which shall be non-refundable. The service tax will be payable extra as applicable from time to time. Fee, if any, payable to C-WET will be extra as applicable.

**17.2 Allotment of land for setting up of Wind Monitoring Station-**

The Government land up to 150mx150m required for setting up of wind monitoring station shall be allotted on temporary basis to the Developer for maximum period of 3 years at DLC rate. The allotment for such land shall be done at the level of concerned District Collector on the recommendation of RREC. After completion of wind assessment studies, the wind monitoring station shall be dismantled at the cost of Developer and land shall revert back to the State Government free from all encumbrances.

**17.3. Requirement of No Objection Certificate from Gram Panchayat for allotment of land for establishment of wind monitoring station -**

No N.O.C. will be required from Gram Panchayat for allotment of Siwai Chak land for establishment of wind monitoring station.

**17.4 General Guidelines for Wind Resource Assessment Studies -**

**17.4.1** The Developer shall follow the guidelines for wind resource assessment studies issued by Ministry of New & Renewable Energy from time to time.

**17.4.2** All the costs including installation of wind monitoring station with accessories and its O&M expenses shall be borne by Developer.

**17.4.3** The Developer shall submit C-WET report to RREC on completion of wind resource assessment studies.

**17.4.4** The Developer shall not be entitled to claim any cost/charges and expenses and incidental charges incurred by him in connection with the studies for submission of C-WET report to RREC.

**17.4.5** Purchase and acquisition of private land, if any shall be sole responsibility of the Developer.

**17.4.6** The Developer shall take necessary permissions of forest department, wherever required under forest conservation act before installation of wind monitoring station. The wind monitoring station would be installed by the Developer after completing various formalities with the forest

department. Compliances of various orders passed by Hon'ble Court would also be ensured by the Developer.

**18 Time frame for completion of project:**

The time frame for completion of projects sanctioned under this Policy will be as follows:

**~~18.1 Time frame for completion of projects sanctioned under clause 4.1.1, 4.2 & 4.3~~**

~~8.1.1 The timeframe for completion of project, subject to force majeure conditions, would be as follow from the date of "in principle clearance":~~

<b>Project Capacity</b>	<b>Completion Schedule</b>
Up to 25 MW	8 Months
Above 25 MW - 50 MW	14 Months
Above 50 MW - 75 MW	18 Months
Above 75 MW - 100 MW	22 Months
Above 100 MW	26 Months

~~18.1.2 The RREC may extend the completion schedule of the project given in clause 18.1.1 above, on the written request of the Developer giving convincing reasons for delay in the completion of the project beyond scheduled commissioning period. The charges for time extension shall be as under:~~

<b>Time period</b>	<b>Amount payable for extension</b>
Up to two-month extension in the date of scheduled commissioning	Rs.25000/MW
Two to four-month extension in the date of scheduled commissioning	Rs.50000/MW
Up to nine-month extension in the date of scheduled commissioning	Rs.100000/MW

~~18.1.3 The Board of Directors of RREC will be empowered to determine the period of delay on account of force majeure conditions as well as on merits of the case and condonation of delay thereof as given at clause 18.1.1. Accordingly the Board shall also be empowered to relax the extension charges as mentioned at clause 18.1.2 on merits of the each case.~~

~~18.1.4 In case the Project is delayed beyond nine months and is not considered by the Board of Directors for further extension, in such case the matter shall be decided by SLEC for relaxation by granting further extension afresh or for cancellation of the Project and forfeiture of Security Deposit thereof.~~

~~18.1.5 For the purpose of calculating the time period for completion of project, the date of issue of certificate by Electric Inspector, Govt. of Rajasthan for energizing the Wind Turbine and lines from the Wind Turbine to the pooling station will be considered, provided that the Power Producer has submitted relevant PPA/WBA. In case the PPA/WBA is submitted after issue of~~

<sup>12 12</sup> Omitted and inserted sub clause 18.1 & 18.2 of principal clause 18 of policy, vide First amendment (A), 2014



~~certificate by Electrical Inspector, the date of submission of PPA/WBA will be treated as date of completion of project. However, Payment towards the energy supplied to the Discom shall be governed by the provision of PPA executed by the Developer, Power Producer and Discom(s).~~

**18.2 Time frame for completion of projects sanctioned under 4.1.2**

~~The time frame for completion of projects will be governed by provisions of bid document and power purchase agreement.~~

**18.1 Time frame for completion of projects sanctioned under clause 4.1, 4.2 & 4.3**

**18.2 Time frame for completion of projects selected through competitive bidding process**

*The time frame for completion of projects will be governed by provisions of bid document and power purchase agreement.<sup>12A</sup>*

**19 Power to remove difficulties:**

The State Level Screening Committee will be authorized to issue any clarification in respect of interpretation of the provisions of this Policy as may appear necessary for removing the difficulty either on its own motion or on the written representation from the stakeholders.

**20** Notwithstanding anything contained in this Policy, the provision of the Electricity Act- 2003, and Regulations/Orders issued by CERC/RERC from time to time shall prevail for the purpose of implementation of this Policy.

By order of the Governor,

**(Naresh Pal Gangwar)**  
Secretary to Government

Copy to the following for information and necessary action :-

1. Secretary, Ministry of Power, Government of India, Shram Shakti Bhawan, Rafi Marg, New Delhi
2. Secretary, Ministry of New & Renewable Energy, Government of India, New Delhi
3. Chairman & MD, Raj. Rajya Vidyut Prasaran Nigam Ltd.
4. Chairman & MD, Raj. Renewable Energy Corp. Ltd.
5. CMD, Jaipur Vidyut Vitran Nigam Ltd. & Chairman, Discoms
6. MD, Ajmer/Jodhpur Vidyut Vitran Nigam Ltd.
7. Director, Printing & Stationery, Govt. of Rajasthan with the request to get it published in extraordinary gazette of Rajasthan.
8. Guard File.

Secretary to Government