

F.No. 8-84/2002-FC
Government of India
Ministry of Environment and Forests
(F.C. Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110003.
Dated: 16th December 2005.

To

1. The Principal Secretary/Secretary (Forests),
All State/Union Territory Governments.
2. The Principal Chief Conservator of Forests,
All States/Union Territories.

Sub: Guidelines for diversion of forest land under the Forest (Conservation) Act, 1980 for establishment of Wind Power Projects; charging of lease rent – regarding.

Sir/Madam,

As you are aware, the Ministry of Environment and Forests issued guidelines for diversion of forest land under the Forest (Conservation) Act, 1980 for establishment of Wind Power Projects vide letter of even number dated 14.05.2004 in order to encourage production of power in the form of non-polluting, environment-friendly energy. The guidelines contain certain provisions in the interest of conservation of forests and environment. One of such provisions, as reflected in item No. 5 of the said guidelines, relates to charging of lease rent in addition to Compensatory Afforestation, Net Present Value, etc. The matter has been recently discussed and reviewed in the Ministry in consultation with various Wind Energy Associations with respect to the periodicity of charging the lease rent.

2. In this connection, I am directed to say that after a critical examination of the issue, it has been decided to clarify that the lease rent is to be charged as lump-sum one-time payment only, for the entire period of the lease, as provided in the guidelines dated 14.05.2004. Therefore, the item No. 5 of the guidelines issued in respect of Wind Power Projects vide letter No. 8-84/2002-FC dated 14.05.2004 shall read as under: -

"A lease rent at the rate of Rs. 30,000/- per MW shall be charged from the User Agency by the State Government as lump-sum one-time payment, for the entire period of lease. The State/Union Territory (UT) Government shall maintain this fund in the form of Fixed Deposits in the name of concerned DFO/Nodal Officer of the State till such time the Compensatory Afforestation Fund Management and Planning Authority (CAMPA) intimates the Head of Accounts for deposition of such funds."


3. Any payment already made by the User Agency in this regard shall be adjusted against the total payment to be made as per the above provision, as clarified.

Yours faithfully,

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(Sandeep Kumar)
Assistant Inspector General of Forests

Copy to: -

1. Secretary, Ministry of Non-conventional Energy Sources, Government of India, C.G.O. Complex, Lodhi Road, New Delhi.
2. Secretary (Power), Government of India, New Delhi.
3. Nodal Officer, O/o the PCCF, All States/Union Territories.
4. General Manager, M/s. KREDL, Government of Karnataka.
5. General Manager, M/s. MEDA, Government of Maharashtra.
6. General Manager, M/s. RREC, Government of Rajasthan.
7. Indian Wind Turbine Manufacturers' Association.
8. Indian Wind Energy Association.
9. All Regional Offices, MoEF, New Delhi.
10. Director (FC)/AIGs (FC), MoEF, New Delhi.
11. File No. 2-1/2003-FC.
12. Guard File.


(Sandeep Kumar)
Assistant Inspector General of Forests