

**Report as per order dated 29/01/2020 of  
Hon'ble National Green Tribunal, Western Zone Bench,  
Pune**

**in**

**Original Application No. 06/2020 (WZ)  
(I.A. No. 11/2020)**

**Shankarlal Gopalbhai Patel  
Vs  
Union of India & Ors.**

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**Shankarlal Gopalbhai Patel  
Vs  
Union of India & Ors.**

1. The Hon'ble National Green Tribunal (NGT) vide order dated 29.01.2020 in the Original Application No. 06/2020 (WZ) (I.A. No 11/2020) has directed the Principal Chief Conservator of Forest (HoFF), Gujarat to conduct an inspection of the area concerned, verify on the factual aspects and submit a report. The Hon'ble NGT has further directed that the District Magistrate, Bhuj, Gujarat shall also assist the PCCF (HoFF) in carrying out the task.
2. As per the directions of the Hon'ble National Green Tribunal, inspection of the concerned area was carried out by the undersigned on 11<sup>th</sup> July, 2020 at Village Sangnara, Taluka Nakhatrana, Kachchh District in the presence of the officials of the Revenue & Forest Department of Kachchh District, local Panchayat officials and villagers. Shri G. K. Rathod, Deputy Collector, Nakhatrana was deputed by Collector, Kachchh to remain present during the site visit. List of officials/persons present during inspection is placed at **Annexure I**.
3. Based on the site inspection, interaction with the officials/persons present during site inspection, perusal of relevant records received from Revenue and

Forest Department officials of District Kachchh, following observations are submitted:

- 3.1 Village Sangnara in Nakhatrana Taluka of Kachchh District has geographical area of 13.479 Sq. Km. There is no notified forest area in this village. The population of Sangnara village is 1303 (2011 census) who are engaged mainly in agriculture and animal husbandry activities for their livelihood.
- 3.2 For setting up of the Wind Turbine Generators (WTGs), an area of one ha. each has been allocated by Collector, Kachchh on lease of 20 years, at 40 locations in Government waste land in village Sangnara to four Wind Power Companies as under:

S. No.	Name of the Company	Collector, Kachchh Order No.	No. of locations
1	Suzlon Gujarat Wind Park Limited, Rajkot	JMN/2/VS/3314/2015, Dated 01/08/2015	07
		JMN/2/VS/4640/2015, Dated 26/10/2015	04
2	Adani Green Energy (MP) Limited, Ahmedabad	JMN/4/Wind Mill/VS/1168/2018, Dated 20/12/2018	07
3	Green Infra Wind Energy Limited, New Delhi	JMN/4/Wind Mill/VS/2637/2019, Dated 05/07/2019	12
4	Torrent Power Limited, Ahmedabad	JMN/4/Wind Mill/VS/2777/2019, Dated 08/08/2019	10

Copies of the orders of Collector, Kachchh, are placed at **Annexure II**. A Map showing locations of sanctioned Wind Turbine Generators (WTGs) in the said area, prepared by survey branch of Kachchh West Forest

Division on the basis of GPS locations provided by District Inspector of Land Records (DILR) is placed at **Annexure III**.

- 3.3 During the course of sanction of area for the wind farm projects, the opinion from Deputy Conservator of Forests, Kachchh West Division was sought. On the basis of the opinion of Deputy Conservator of Forests, Kachchh West Division, recommendations from Chief Conservator of Forest, Kachchh were sent to Collector, Kachchh in case of Green Infra Wind Energy Limited, Torrent Power Limited and Adani Green Energy (MP) Limited and in case of Suzlon Gujarat Wind Park Limited the recommendations were sent by Deputy Conservator of Forests, Kachchh West Division. Recommendations for the approval of the projects were given by Chief Conservator of Forest, Kachchh subject to certain conditions which, *inter alia*, included the condition that, if any cutting of existing standing trees in the area is involved, permission should be taken from the appropriate competent authority as per provisions of Law. Copies of the letters from Chief Conservator of Forests, Kachchh and Deputy Conservator of Forests, Kachchh West Division written to Collector, Kachchh are placed at **Annexure IV**.
- 3.4 It is submitted that prior permission from the competent revenue authorities is required for any felling of trees on the revenue waste land. If trees are felled without any permission of competent revenue authority, action is liable to be taken under Saurashtra Felling of Trees (Infliction of Punishment) Act, 1951. Copy of the Act is placed at **Annexure V**.
- 3.5 In the Sanction Orders of Collector for Green Infra Wind Energy Limited, Torrent Power Limited and Adani Green Energy (MP) Limited, in Clause 11, it has been mentioned that user agency has to take prior permission for felling of trees, if any, in the project area and carry out plantation in nearby

areas. However, in case of Suzlon Gujarat Wind Park Limited, no such clause has been mentioned.

3.6 Suzlon Gujarat Wind Park Ltd., Rajkot has erected windmills (WTGs) at 6 locations and foundation work has been completed at 2 locations. M/s Green Infra Wind Energy Ltd., New Delhi has completed foundation work at one location, completed pit digging for foundation at two locations and site cleaning work has been done at one location. Work has not started at other allocated locations. A statement showing the status of work and enumeration of trees as done by Forest department officials of Kachchh on 17<sup>th</sup>–18<sup>th</sup> March, 2020 on the area allocated to the companies is placed at **Annexure VI**.

3.7 It is observed that prior permission for felling of trees has not been sought by the companies for any location. The area where wind mill projects have been sanctioned and the work has yet not started, enumeration of vegetation was done by staff of Kachchh West Forest Division on 17<sup>th</sup> & 18<sup>th</sup> March, 2020 and a total of 20012 trees are reported to be standing at 28 such locations. At other locations, since construction work has already been completed or is under process, the estimation of trees already removed could not be done. Species wise number of trees standing on these 28 locations is placed at **Annexure VII**.

3.8 Mamlatdar, Nakhatrana, on receipt of complaint from local people of Sangnara village, regarding illegal felling of trees by Green Infra Wind Energy Limited took cognizance of the offence and on investigation found that illegal tree felling has been done by the company in the area. Vide order dated 30/08/2019, a penalty of Rs. 3,04,950/- for illegal felling of 432 trees was imposed by Mamlatdar, Nakhatrana on Green Infra Wind Energy

Limited under the Saurashtra Felling of Trees (Infliction of Punishment) Act, 1951 and the company was ordered to plant double the number of trees in consultation with Gram Panchayat. In another case, against the same company, a penalty of Rs. 47,500/- was imposed by Mamlatdar, Nakhatrana vide order dated 11/12/2019 under the Saurashtra Felling of Trees (Infliction of Punishment) Act, 1951 for illegal felling of 95 trees and the company was ordered to plant double the number of trees in consultation with Gram Panchayat. Copies of the orders of Mamlatdar, Nakhatrana are placed at **Annexure VIII & IX**. As informed by Collector, Kachchh vide letter dated 23/07/2020 (**Annexure X**), permission has been given for felling of 96 trees standing on the path for reaching location no. 5, 6, 17 and 18 of Green Infra Wind Energy Limited. However, it is not clarified whether these approach paths are already existing or have to be newly constructed. Further, it has been informed that so far these trees have not been felled.

- 3.9 Collector, Kachchh vide letter No JMN-4/VS/N.G.T./07/2020 dated 23.07.2020 (**Annexure X**) has informed that in case of Suzlon Gujarat Wind Park Ltd., till now, construction work has been completed at 6 locations and foundation work has been done at 2 locations and that no permission has been taken by the company for felling of trees on the area used for erection of wind mills, construction of approach roads and laying of electricity transmission lines. It has further been informed that no action has been taken against the company for felling of trees without permission. During site inspection, it was observed that on the location, where wind mill has been constructed by Suzlon Gujarat Wind Park Ltd., portion of the hillock has been cut and leveled. Approach road from existing village road to the site has been constructed for which no permission has been taken.

3.10 During site inspection it was observed that the whole area has an undulating and hilly terrain with gentle slope, traversed at places by gullies and small nalas. Small ponds and nala provide natural water source for flora and fauna. The area comprises of significant floral diversity with fairly good tree density. Common plant species seen in the area include *Acacia nilotica* (Deshi baval), *Acacia senegal* (Gorad), *Capparis decidua* (Ker), *Euphorbia caducifolia* (Thuar), *Prosopis juliflora* (Gando-baval), *Salvadora oleoides* (Mithi jar), *Salvadora persica* (Khari jar), *Prosopis cineraria* (Khijdo), *Zizyphus mauritiana* (Bor) and *Zizyphus nummularia* (Chanibor) in the top canopy, while *Maytenus emarginata* (Vikaro), *Premna resinosa* (Kundheri), *Corida perrottetii* (Liyar), *Grewia tenax* (Gangni), *Grewia villosa* (Luska), *Citrullus colocynthis* (Trudedda), *Commiphora wightii* (Guggal), *Convolvulus stocksii* (Sankhavli), *Dactyliandra welwitschii* (Val), *Dipcadi erythraem* (Jungli dungri), *Helichrysum cutchicum* (Safed fuldu), *Heliotropium rariflorum* (Hathisundhi ni jat), *Indigofera caerulea* var. *monosperma* spp. (Sarpankho ni jat), *Ipomoea kotschyana* (Vekar), *Pavonia ceratocarpa* (Balaa ni jat), *Campylanthus remosissimus* and *Tribulus rajasthanensis* (Ekonthi, Gokhru) etc. constitute the understory. The natural floral diversity in the area is providing a favorable habitat for the wildlife. The landscape supports fauna such as Chinkara, Desert Cat, Hyena, Indian Fox, Blue bull, Spiny Tailed Lizard, Desert Monitor etc. Photographs showing glimpses of landscape, flora and fauna in the said area are placed at **Annexure XI**.

3.11 It has been observed that the location of wind mills is scattered all over the area. For reaching the wind mill sites, approach roads/paths for carrying material to the sites will be needed and trees coming in the alignment will have to be removed, for which no permission has been sought. Same is the case for

transmission lines to be erected for transmission of the electricity. This has been confirmed through discussion with user agencies by Forest staff.

4. In view of the above mentioned facts and observations, following can be concluded:
  - I. The area allocated to various companies on lease is having significant vegetation with good natural tree cover and it also supports important fauna.
  - II. At 28 locations where work is yet to begin, as per enumeration, 20012 number of trees are existing. No permission for felling of these trees has been sought by the companies.
  - III. The area has been allotted for erection/ construction of wind mill towers with one ha. area for each location. The wind mill locations need to be connected with existing roads through construction of new approach roads for carrying material to the site and later for the maintenance purpose. This involves clearing of vegetation and use of additional area. However, no such permission has been sought by the companies.
  - IV. For transmission of electricity generated from each Wind Turbine Generator to the Grid, transmission lines need to be laid. In the order of the Collector it has been mentioned that the company shall be eligible to get right of way for keeping/installing WTG and transmission lines. However, if new area needs to be cleared and used for this purpose, due permission for use of additional area and clearing of vegetation needs to be taken. Looking at the scattered location of 40 WTGs in the area, clearing of area for laying electricity line from each WTGs to the Grid seems to be inevitable.

clearing of area for laying electricity line from each WTGs to the Grid seems to be inevitable.

- V. It is felt that in such projects, comprehensive proposal covering all the aspects such as total area requirement for various components, number of trees to be removed etc. should be submitted by the project proponents and all these factors need to be taken into consideration while approving the project/ allotting land on lease for the projects.



Dr. D. K. Sharma  
Principal Chief Conservator of Forests &  
Head of Forest Force  
Gujarat State

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## **Annexure I**

**List of officials/persons present during site  
inspection on 11.07.2020**

## Annexure I

**List of officials/persons present during site inspection on 11.07.2020 at Village Sangnara**

Sr. No.	Name	Designation
1	Smt. Anita Karn	Chief Conservator of Forests, Kachchh Circle
2	Shri Sadik Mujawar	Deputy Conservator of Forests, Social Forestry Division, Kachchh
3	Shri Tushar Patel	Deputy Conservator of Forest, Kachchh West Division
4	Shri Ayubkhan Ghasura	Assistant Conservator of Forest, Social Forestry Division, Kachchh
5	Shri G. K. Rathod	Deputy Collector, Nakhatrana
6	Shri Uttam Mori	Range Forest Officer, Nakhatrana West Range
7	Shri Bachubhai	Circle Officer, Mamlatdar Office, Nakhatrana
8	Shri I. D. Breir	Forester, Nakhatrana Round, Nakhatrana West Range
9	Smt. Sangitaben Thakkar,	Talati/Mantri, Sangnara Village
10	Shri Jepar Umarabhai Palabhai	Sarpanch, Sangnara Village
11	Shri Jayantilal Parbatbhai Pokar	Ex. Sarpanch, Sangnara Village
12	Shri Rabari Hamirbhai Vankabhai	Villager
13	Shri Rabari Laxamanbhai Kamabhai	Villager
14	Shri Valjibhai Mavjibhai Limbani	Villager

## **Annexure II**

**Copies of orders of Collector, Kachchh (translated from Gujarati to English) for allotment of Government Wasteland on lease to Wind power companies for construction of windmill.**

## Annexure - II

No. JMN/2/VS/3314/2015

Collector office, Kutch  
Revenue Branch, Bhuj  
date 01/08/2015

Sub: Sangnara ; Taluka Nakhatrana

Survey number : 84 paiki 7.00 hectare land allotment on lease for  
windfarm project

(Shri Suzlon Gujarat Wind park Limited, Rajkot)

Ref :

1. Circular number JMN/3903/UOR/29/A date 11.6.2004 of Revenue Department, Government of Gujarat, Gandhinagar
2. Application dated 23.10.2013 submitted by Shri Suzlon Gujarat Wind park Limited, Rajkot
3. Letter number JMN / VS / 476 / 2015 dated 21.04.2015 of Assistant Collector, Nakhatrana
4. Letter number DSO - 39 / MR - 1/4/2013-14/Sangnara dated 22.9.2014 by DILR- Bhuj
5. Letter number B/JMN/T-11/810/2014-15 dated 22/04/2015 of Deputy Conservator of Forest, Kutch west Forest Division, Bhuj
6. Letter number CGM/Lease/Kutch/NOC/15/226/1377 dated 10/04/2015 of Geaologist(Lease), Gandhinagar
7. Resolution number JMN:3903/UOR/29/A dated 2/12/2004 of Revenue Department, Government of Gujarat
8. Letter number JMN/2/VS/1729/2015 dated 29/4/2015 of this office
9. Letter number JMN/VS/1032/2015 datd 27/5/2015 of Mamlatdar, Nakhatrana
10. Letter dated 2/7/2015 of Talati cum Mantri, Nagalapar Group Gram Panchayat
11. Letter number STAMP/VS/4743/2015 dated 30/5/2015 of Deputy Collector, Stamp duty, Bhuj

**ORDER:**

The state of the fact is, that in accordance to Government Circular, of Revenue Department, Government of Gujarat as in reference (1), a new policy for allotment of land on lease for windfarm projects has been declared. Vide letter in reference (2), company Shri Suzlon Gujarat Wind park Limited, Rajkot has a submitted an application for allotment of total 7-00-00 hectare land in T. Survey no: 84 of Sangnara, Taluka Nakhatrana for 20 years on lease for windfarm unit.

In context, to the application submitted by the company, Mamlatdar Nakhatrana, prepared a standard proposal and Assistant Collector, Nakhatrana vide letter in ref (3), requested total 7-00-00 hectare land in T. Survey no: 84 of Sangnara, Taluka Nakhtrana for Wildmill SNG No. 1 to 7 has been submitted positively. According to this, Land falls under village boundry of Sangnara. The requested land is unused, wasteland and has a hilly terrain. Land is hilly, not a plain. Land can't be fit to reserve for Government of Community purpose. Because of Land is in hilly terrain, can't be use for agriculture of horticulture purpose. There are scattered patch of *Prosopis* and other wild tree/shrub is found in requested land. Form this tree, no construction wood can be extracted but fuelwood can be extracted. As per the provisions of GR dated 6.4.201, it has been informed that 1% service charge for the requested land, amounting to Rs. 35,700 has been paid by the applicant unit.

As per reference letter in (4), by DILR – Bhuj has submitted the measurement sheet of 7-00-00 hectares of T. Survey no. 84 of Sangnara, Taluka Nakhatrana of requested land. in which, requested land is being marked as SNG no. 1 to 7.

In reference letter (5), Deputy Conservator of Forest, Kutch west Forest Division has opined for allotment requested 7.00 ha land for

windmill SNG no. 1 to 7. By reference letter (6), Geologist, Lease has submitted positive opinion for requested land of 7.00 ha in T. survey no. 84 for windmill SNG No. 1 to 6 and SNG no. 8.

Hence, in view of above opinion, the applicant is eligible for the allotment of 7.00 ha of land for windmill SNG no. 1 to 7.

As per the provisions of Government Resolution of Department of Revenue, Government of Gujarat in ref (7), rate of lease rent for requested land for windfarm project has been stipulated, according to which a rate of Rs. 10,000.00 per hectare per year has been finalized. In this regard, the annual lease rent for the requested land of 7-00-00 ha by the applicant unit shall be Rs. 70,000. As per provisions of Government Resolution of Department of Revenue, Government of Gujarat in ref (7), It is within the Jurisdiction of this office. By vide letter in ref (8) of this office, it has been informed that lease rent for eligible land against requested land by the applicant company informed to deposit for the total for 7-00-00 ha land, for windmill point number 1 to 7 in SANGNARA amounting to annual payment of Rs. 70,000 + other taxes shall be deposited within 21 days to Mamlatdar, Nakhatrana.

In 'this context, as per report by Mamlatdar Nakhatrana in ref (9), applicant company has deposited annual lease rent of Rs. 70,000 by challan number 523, dated 15.5.15. An amount of Rs.4,20,000 as conversion tax has been deposited by challan number 524, dated 15.5.15. the verification letter dated 16.5.15 of Treasury office is also submitted. By reference letter in (10), the deposit of NA rate of 7,000 rs, receipt no. 15, dated 01/07/2015 Local Cess 3500 rs, receipt no 15 and education tax of 3500 rs, receipt no 95, dated 01/07/2015, the original challan is submitted herewith.

As per letter in ref (11) by Deputy Collector - Stamp duty valuation, Bhuj, a report of amount of Rs.27,440 dated 21.05.15, stamp duty along with the copy of the challan is submitted herewith.

Hence, as payment of annual lease rent has been made in accordance to the Government Resolution, 2012 of Revenue Department, Government of Gujarat, as per provisions made in the Government Resolution of Revenue Department, Government of Gujarat in ref (1) and (7), the measurement sheet submitted by DILR, Bhuj in reference letter (4), the 7-00-00 ha (SNG no 1 to 7) total 7 of land of T. survey no. 84 of Sangnara village of Nakhtrana taluka is hereby sanctioned on lease for 20 years to the Shri Suzlon Gujarat wind park ltd., Rajkot in accordance to the conditions mentioned below.

Conditions:

1. The land is leased for 20 years.
2. Payment of Rs. 10,000.00 per hectare per year as per provision in Government Resolution dated 2.12.2004 shall be regularly paid. Cess for nonagricultural land and other taxes shall be regularly paid. This payment shall be made by the developer company OR sub leased client. In future, the company shall be bound to pay any revisions in annual rent rate as mandated by the Government. The company shall have to submit proof of payments made in this regard to this office from time to time.
3. As the Government has a financial stake in annual lease rent and related taxes, legal action will be taken in case of non-submission of proofs.
4. As per the GR of Revenue Department, Government of Gujarat in ref (1) and (7) 1 hectare land for one windmill has been standardized, Considering this, while developing the land, adjoining the allotted land, It shall definitely be ensured that there will not be any disturbance to wind velocity. Developer shall be eligible for the right of way in commissioning WTG and transmission line. However, for right of way and transmission, if there is a need for more usage, private land, grassland, village land, crematorium any other land having public use shall not be used for the same,
5. Windfarm project developer shall be able to take the land on lease and after its development, it shall be able to sub-lease to the client only once. Endorsement of the sub-lease contract shall be done in presence to time. Lease shall be terminated If this provision is not fulfilled and the land shall be taken back without compensation and free of any dues.
6. From the date of possession of land allotted by this order, the land shall be utilized for the purpose it has been allotted within two years.

In case of unsuccessful use of land by the company, within the time limit, it will be considered as breach of condition.

7. The requested land has been allotted on lease to the applicant / New, Shri Suzlon Gujarat wind park Ltd. for 20 years on lease. In 7/12 format for land of village, Government shall be shown as the land holder, whereas in the column of second rights it shall be shown as "Approved on lease for 20 (twenty) years to Green Infra Wind Energy Ltd, New Delhi", Even after sub-leased, as per the above details, In 7/12 name of the sub- leased party, shall be shown only in the Colum of second rights

8. For construction of roads and erecting electrical lines in private lands, necessary approval and permissions shall be taken from the concerned he land, along with necessary approval and unit and owner of permissions from concerned departments, procedure as per law shall be done.

Post. Sangnara, Ta. Nakhtrana, T, survey no. 84 paiki 7.00 ha

Signed

(M.S.Patel)

Dispatch Date 03.0.2015

Signed

(chitnis to collector) Collector

Bhuj, Kachchh

CC:

1. Assistant Collector, Nakhatrana, Kachchh
2. Mamlatdar, Nakhatrana Kachchh
3. DILR-Bhuj
4. Taluka Development Officer, Nakhatrana Kachchh

5. Talati, Gram Panchayat Sangnara, Taluka Nakhatrana, District Kachchh

6. Shri Suzlon Gujarat windpark Ltd, 1<sup>st</sup> floor, Mangal Shanti, opposite to Oriental bank, Nirmal Convent road, Rajkot-360007

8. Office File

Copy to Deputy Secretary, Revenue Department, "A" Section Gandhinagar. Sachivalay

No. JMN/2/VS/4640/2015

Collector office, Kutch  
Revenue Branch, Bhuj  
date 26/10/2015

Sub: Sangnara ; Taluka Nakhatrana

Survey number : T.S. No. 84 paiki 1 for 7.00 hectare land allotment on  
lease for windfarm project  
(Shri Suzlon Gujarat Wind park Limited, Rajkot)

Ref :

1. Circular number JMN/3903/UOR/29/A date 11.6.2004 of Revenue Department, Government of Gujarat, Gandhinagar
2. Application dated 25/03/2008 submitted by Shri Suzlon Gujarat Wind park Limited, Rajkot
3. Letter number JMN / VS / 2144 / 2010 dated 27.05.2010 of Deputy Collector, Nakhatrana
4. Letter number DSO - 39 / MR - 1/30/Sangnara/2009-10 dated 19.10.2010 by DILR- Bhuj
5. Letter number B/JMN/T-11/6700/2010-11 dated 14/12/2010 of Deputy Conservator of Forest, Kutch west Forest Division, Bhuj
6. Letter number JMN/2/VS/5081/2015 dated 01/05/2015 of this office
7. Letter number B/JMN/T-11/1724/2015-16 dated 15/05/2015 of Deputy Conservator of Forest, Kutch west Forest Division, Bhuj
8. Letter number CGM/ML/Lease/NOC/255/4050 dated 31/07/2015 of Geaologist(Lease), Gandhinagar
9. Resolution number JMN:3903/UOR/29/A dated 2/12/2004 of Revenue Department, Government of Gujarat
10. Letter number JMN/2/VS/3051/2015 dated 15/07/2015 of this office
11. Letter number JMN/VS/2252/2015 datd 14/09/2015 of Mamlatdar, Nakhtrana

12. Letter dated 23/09/2015 of Talati cum Mantri, Sangnara

13. Letter number STAMP/STAMP DUTY/8472/2015 dated 02/09/2015 of Deputy Collector, Stamp duty, Bhuj

ORDER:

The state of the fact is, that in accordance to Government Circular, of Revenue Department, Government of Gujarat as in reference (1), a new policy for allotment of land on lease for windfarm projects has been declared. Vide letter in reference (2), company Shri Suzlon Gujarat Wind park Limited, Rajkot has a submitted an application for allotment of total 46-00-00 hectare land in T. Survey no: 84 paiki 1 of Sangnara, Taluka Nakhatrana for 20 years on lease for windfarm unit.

In context, to the application submitted by the company, Mamlatdar Nakhatrana, prepared a standard proposal and Deputy Collector, Nakhatrana vide letter in ref (3), requested for allotment on lease of total 46-00-00 hectare land in T. Survey no: 84 of Sangnara, Taluka Nakhatrana. But afterward requested 10-00-00 ha land. Mamlatdar, Nakhatrana has told only 5-00-00 ha of land available, on checking of record. The requested land is open and wasteland. Doesn't fall under Forest department or Gauchar. Land was not reserved for future use by Panchayat. Requested land is not having any court matter or any other dispute. Land cannot be use in consolidated of 100-00 Acre for any of the purpose, because of hilly terrain and stream. Due to this, no question of taking certificate for Narmadaban Mukti. No transmission line or Telephone line passing through the requested land or no road pass within boundary. land is requested on lease. Requested land doesn't included in compensatory afforestation of land bank. Not identified for other purpose. There were no religious place, protected memorial or small temple of any religious fall under requested land. there are five point falls under government kharaba within requested land by applicant. No Fruiting or non-fruiting trees found, because of

Government owned land. No tree patches fit for coal production. Applicant's requested land is hilly and rock in nature.

As per reference letter in (4), by DILR – Bhuj has submitted the measurement sheet of 4-00-00 hectares of T. Survey no. 84 paiki 1 of Sangnara, Taluka Nakhatrana for windmill no 1 to 4. Out of 5-00-00 ha of requested land by applicant, 1-00-00 ha land overlap with forest land, so no measurement has done.

By reference letter in (5), Deputy Conservator of Forest has submitted that, 51-00-00 ha area of T. survey no 84 paiki 1 was kept reserved for land bank by Government of Gujarat and 51.00 ha area has been transferred to Forest department by order dated 07/06/2000. So, opinion can be given only after receiving map showing requested land, whether requested area falls under forest department or not?. In this regard, by reference letter in (6), this office has sent copy of map and ask clear opinion, whether questioned land fall under land bank or no? and falls under Forest Department or not?. On account of this, by reference letter in (7), Deputy Conservator of Forest has given opinion with condition for the 4-00-00 ha land of T. survey no- 84 paiki 1 in Sangnara, Nakhtrana taluka for windmill no 1 to 4. By reference letter (8), Geologist, Lease has submitted positive opinion for requested land of 4-00-00 ha in T. survey no. 84 paiki 1 for windmill No. 1 to 4.

Hence, in view of above opinion, the applicant is eligible for the allotment of 4-00-00 ha of land for windmill no 1 to 4.

As per the provisions of Government Resolution of Department of Revenue, Government of Gujarat in ref (9), rate of lease rent for requested land for windfarm project has been stipulated, according to which a rate of Rs. 10,000.00 per hectare per year has been finalized. In this regard, the annual lease rent for the requested land of 4-00-00 ha by the applicant unit shall be Rs. 40,000. As per provisions of

Government Resolution of Department of Revenue, Government of Gujarat in ref (9), It is within the Jurisdiction of this office. By vide letter in ref (10) of this office, it has been informed that lease rent for eligible land against requested land by the applicant company informed to deposit for the total for 7.00 ha land, for windmill point number 1 to 7 in SANGNARA amounting to annual payment of Rs. 70,000 + other taxes shall be deposited within 21 days to Mamlatdar, Nakhatrana.

In this context, as per report by Mamlatdar Nakhatrana in ref (11), applicant company has deposited annual lease rent of Rs. 40,000 by challan number 624, dated 24/08/2015. An amount of Rs. 2,40,000 as conversion tax has been deposited by challan number 632, dated 20/08/2015. the verification letter dated 27/08/15 of Treasury office is also submitted. By reference letter in (12) dated 23/09/2015 of Talati cum Mantri, the deposit of NA rate of 4,000 rs, receipt no. 19, dated 16/09/2015, Local Cess 2000 rs, receipt no 19 dated 16/09/2015 and education tax of 2000 rs, receipt no 98, dated 16/09/2015. the original challan is submitted herewith.

As per letter in ref (13) by Deputy Collector - Stamp duty, amount of Rs. 15,680 dated 24.08.15, for stamp duty is deposited.

Hence, as payment of annual lease rent has been made in accordance to the Government Resolution, 2012 of Revenue Department, Government of Gujarat, as per provisions made in the Government Resolution of Revenue Department, Government of Gujarat in ref (1) and (9), the measurement sheet submitted by DILR, Bhuj according to the availability of land at place, the 4-00-00 ha (point no 1 to 4) land for the purpose of 4 windmill, of T. survey no. 84 paiki 1 of Sangnara village of Nakhatrana taluka is hereby sanctioned on lease for 20 years to the Shri Suzlon Gujarat wind park ltd., Rajkot in accordance to the conditions mentioned below.

Conditions:

1. The land is leased for 20 years.
2. Payment of Rs. 10,000.00 per hectare per year as per provision in Government Resolution dated 2.12.2004 shall be regularly paid. Cess for nonagricultural land and other taxes shall be regularly paid. This payment shall be made by the developer company OR sub leased client. In future, the company shall be bound to pay any revisions in annual rent rate as mandated by the Government. The company shall have to submit proof of payments made in this regard to this office from time to time.
3. As the Government has a financial stake in annual lease rent and related taxes, legal action will be taken in case of non-submission of proofs.
4. As per the GR of Revenue Department, Government of Gujarat in ref (1) and (9) 1 hectare land for one windmill has been standardized, Considering this, while developing the land, adjoining the allotted land, It shall definitely be ensured that there will not be any disturbance to wind velocity. Developer shall be eligible for the right of way in commissioning WTG and transmission line. However, for right of way and transmission, if there is a need for more usage, private land, grassland, village land, crematorium any other land having public use shall not be used for the same,
5. Windfarm project developer shall be able to take the land on lease and after its development, it shall be able to sub-lease to the client only once. Endorsement of the sub-lease contract shall be done in presence to time. Lease shall be terminated If this provision is not fulfilled and the land shall be taken back without compensation and free of any dues.
6. From the date of possession of land allotted by this order, the land shall be utilized for the purpose it has been allotted within two years.

In case of unsuccessful use of land by the company, within the time limit, it will be considered as breach of condition.

7. The requested land has been allotted on lease to the applicant / New, Shri Suzlon Gujarat wind park Ltd. for 20 years on lease. In 7/12 format for land of village, Government shall be shown as the land holder, whereas in the column of second rights it shall be shown as "Approved on lease for 20 (twenty) years to Green Infra Wind Energy Ltd, New Delhi", Even after sub-leased, as per the above details, In 7/12 name of the sub- leased party, shall be shown only in the Colum of second rights

8. For construction of roads and erecting electrical lines in private lands, necessary approval and permissions shall be taken from the concerned he land, along with necessary approval and unit and owner of permissions from concerned departments, procedure as per law shall be done.

Post. Sangnara, Ta. Nakhtrana, T, survey no. 84 paiki 1 for 4.00 ha

Dispatch Date 03.0.2015  
Signed  
(chitnis to the collector)  
Bhuj, Kachchh

Signed  
(M.S.Patel)  
Collector

CC:

1. Assistant Collector, Nakhatrana, Kachchh
2. Mamlatdar, Nakhatrana Kachchh
3. DILR-Bhuj
4. Taluka Development Officer, Nakhatrana Kachchh

5. Talati, Sangnara, Taluka Nakhatrana, District Kachchh

6. Shri Suzlon Gujarat windpark Ltd, 1<sup>st</sup> floor, Mangal Shanti, opposite to Oriental bank, Nirmal Convent road, Rajkot-360007

8. Office File

Copy to Deputy Secretary, Revenue Department, "A" Section  
Gandhinagar. Sachivalay

**Office of District Collectorate and Magistrate, Bhuj – Kachchh**  
**JMN-4, Office Revenue Section, Jilla SevaSadan, Mandvi Road,**  
**Bhuj Kachchh 370001**

Email: [collector-kut@gujarat.gov.in](mailto:collector-kut@gujarat.gov.in); Tel 02832-250020 / Fax 02832 250430

JMN-4/windmill/Vashi/2637/2019

Date: 05.07.2019

Sub: Sangnara, Taluka : Nakhatrana

Survey number 4,65,109,174 – land hectare from each survey number, survey no 60 – land 3 hectare, survey no 75 – land 2 hectare; survey number 209, land 3 hectare; total land 12-hectare allotment on lease for windfarm project

**(Shri Green Infra Wind Energy Limited, New Delhi)**

Ref:

1. Circular number JMN/3903//UOR/29A date 11.6.2004 of Revenue Department, Government of Gujarat, Gandhinagar
2. Circular number JMN/3903/UOR/29A date 2.12.2004 of Department, Government of Gujarat, Gandhinagar
3. Circular number JMN/3903/UOR/29A date 20.2.2006 of Department, Government of Gujarat, Gandhinagar
4. Application dated 12.10.2018 submitted by Shri Green Infra Wind Energy Limited, New Delhi
5. Letter number JMN/VS/147/2018 dated 3.01.2019 of Deputy Collector, Nakhatrana
6. Letter number DSO-39/MR-1/90/2018-19 dated 28.3.2019 by DILR – Bhuj
7. Letter number B/JMB/T.12/1847-75/19-20, dated 29.05.2019 by Chief Conservator of Forest, Kachchh Forest Circle, Bhuj
8. Letter number: CGM/Lease/T.5/Bajarang Windpark (Kutch) pvt ltd./ 90,91,102 to 105/2018-19/2190, dated: 24.5.2018 by Commissioner (Development), Commissionerate office of Geology and Mining, Gandhinagar
9. This office letter number: JMN/4/windmill/VS/2616/2019 dated 27.6.2019
10. Letter number JMN/VS/Sangnara/06/2019 dated 29.6.2019 by Mamlatdar, Nakhatrana

11. Letter dated 3.7.2019 from Talati Mantri of Sangnara Gram Panchayat, Taluka Nakhatrana, Kachchh
12. Letter number Stamp/Lease/windfarm/stamp duty/2073 dated 1.07.2019 by Deputy Collector, Stamp Duty Valuation Section, Bhuj
13. Letter number JMN/2018/2256/A-1 dated 11.9.2018 of Revenue Department, Government of Gujarat, Gandhinagar

**-: ORDER:-**

The state of the fact is, that in accordance to Government Circular, of Revenue Department, Government of Gujarat as in reference (1), a new policy for allotment of land on lease for windfarm projects has been declared. Vide letter in reference (4), company Shri Adani Green Energy (MP) Limited has a submitted an application for allotment of total 18-hectare land in Sangnara, Taluka Nakhatrana of which, 2 hectares from survey number 174; 3 hectares from survey number 209; 1 hectare each from survey number 163, 194, 89, 95, 65, 109; 2 hectares from survey number 4; 3 hectares from survey number 75; 2 hectares from survey number 60; on lease for windfarm project for 20 years.

In context, to the application submitted by the company, Mamlatdar Nakhatrana vide letter number JMN/VS/5153/2018 dated 21.12.2018 prepared a standard proposal and Deputy Collector, Nakhatrana vide letter in ref (5) submitted the same to this office, details of which are as follows:

The requested land is unused, wasteland and has a hilly terrain, wherein the company has requested allotment of land on lease for 20 years for setting up various units of windfarm at different locations. The requested land is neither grassland nor it has been transferred to the Forest department. Religious monuments or any other such structures. The requested land has approach roads / Kachha road. There are no telephone lines and / or electricity lines passing through the requested land. There are scattered Prosopis julifera (Gando Bawal) and other such similar small wild shrubs on the requested land. Details report (Panchnamu) of location, status, traced map is attached herewith for submission.

As per the provisions of GR dated 6.4.2011 it has been informed that 1% service charge for the requested land, amounting to Rs.27,000 has been paid by the applicant unit vide challan no. 427 In State Bank of India on 11.10.2018

For the requested land by the applicant, Circle Officer, Vithon, inspected the site and following verification of the records, and as per provisions in Government Circular vide in ref(1) and (2) opinion for allotment of 18 hectares of Sangnara, Taluka Nakhatrana of which 2 hectares from survey number 174; 3 hectares from survey number 209; 1 hectare each from survey number 163, 194, 89, 95, 65, 109; 2 hectare from survey number 75; 2 hectares from survey number 4; 3 hectares from survey number 60 was submitted to Deputy Collector Nakhatrana.

As per reference letter in (6), by DILR - bhuj the requested land by the applicant unit – 18 hectares of Sangnara, Taluka Nakhatrana of which, 2 hectares from survey number 174; 3 hectares from survey number 209; 1 hectare each from survey number 163, 194, 89, 95, 65, 109; 2 hectare from survey number 75; 2 hectares from survey number 4; 3 hectares from survey number 60 was surveyed and measured in presence of the representative of the applicant, at the expenditure of the applicant, as shown by the representative of the applicant. On comparing the same with DSO records, total 17 hectares of Sangnara, Taluka Nakhatrana of which 2 hectares from survey number 174; 2 hectares from survey number 209; 1 hectare each from survey number 163, 194, 89, 95, 65, 109; 2 hectares from survey number 75; 2 hectares from survey number 4; 3 hectares from survey number 60 was available. Measurement Record (MR) sheet number MR no.1 / 90 / 2018/19 has been submitted coordinates and composite maps have.

Chief Conservator of Forest, Kachchh Forest Circle has submitted his opinion vide letter (7) in view of the requested land of 18 hectares by applicant unit comprising of 18 hectares of Sangnara, Taluka Nakhatrana of which, 2 hectares from survey number 174; 3 hectares from survey number 209; 1 hectare each from survey number 163, 194, 89, 95, 65, 109; 2 hectares from survey number 75; 2 hectares from survey number 4; 3 hectares from survey number 60. In regards to the approval

of allotment of the requested land, the opinion recommending precondition of insulating the electric lines, providing of bird guards and reflectors and other related conditions, the location numbers 01 to 07, 09 to 19, total being hectares 18 (eighteen)

Additional Commissioner (Development) Commissionerate of Geology and Mining vide letter ref(8) has submitted an NOC for windfarm point numbers 01 to 07, 09 to 19, total hectares 18(eighteen) from the requested land by the applicant of Sangnara, Talua Nakhatrana of which, 2 hectares from survey number 174; 3 hectares from survey number 209; 1 hectare each from survey number 163, 194, 89, 95, 65, 109; 2 hectare from survey number 75; 2 hectares from survey number 4; 3 hectares from survey number 60.

Hence in view of the application submitted by applicant on 4.6.2019, against the request Sangnara Taluka Nakhatrana from Survey number 465, 109, 174, 1hectare each, survey number 60-3-hectare survey number 75-2 hectare, 209-3 hectaremitak hectare 12 land, for windmill point number SANGNARA-01, 03, 05, 06, 09, 10, 14, 15, 16, 17, 18, 19 (total 12) is eligible for allotment.

As per the provisions of Government Resolution of Department of Revenue, Government of Gujarat in ref (9), rate of lease rent for requested land for windfarm project has been stipulated according to which a rate of Rs. 10000 per hectare per year has been finalized. In this regard, the annual lease rent for the requested land by the application unit shall be Rs. 1,20,000/- As per provisions of Government Resolution of Department of Revenue, Government of Gujarat in ref (2), it is within the jurisdiction of this office. By vide letter in ref (9) of this office, it has been informed that lease rent. For eligible land against requested land by the applicant company. Hectare total hectare 12 land for windmill point number 01,03,05,06,09,10,14,15,16,17,18,19 (total 12) amounting to annual payment of Rs.1,20,0000/- and other taxes shall be deposited within 21 days to Mamlatdar, Nakhatrana.

In this context, as per report by Mamlatdar Nakhatrana in ref (1) applicant company has deposited annual lease rent of Rs.1,20,000.00 by challan number 1808, dated 29.6.2019. An amount of Rs.7,20,000.00 as conversion tax has been deposited by challan number 1807, dated 29.6.2019. Deputy Collector, Stamp Duty Valuation has informed deposit of difference amount of 1% service charge amount to Rs.3,96,300.00 by challan number 1811, dated 29.6.2019, original challan is submitted herewith.

As per letter by Talati Cum Mantri Sangnara Gram panchayat in ref (11), amount of Rs.12,000.00 for nonagricultural land, receipt number 10 dated, 3.7.19, local cess of amount Rs.6000.00 dated 3.7.19 and education cell Rs.6000.00 receipt number 44 dated 3.7.19 has been deposited, original receipts of the same are submitted.

As per letter in ref (12) by Deputy Collector – Stamp duty valuation, Bhuj a report of amount of Rs.47,040 vide challan number 325, dated 29.6.2019 deposited as mandatory stamp duty along with the copy of the challan is submitted herewith.

Hence, as payment of annual lease rent has been made in accordance to the Government Resolution, 2012 of Revenue Department, Government of Gujarat, as per provisions made in the Government Resolution of Revenue Department, Government of Gujarat in ref(1) and (2), in view of the above opinion, Sangnara Taluka Nakhatrana from survey number 465, 109, 174, 1, hectare each, Survey number 60-3 hectare, 75-2 hectare, 209-3 hectare, total 12 land for windmill point number SANGNARA-01, 03, 05, 06, 09, 10, 14, 15, 16, 17, 18, 19 (total 12) for the purpose of windmill and in accordance to the conditions of all the concerned departments as mentioned above and in accordance to the conditions given below, Shri Green Infra Wind Energy Ltd, New Delhi is hereby sanctioned for allotment on lease.

**Conditions:-**

1. The land is leased for 20 years.
2. Annual rent of Rs.10,000.00 per hectare per year as per provision in Government Resolution dated 2.12.2001 shall be regularly paid. Cess for non-agricultural land and other taxes shall be regularly paid. This payment shall be made by the developer company OR sub leased client. In future, the company shall be bound to pay any revisions in annual rent rate as mandated by the Government. The company shall have to submit proof of payments made in this regard to this office from time to time.
3. As the Government has a financial stake in annual lease rent and related taxes, legal action will be taken in case of non-submission of proofs.
4. As per the GR of Revenue Department, Government of Gujarat in ref (1) and (2) hectare land for one windmill has been standardized. Considering this, while developing the land, adjoining the allotted land. It shall definitely be ensured that there will not be any disturbance to wind velocity. Developer shall be eligible for the right of way in commissioning WTG and transmission line. However, for right of way and transmission, if there is a need for more usage, private land, grassland, village land, crematorium any other land having public use shall not be used for the same.
5. From the date of possession of land allotted by this order, the land shall be utilized for the purpose it has been allotted within two years. In case of unsuccessful use of land by the company, within the time limit it will be considered as breach of condition.
6. Windfarm project developer shall be able to take the land on lease and after its development, it shall be able to sub-lease to the client only once. Endorsement of the sub-lease contract shall be done in presence to time. Lease shall be terminated if this provision is not fulfilled and the land shall be taken back without compensation and free of any dues.
7. The requested land has been allotted on lease to the applicant / New Green Infra Wind Energy Ltd for 20 years on lease. In 7/12 format for land of Village, Government shall be shown as the land holder, whereas in the column of second rights it shall be shown as "Approved on Lease for 20 (twenty) years

to Green Infra Wind Energy Ltd, New Delhi". Even after sub-leased, as per the above details, in 7/12 name of the sub-leased party, shall be shown only in the column of second rights.

8. For construction of roads and erecting electrical lines in private lands, necessary approval and permissions shall be taken from the concerned unit and owner of the land, along with necessary approval and permissions from concerned departments, procedure as per law shall be done.
9. A distance of 50 meters or more shall be maintained from the existing local forest area for the requested land and necessary permissions from concerned competent authorities shall be taken.
10. It shall be ensured that no forest area shall be used and no wild animals in this forest area shall be harmed during the excavation works or transportation of materials.
11. In the proposed area, should there be any cutting of existing trees, work shall be commencing only after appropriate permissions as per law shall be taken from competent authorities and tree plantation in nearby areas shall be done.
12. No obstructing activities for any natural water, source, either going towards or coming out of the sanctuary shall be executed.
13. In the proposed area, should there be any blasting activity to be executed in the proposed area, proper care shall be taken to ensure not of the wild animals and prior to executing.
14. If an approach road towards the proposed area has to be constructed from the main road and if electric lines have to be passed over, and if the main road is declared as the protected forest, then as per the provisions of Forest Act, 1980 prior permission for use of the approach road and electricity lines shall be taken from the Government of India.
15. Adjoining the allotted land by this order, should there be any land, of airport, air force, railway, port, coastal area / CRZ, then the use of the allotted land shall be done only after necessary permissions are taken from the competent authority of the concerned department. Moreover, any other approvals / permissions pertaining to law or rules, which are required by mandate, then

the use of the allotted land shall be done only after availing these permissions / approvals from the competent authority of the concerned department.

16. The applicant company shall be bound to abide by any new Government policy for land lease for windfarm project.

17. Should there be breach in any of the above conditions or should the lease land be used for any purpose other than for which it was allotted then the land lease shall be immediately terminated for breach in condition without any kind of compensation.

Village: Sangnara, Taluka : Nakhatrana			
Sr.No	Survey no.	Location No.	Area (Hec.)
1	4	SANGNARA 14	1.00.00
2	60	SANGNARA 15	1.00.00
3	60	SANGNARA 18	1.00.00
4	60	SANGNARA 19	1.00.00
5	65	SANGNARA 16	1.00.00
6	75	SANGNARA 09	1.00.00
7	75	SANGNARA 10	1.00.00
8	109	SANGNARA 17	1.00.00
9	174	SANGNARA 01	1.00.00
10	209	SANGNARA 03	1.00.00
11	209	SANGNARA 05	1.00.00
12	209	SANGNARA 06	1.00.00
TOTAL			12.00.00

Dispatched on date: 11/07/2019

Sd/-

(Seal)

(Remya Mohan)

Signed by M.M.Kavadiya

Collector Kachchh

Chitnis to collector

Bhuj - Kachchh.

O/C 11/7

**To,**

**Shree Green Infra Wind Energy Ltd.**

**Dor no.515, Tolstoy House, Tolstoy Road,**

**New Delhi.**

**Copy to :**

1. Deputy Collector, Nakhatrana - Kachchh
2. Mamlatdar, Nakhatrana - Kachchh – original documents attached herewith.  
As per provisions in the letter of Government dated 12.6.2006, for return of charter
3. DILR – Bhuj
4. Chief Conservator of Forest, Kachchh Forest Circle, Bhuj -Kachchh
5. Geologist, Department of Geology and Mining, Collectorate Kachchh
6. Taluka Development Officer, Nakhatrana Kachchh
7. Talati, Gram Panchayat Sangnara, Taluka Nakhatrana District Kachchh
8. Office File

**Copy to**

Deputy Secretary, Revenue Department, "A" Saction – SachivalayGandhinagar

**Office of District Collectorate and Magistrate, Bhuj – Kachchh**  
**JMN-4, Office Revenue Section, Jilla Seva Sadan, Mandvi Road,**  
**BhujKachchh 370001**

Email: [collector-kut@gujarat.gov.in](mailto:collector-kut@gujarat.gov.in); Tel 02832-250020 / Fax 02832 250430

No.JMN-4/vashi/1168/2018

Date: 20/12/2018

Sub: Village Sangnara; Taluka Nakhatrana

Survey no. 4,89, 75, 174, 194 – land per each S.No. He 1.00.00 and also 163 land He.2.00.00 Aare of Total Land He. 7.00 Aare for wind mill project to be obtained on lease.

**(Shree Adani Green Energy (MP) ltd. Ahmedabad.)**

Ref:

1. Government Revenue Department, Gandhinagar Resolution No.JMN/3903//UOR/29A date 11.6.2004
2. Government Revenue Department, Gandhinagar Resolution No.JMN/3903/UOR/29A date 2.12.2004
3. Government Revenue Department, Gandhinagar Resolution No.JMN/3903/UOR/29A date 20.2.2006
4. Application dated 12.02.2018 from Shree Adani Green Energy (M P) Ltd
5. Letter no. JMN/vashi/1523/2018 dated 18/05/2018 from Dy. Collector, Nakhatrana
6. Letter no. DSO-39/MR-1/375/2017-18 dated 25/07/2018 from the DILR – Bhuj
7. Letter no. B/JMN/T.12/806-07/18-19, dated 25/04/2018 from the CCF, Kachchh Forest Circle – Bhuj
8. Letter No.CGM/lease/T.5/Kachchh/Adani Green Energy (MP) Pvt Ltd / 210, 211 yo 215, 217 to 218, 221, 223 to 251, 253, 2018-19/3916 dated 1/09/2018 from Additional Director (Development) Office of the Geology ad Mining Commissioner, Gandhinagar
9. This office letter number JMN/4/windmill/vashi/1168/2018 dated 5/12/2018

10. Letter number JMN/Vashi/challan/2018 dated 13/12/2018 from the Mamlatdar, Nakhatrana
11. Letter dated 12/12/2018 from the Talaticum MantriShree Sangnara Gram Panchayat, TalukaNakhatrana, Kachchh
12. Letter no. Stamp/Lease/windfarm/stamp duty/7968 dated 17/12/2018 from the Dy. Collector, Stamp Duty Assessment Administration, Bhuj
13. Letter number JMN/2018/2255/A-1 dated 11.9.2018 of Revenue Department, Government of Gujarat, Gandhinagar

**-: ORDER: -**

Fact of case is that a new policy for wind farm project for granting land on lease has been declared vide the Government Revenue Department Resolution. At Reference No.1 above. Application company Shree Adani Green Energy (MP) vide Reference – (4) above has applied for land with S.No.4, 89, 75, 174, 194 labnd per each, S.No.He1.00.00 and also land 163 He.2.00.00 Aare of total land He.7.00.00 Aare of Village Sangnara, Tal.Nakhatrana for wind mill project to be obtained on lease for a period of 20 years.

With reference to the application of the applicant company, the MamlatdarNakhatrana vide letter No.JMN/vashi/1469/2018 dated 16/06/2018 has prepared official proposal and has forwarded the same with positive recommendation to the Dy.CollectorNakhatrana vide Reference – (5) Details of the same area as under;

Government grazing land or for transfer o the Forest Department. Demanded land is not amongst the land reserved for any public or other purpose. No religious place, conserved monument of faith or temple of any religion or any such structures are there within he area of the demanded land. There is no court case or any dispute in respect of the said land. Roads/rough roads are there for movement within the demanded land. No electricity or telephone lines are passing through the demanded land. Small and wild plants like acacia etc. are found here and there in the demanded land. On the site inspection report and local map tracings are submitted herewith.

For the purpose and in terms of the provisions of the Government resolution dated 6/4/2011, applicant company has informed that they have on 09/02/2018 deposited in the Government account a sum of Rs.14000/- vide challan No.427 with Bhuj branch of State Bank of India the amount of 1% service charges for the said land.

Circle Officer Nakhatrana has carried out and on-site inspection of the land demanded by the applicant company and as per verification with the Government records, an opinion has been forwarded by the Dy. Collector, Nakhatrana for land demanded by Shree Adani Green Energy (MP) Ltd. At S.No.4, 89, 75, 174, 194 land per each S.No. He.1.00.00 and also 163 land He.2.00.00 Aare if total land He.7.00.00 Aare for wind mill project at Sangnara village of Nakhatrana Taluka.

Vide Reference No (6) of DILRBhuj, applicant demanded land at S.No.4 Hec.1.00.00, 89 Hec.1.00.00, 75 Hec.1.00.00 163 Hec.2.00.00, 174 Hec.1.00.00, 194 Hec.1.00.00 at village Sangnara, Tal.Nakhatrana as shown by the applicant was surveyed in their presence at the cost of the applicant unit and was matched with the records of DSO and it was observed that land at S.No.4 composite maps have also been submitted whose locations are No.MDV-601, 178, 31, 96, 439, 260, 568 total 7 (seven).

Vide Chief Conservator of Forest Reference No. (7) against the total hec.7.00.00 land at Sangnara, Tal.Nakhatrana demanded by the applicant, opinion has been given for land at S.No.4Hec.1.00.00, 89 Hec.1.00.00, 75 Hec.1.00.00 163 Hec.2.00.00, 174 Hec.1.00.00, 194 Hec.1.00.00totalHec.7.00.00. This opinion has been given subject to insulation of electric lines, to fit bird guards and reflectors on poles and lines and other conditions whose location No. is MDV-601, 178, 31, 96, 436, 260, 568

Vide reference No. (8) of Additional Director (Development), Office of the Gology and Mining, Gandhinagar, "No Objection" certificate has been submitted in respect of demanded land at S.No.4Hec.1.00.00, 89 Hec.1.00.00, 75 Hec.1.00.00 163 Hec.2.00.00, 174 Hec.1.00.00, 194 Hec.1.00.00 total hec.7.00.00 of village Sangnara, Tal.Nakhatrana for wind mill point no.MDV-601, 178, 31, 96, 436, 260, 568

Thus, considering the above mentioned pinions land demanded by the application company at S.No.4Hec.1.00.00, 89 Hec.1.00.00, 75 Hec.1.00.00 163 Hec.2.00.00, 174 Hec.1.00.00, 194 Hec.1.00.00 total hec.7.00.00 of village Sangnara, Tal.Nakhatrana for wind mill point no.MDV-601, 178, 31, 96, 436, 260, 568 allottable to the said company.

Vide Reference No. (2) of the Revenue Department of the Government Resolution provisions, rates for the rent for the land for the purpose of wind mill projects have been finalized. Accordingly, annual rent of Rs.10,000/- per Hectare have been finalized. Accordingly rent for Hec.1.00.00 land allotted to company is directed to pay amount of annual rent of Rs.70.000/- and other taxes to the Mamlatdar, Nakhatrana within a period of 21 days in respect of S.No.4,89, 75, 174, 194 per S.No.Hec.1.00.00 and No.163Hec.2.00.00 total Hec.7.00.00 for wind mill point no.MDV-601, 178, 31, 96, 436, 260, 568.

Accordingly the Mamlatdar, Nakhatrana vide Reference No. (10) report on 13-12-2018 applicant company has deposited annual rent of Rs.70,000/- vide ChallanNo.1239. Also, the conversion tax of Rs.4,20,000/- has been deposited vide challanno.1240 on date 13/12/2018. Also as per the assessment letter and instructions from the Dy.Collector, Stamp Duty, Assessment, Bhuj difference of 1% of Service Charges amounting Rs.59,500/- has been deposited vide challan No.1241 dated 13-12-2018, original of which has been submitted.

Vide Reference No (11) of Talati Cum MantriSangnara Gram PanchayatRs.7000/- for Non-Agricultural tax vide Receipt No.88 dated 12/12/2018, Local Cess amount of Rs.3,500/- vide Receipt no.88 12/12/2018 and Education Cess of Rs.3,500/- vide receipt no.4 dated 12/12/2018 have been paid, original receipts for the same have been submitted.

Vide Reference No. (12) of Dy.Collector, Stamp Duty Assessment, Bhuj recoverable official stamp duty for the same at Rs.27440/- has been deposited on 13/12/2018 vide ChallanNo.1208. Report to this effect and original receipt have been submitted.

Since annual rent amount in terms of the resolution of the Government Revenue Department dated 2/12/2004 has been paid by the said applicant, as per provisions of the Government Revenue Department Reference (1) and (2)

1.00.00 and No.163Hec.2.00.00 total Hec.7.00.00aare of village Sangnara Tal. Nakhatrana with wind mill point no.MDV-601, 178, 31, 96, 436, 260, 568. For the purpose of 7 wind mills subject to opinions and conditions laid down by the respective Departments of the Government and as laid down hereunder;

**Conditions:-**

1. Tenure of the lease for 20 years.
2. Annual rent of Rs.10,000/- per hectare as fixed by the Government vide resolution dated 2.12.2004 shall have to be paid regularly. Non-agriculture taxes and other taxes on land shall also have to be paid regularly. Rent shall have to be paid by the sub lease client. Any alterations made by the Government in future in respect of the rent amount shall be binding upon the Company. Proof of payment made in respect of the above amounts shall have to be submitted to us from time to time.
3. Since payment of annual rent and other taxes are related with the financial concern of the Government, your failure to produce such proof shall attract legal proceedings against you.
4. As per the Reference (1) and (2) of the Revenue Department, one- hectare land is considered as standard unit for 1 wind mill. On allocation of the land as per the said norms, at the time of development of the land adjoining and surrounding the said land it is to be ensured that Wind Velocity is not disturbed. Developer shall be eligible to get Right of way for keeping/Installing WTP and Transmission. However, for transmission and

right of Way, use of private land reserved for grazing, village limits, cremation ground etc shall not be allowed.

5. Land shall have to be used for the purpose for which the same is allotted within a period of 2 years from the date of this order. Failure to do so shall be considered as a breach of condition.
6. Developer of the wind farm project shall obtain the land on lease and provision is necessary so that rent can be recovered from the sub lease holder from time to time. In case of breach of the provision, the lease shall be terminated and the said land shall be taken over by the Government without any compensation and free of any charges.
7. The said land is allotted on lease for a period of 20 years to the applicant / company **“Shree Adani Green Energy (MP) Ltd., Ahmedabad”** In the column **“Possessor”** of the village form 7/12 shall be mentioned as ‘Government’ only while in ‘second charge’ column it shall be noted as **“Sanctioned to Shree Adani Green energy (MP) Ltd. Ahmedabad on lease for 20 years”**. Even after the sub lease, name of the party getting sub lease shall be mentioned in Form 7/12 only in above details.
8. For constructing roads, laying of electric lines from the private land, further steps may be taken after obtaining consent from the concerned unit/account holder as also permission from the concerned Departments by following the rules and regulations.
9. Activities in the land demanded shall be undertaken after maintaining a distance of 50 meters from the existing local forest area. In case of any legal requirement in the matter, permission from the competent authority shall have to be obtained.
10. Forest area should not be used at the time of digging or for transporting material. Care should also be taken to ensure that no wild life is damaged/disturbed.
11. In case existing trees are to be cut in the demanded land, official permission from the competent authority shall have to be obtained before using the same and trees shall have to be planted in nearby area.

12. No activity should be undertaken which obstructs any natural water flow towards or from the demanded land.
13. In case of any blasting etc. in the demanded land area, it should be ensured that no obstruction in daily routine activities of the wild life is caused and before such activities, permission from the nearby concerned. Government of India under the provisions of Conservation of Forest Act-1980 shall have to be obtained for construction of approach road and laying of electric lines.
14. If an approach road towards the proposed area has to be constructed from the main road and if electric lines have to be passed over, and if the main road is declared as the protected forest, then as per the provisions of Forest Act, 1980 prior permission for use of the approach road and electricity lines shall be taken from the Government of India.
15. Moreover, in case land for Airport/air force/railway/port/sea area/CRZ area is situated in the area surrounding the sanctioned land area use of the land shall be made only after obtaining necessary permission from the competent authority. Moreover, the said land can be used only after obtaining all necessary approval/permission under any other rules and regulations.
16. In case of any change that may come up in respect of policy for grant of lease of Government land for wind mills, the same shall be binding up on the applicant company.
17. In case of breach of any of the above mentioned conditions or the leased land is used for any other purpose, the lease shall be immediately terminated for breach of conditions and without any compensation.

(Village: Sangnara, Tal.Nakhatrana Land at S.No. 4 Hect. 1.00.00 aare, 89 Hect.1.00.00 aare, 75 Hect.1.00.00 aare, 163 Hect.2.00.00 aare, 174 Hect.1.00.00 aare, 194 Hect.1.00.00 aare)

(Wind Mill Point No.MDV-601, 178, 31, 96, 439, 260, 568.Total 7 (Seven) pint).

Dispatched on date: 24/12/2018

Sd/-

(Seal)

(Remya Mohan)

Signed by

Collector Kachchh

Chitnis to collector

Bhuj - Kachchh.

**To,**

**Shree Adani Green Energy (MP) Ltd.,**

**'Adani House', Near Mithakhali six road, Navrangpura,**

**Ahmedabad.**

**Copy to:**

- Deputy Collector, NakhatranaKachchh
- Mamlatdar, Nakhatrana Kachchh – original papers of the case are enclosed. For handling over Sanad in terms of the provisions of the Government letter dated 12/6/06
- DILR – Bhuj
- Chief Conservator of Forest, Kachchh Forest Circle, Bhuj-Kachchh
- Geologist, Department of Geology and Mining, Office of the CollectorateKachchh
- Taluka Development Officer, Nakhatrana-Kachchh
- Talati, Sangnara Gram Panchayat, Tal.Nakhatrana District Kachchh
- Office File

**Copy with Complements to;**

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

**Office of District Collectorate and Magistrate, Bhuj – Kachchh**  
**JMN-4, Office Revenue Section, Jilla Seva Sadan, Mandvi Road,**  
**Bhuj Kachchh 370001**

**Email: [collector-kut@gujarat.gov.in](mailto:collector-kut@gujarat.gov.in); Tel 02832-250020 / Fax 02832 250430**

**No.JMN-4/Windmill/vashi/2777/2019**

**Date: 08/08/2019**

Sub: Village Sangnara ; Taluka Nakhatrana

Survey number 174, 89, 95, 4, 65 land per each S.No. He 1.00.00 and 60 paiki land Hect.3.00.00 Aare and S.No.75 paiki land Hect 2.00.00 aare total land Hect.10.00.00aare for wind mill project to be obtained on lease.

**(Shree Torrent Power Ltd., Ahmedabad)**

Ref:

1. Government Revenue Department, Gandhinagar Resolution No. JMN/3903//UOR/29A date 11.6.2004
2. Government Revenue Department, Gandhinagar Resolution No. JMN/3903/UOR/29A date 2.12.2004
3. Government Revenue Department, Gandhinagar Resolution No. JMN/3903/UOR/29A date 20.2.2006
4. Application dated 13/03/2019 from Shree Torrent Power Ltd., Ahmedabad
5. Letter number JMN/vashi/581/2019 dated 27/07/2019 from Dy. Collector, Nakhatrana
6. Letter number DSO-39/MR-No 3/32/2018-19 dated 18/07/2019 from the DILR – Bhuj
7. Letter No.B/JMN/T.12/3502-03/19-20 dated 19/07/2019 from the CCF, Kachchh Forest Circle, Bhuj Kachchh.
8. Letter No.CGM/lease/Te P/Kachchh/Torrent Power Ltd. / 1127 to 1128/2019-20/4419 dated 24/07/2019 from Additional Director (Development) Office of the Geology and Mining Commissioner, Gandhinagar
9. This office letter number JMN/4/windmill/vashi/2777/2018 dated 5/08/2019
10. Letter number JMN/Vashi/1760/challan/2019 dated 06/08/2019 from the Mamlatdar, Nakhatrana

11. Letter dated 07/08/2019 from the Talati cum Mantri Shree Sangnara Gram Panchayat, Taluka Nakhatrana, Kachchh
12. Letter no. Stamp/Lease/wind farm/stamp duty/3777 dated 06/08/2019 from the Dy. Collector, Stamp Duty Assessment Administration, Bhuj
13. Letter No.JMN/2018/2256/A-1 dated 11-09-2018 from the Government Revenue Department, Gandhinagar

**:- ORDER:-**

Fact of case is that a new policy for wind farm project for granting land on lease has been declared vide the Government Revenue Department Resolution. At Reference No.1 above. Application company Shree Torrent Power Ltd. Ahmedabad vide Reference – (4) above has applied for land with S.No.60Hect.3.00.00 aare and land at S.No.75, 4 each of Hect.2.00.00 Aare and at S.No.174, 209, 89, 95, 65 each of land Hect.1.00.00 total land Hect.12.00.00 Aare of Village Sangnara, Tal.Nakhatrana for wind mill project to be obtained on lease for a period of 20 years.

With reference to the application of the applicant company, the Mamlatdar Nakhatrana vide letter No.JMN/vashi/1575/2019 dated 24/07/2019 has prepared official proposal and has forwarded the same with positive recommendation to the Dy.Collector Nakhatrana vide Reference – (5) Details of the same area as under;

Demanded land is a Government waste land, hilly area, wherein the Company has requested for grant of 20 years lease on land at different locations for the purpose of erecting wind mills. Demanded land is not amongst the Government grazing land or for transfer to the Forest Department. Demanded land is not amongst the land reserved for any public or other purpose. No religious place, conserved monument of faith or temple of any religion or any such structures are there within the area of the demanded land. There is no court case or any dispute in respect of the said land. Roads/rough roads are there for movement within the demanded land. No electricity or telephone lines are passing through the demanded land. Small and wild

plants like acacia etc. are found here and there in the demanded land. On the site inspection report and local map tracings are submitted herewith.

For the purpose and in terms of the provisions of the Government resolution dated 6/4/2011, applicant company has informed that they have on 25/02/2019 deposited in the Government account a sum of Rs.32400/- vide challan No.1528 with Bhuj branch of State Bank of India the amount of 1% service charges for the said land.

Circle Officer Nakhatrana has carried out and on-site inspection of the land demanded by the applicant company and as per verification with the Government records, an opinion has been forwarded by the Dy.Collector Nakhatrana for land demanded by Shree Torrent Power Ltd., Ahmedabad at S.No.174, 89, 96, 4, 65 land per each S.No.1.00.00 aare and S.No Hect.1.00.00 aare and at S.No.60 paiki land Hect.3.00.00 Aare and at 75 paiki land Hect.2.00.00 aare while for S.No.209 land hect 1.00.00 location No. –DNT-009 is overlapping with another company as also land at S.No.4 Hect.1.00.00 aare location No.DNT018 is at distance of 380 meters from the village limits,

Vide Reference No(6) of DILR - Bhuj, applicant demanded land at S.No.60 Hect.3.00.00 aare and land at S.No.75, 4 each of Hect.2.00.00 Aare and at S.No.174, 209, 89, 95, 65 each with Hect.1.00.00 total land Hect.12.00.00 Aare of Village Sangnara, Tal.Nakhatrana shown by the applicant was surveyed in their presence at the cost of the applicant unit and was matched with the records of DSO and it was observed that land at S.No.174, 89, 95, 4, 65 each Hect 1.00.00 aare and S.No.60 paiki land Hect.3.00.00 aare and S.No.75 paiki land Hect 2.00.00 aare making total Hect.12.00.00 is available whose locations are No.DN300, DNT016, DNT 020, DNT 021, DNT 014, 2098, DNT 017, DNT 013, DNT 012 that is total Ten (10)

Vide Chief Conservator of Forest Reference No. (7) against the total hec.12.00.00 land at Sangnara, Tal.Nakhatrana demanded by the applicant, opinion has been given for land at S.No.60Hec.3.00.00 and S.No.75,4 each at Hec.2.00.00, at S.No.174, 209, 89, 95, 65 each at Hec.1.00.00 that is total Hec.12.00. This opinion has been

given subject to insulation of electric lines, to fit bird guards and reflectors on poles and lines and other conditions whose location No. are DN300, DNT019, DNT016, DNT 020, DNT 021, DNT 014, 2098, DNT 017, DNT 013, DNT 018, DNT 009 totaling to 12.

Vide reference No. (8) of Additional Director (Development), Office of the Geology and Mining, Gandhinagar, "No Objection" certificate has been submitted in respect of demanded land at S.No.60Hec.3.00.00 and S.No.75,4 each at Hec.2.00.00, at S.No.174, 209, 89, 95, 65 each at Hec.1.00.00aare that is total Hec.12.00 of village Sangnara, Tal.Nakhatrana for wind mill point no.DN300, DNT019, DNT016, DNT 020, DNT 021, DNT 014, 2098, DNT 017, DNT 013, DNT018,DNT009 totaling to 12.

60 paiki land Hect.3.00.00 S.No.75paiki Hect.2.00.00aare total Hect.10.00.00aare of village Sangnara, Tal.Nakhatrana for Wind Mill Project point No.DN300, DNT019, DNT016, DNT 020, DNT 021, DNT 014, 2098, DNT 017, DNT 013, DNT018, DNT009totaling to 10 are allottable to the Said Company.

Vide Reference No. (2) of the Revenue Department of the Government Resolution provisions, rates for the rent for the land for the purpose of wind mill projects have been finalized. Accordingly, annual rent of Rs.10,000/- per Hectare have been finalized. Accordingly rent for Hec.10.00.00 land allotted to applicant unit is comes to Rs.1,00,000/- which as per the provisions of the Government Revenue Department Reference No. (2) falls under the jurisdiction of the office. This, vide Reference No. (9) of the office the applicant company is directed to pay amount of annual rent of Rs.1,00,000/- and other taxes to the Mamlatdar, Nakhatrana within a period of 21 days in respect of S.No.174, 89, 95, 4, 65 per S.No.1.00.00 aare and No.60 paiki Hect.00.00 aare and S.No.75 paiki Hect.2.00.00 aare totaling to Hect.10.00.00for wind mill point no.DN300, DNT019, DNT016, DNT 020, DNT 021, DNT 014, 2098, DNT 017, DNT 013, DNT018, DNT009 totaling to 10 (Ten).

Accordingly, the Mamlatdar, Nakhatrana vide Reference No. (10) report on 06/08/2018 the applicant company has deposited annual rent of Rs.1,00,000/- vide

ChallanNo.1969. Also, the conversion tax of Rs.6,00,000/- has been deposited vide challanno.1968 on date 06/08/2019. Also as per the assessment letter and instructions from the Dy. Collector, Stamp Duty, Assessment, Bhuj difference of 1% of Service Charges amounting Rs.2,02,600/- has been deposited vide challan No.1970 dated 06/08/2019.

Vide Reference No. (12) of Dy. Collector, Stamp Duty Assessment, Bhuj recoverable official stamp duty for the same at Rs.39200/- has been deposited on 06/08/2019 vide Challan No.568. Report to this effect and original receipt have been submitted.

Since annual rent amount in terms of the resolution of the Government Revenue Department dated 2/12/2004 has been paid by the said applicant, as per provisions of the Government Revenue Department Reference (1) and (2) and above mentioned opinions, Order is hereby issued to "Shree Torrent Power Ltd." Ahmedabad for grant of lease for the period of 20 years in respect of land at S.No.174, 89, 95, 4, 65 per each S.No. Hect.1.00.00 aare and No.60 paiki Hect.03.00 aare and S.No.75 paiki Hect.2.00.00aare totaling to Hect.10.00.00 aare of Village Sangnara Tal.Nakhatrana with wind mill no.DN300, DNT019, DNT016, DNT 020, DNT 021, DNT 014, 2098, DNT 017, DNT 013, DNT018, DNT009 totaling to 10 (Ten) for the purpose of 10 wind mills subject to opinions and conditions laid down by the respective Departments of the Government and as laid down hereunder;

**Conditions: -**

1. Tenure of the lease for 20 years.
2. Annual rent Rs.10,000/- per hectare as fixed by the Government vide resolution dated 2.12.2004 shall have to be paid regularly. Non-agriculture taxes and other taxes on land shall also have to be paid regularly. Rent shall have to be paid by the sub lease client. Any alterations made by the Government in future in respect of the rent amount shall be binding upon the Company. Proof of payment made in respect of the above amounts shall have to be submitted to us from time to time.

3. Since payment of annual rent and other taxes are related with the financial concern of the Government, your failure to produce such proof shall attract legal proceedings against you.
4. As per the Reference (1) and (2) of the Revenue Department, one- hectare land is considered as standard unit for 1 wind mill. On allocation of the land as per the said norms, at the time of development of the land adjoining and surrounding the said land it is to be ensured that Wind Velocity is not disturbed. Developer shall be eligible to get Right of way for keeping/Installing WTG and Transmission. However, for transmission and right of Way, use of private land reserved for grazing, village limits, cremation ground etc shall not be allowed.
5. Land shall have to be used for the purpose for which the same is allotted within a period of 2 years from the date of this order. Failure to do so shall be considered as a breach of condition.
6. Developer of the wind farm project shall obtain the land on lease and after its development can give the same on sub lease to client once only. After entering into the agreement for sub lease, endorsement form the collector shall have to be obtained within a period of 30 days. This provision is necessary so that rent can be recovered from the sub lease holder from time to time. In case of breach of the provision, the lease shall be terminated and the said land shall be taken over by the Government without any compensation and free of any charges.
7. The said land is allotted on lease for a period of 20 years to the applicant / company "**Shree Torrent Power Ltd., Ahmedabad**". In the column "Possessor" of the village form 7/12 shall be mentioned as 'Government: only while in second charge column it shall be noted as 'Sanctioned to Shree Torrent Power Ltd. Ahmedabad on lease for 20 years". Even after the sub lease, name of the party getting sub lease shall be mentioned in Form 7/12 only in above details.
8. For constructing roads, laying of electric lines from the private land, further steps may be taken after obtaining consent from the concerned unit/account

holder as also permission from the concerned Departments by following the rules and regulations.

9. Activities in the land demanded shall be undertaken after maintaining a distance of 50 meters from the existing local forest area. In case of any legal requirement in the matter, permission from the competent authority shall have to be obtained.
10. Forest area should not be used at the time of digging or for transporting material. Care should also be taken to ensure that no wild life is damaged/disturbed.
11. In case existing trees are to be cut in the demanded land, official permission from the competent authority shall have to be obtained before using the same and trees shall have to be planted in nearby area.
12. No activity should be undertaken which obstructs any natural water flow towards or from the demanded land.
13. In case of any blasting etc. in the demanded land area, it should be ensured that no obstruction in daily routine activities of the wild life is caused and before such activities, permission from the nearby concerned official of Western Kachchh Forest Circle should be obtained.
14. In case need for construction of approach road from the main road for movement in the demanded land and for laying of electric lines and if the main road is declared as a protected forest, prior approval from the Government of India under the provisions of conservation of forest act -1980 shall have to be obtained for construction of approach road and laying of electric lines.
15. Moreover, in case land for Airport/air force/railway/port/sea area/CRZ area is situated in the area surrounding the sanctioned land area use of the land shall be made only after obtaining necessary permission from the competent authority. Moreover, the said land can be used only after obtaining all necessary approval/permission under any other rules and regulations.
16. In case of any change that may come up in respect of policy for grant of lease of Government land for wind mills, the same shall be binding up on the applicant company.

17. In case of breach of any of the above mentioned conditions or the leased land is used for any other purpose, the lease shall be immediately terminated for breach of conditions and without any compensation.

Village:- Sangnara, Taluka :- Nakhtrana

Sr. no.	Survey no.	Location no.	Area (Hec.)
1	60	2098	1.00.00
2	174	DN300	1.00.00
3	75	DN012	1.00.00
4	75	DN013	1.00.00
5	89	DN014	1.00.00
6	95	DN016	1.00.00
7	4	DN017	1.00.00
8	60	DN019	1.00.00
9	60	DN020	1.00.00
10	65	DN021	1.00.00
		Total	10.00.00

Dispatched on date: 13/08/2019

(Seal)

Signed by M.M.Kavadiya

Chitnis to collector

Bhuj - Kachchh.

Sd/-

(Remya Mohan)

Collector Kachchh

To,

**Shree Torrent Power Ltd.,**

**At "Samanvay", 600, Tapovan, Ambavali, Ahmedabad.**

**Copy to:**

- Deputy Collector, Nakhatrana Kachchh
- Mamlatdar, Nakhatrana Kachchh – original papers of the case are enclosed.

For handling over Sanad in terms of the provisions of the Government letter dated 12/6/06

- DILR – BhujKachchh
- Chief Conservator of Forest, Kachchh Forest Circle, Kachchh Bhuj
- Geologist, Department of Geology and Mining, Office of the Collectorate Kachchh
- Taluka Development Officer, Nakhatrana Kachchh
- Talati, Sangnara Gram Panchayat, Tal. Nakhatrana District Kachchh
- Office File

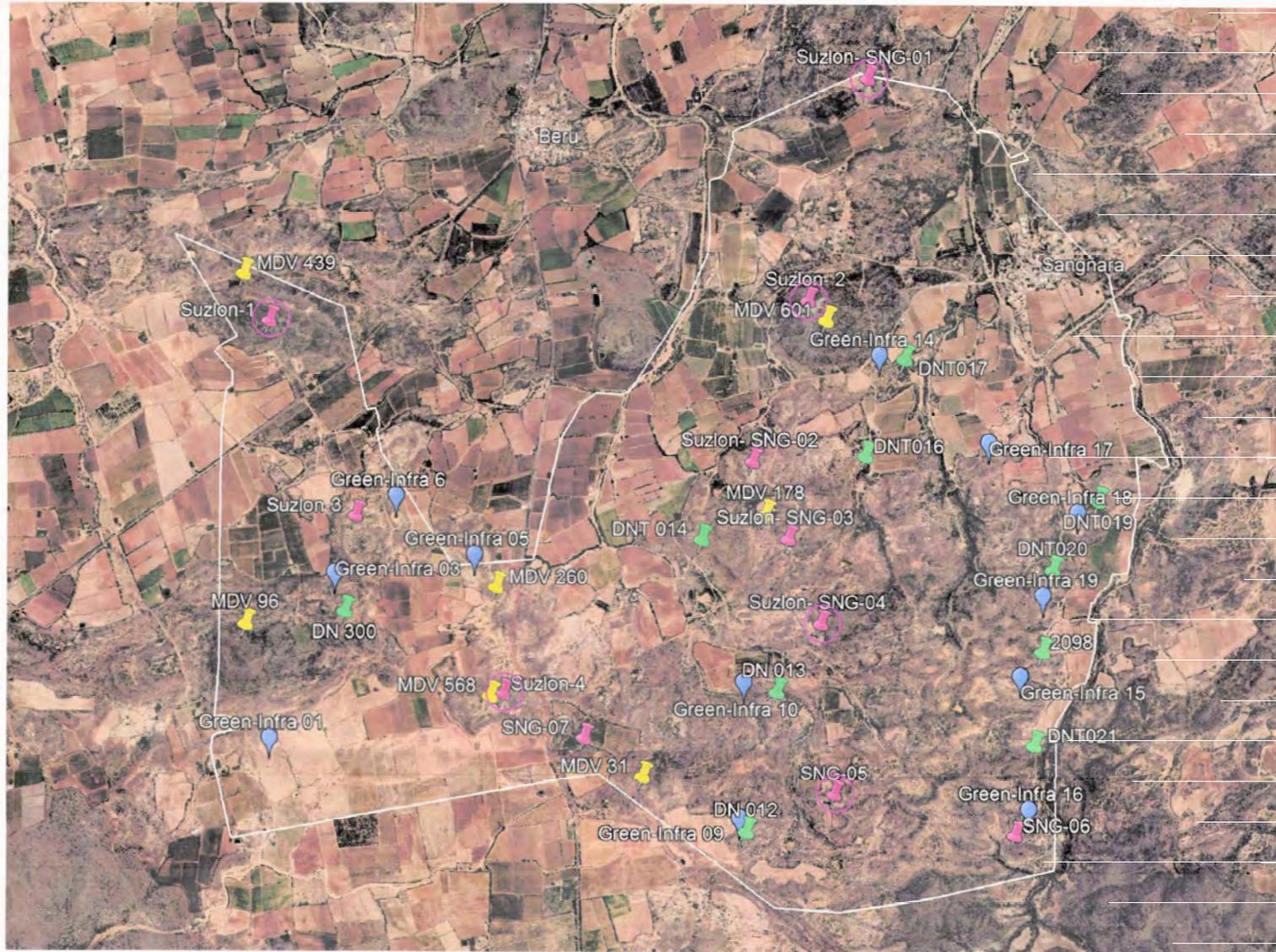
**Copy with Complements to;**

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

## **Annexure III**

**The Map showing locations of allocated Wind  
Turbine Generators (WTGs) in project area at  
Sangnara Village**

VILLAGE :SANGNARA TALUKA :NAKHATRANA DITRICT :KUTCH



LEGEND:

-  ADANI GREEN LOCATION FOR WINDMILL ( Allotted Location -07)
-  SUZLON LOCATION FOR WINDMILL ( Allotted Location -11)
-  TORRENT LOCATION FOR WINDMILL ( Allotted Location -10)
-  GREEN INFRA LOCATION FOR WINDMILL ( Allotted Location -12)
-  Erected By Suzlon windmill Location -06)

*(Signature)*  
 (D. R. Arora)  
 Sub-Div. Officer, Bhuj.

*(Signature)*  
 Dy. Conservator of Forest  
 Kachchh West Division, Bhuj



## **Annexure IV**

**Copies of the recommendation letters from  
Chief Conservator of Forests, Kachchh  
and Deputy Conservator of Forests,  
Kachchh West Division to Collector,  
Kachchh**

## Annexure - IV

No:- B/JMN/T.11/1724/2015-16  
Office of Deputy Conservator of Forests  
Kutch West Forest Division  
Arihant Nagar Road, Bhuj  
Date: 15/05/2015

To,  
The District Collector,  
Bhuj-Kutch

Sub: - At. Sanganara, Taluka - Nakhtrana  
Survey no. 84 Paiki Ha.4-00-00 Are land  
Regarding allotment of land on lease for industrial purpose of windfarm  
projects.  
Suzlon Gujarat windpark ltd. Rajkot

Ref.: - Your office letter No.JMN/2/Vashi/5081/2015 dt. 01/05/2015.

with reference to above mentioned subject, it is hereby to inform you that the applicant shree Suzlon Gujarat Windpark Ltd. Rajkot has demanded ha.4-00-00 land of survey no.84 Paiki at village Sangnara Taluka Nakhtrana for windfarm project's industrial purpose. As per the map enclosed herewith, windmill no.1 to 4 falls out of forest area and opinion of this land is given as per below conditions.

### Conditions

- 1) The electric lines have to be insulated.
- 2) Bird guards and reflectors have to be placed on the electric poles and lines.

Includes: As above (map of applicant's demanded land)

-Sd-  
(P. A. Vihol)  
Dy. conservator of Forest  
Kutch West Division, Bhuj

No:- B/JMN/T.11/1078/2015-16  
Office of Deputy Conservator of Forests  
Kutch West Forest Division  
Arihant Nagar Road, Bhuj  
Date : 24/04/2015

To,  
The District Collector,  
Bhuj-Kutch

Sub: - At. Sanganara, Taluka-Nakhtrana  
Survey no.84 Paiki Ha.7-00-00 Are land  
Regarding allotment of land on lease for industrial purpose of windfarm  
projects.  
Suzlon Gujarat windpark ltd. Rajkot

Ref.: - Your office letter No.JMN/2/vashi/7637/2013 dt. 24/12/2013.

With reference to above mentioned subject, it is hereby to inform you that the applicant shree Suzlon Gujarat Windpark Ltd. Rajkot has demanded ha.7-00-00 Are land of survey no.84 Paiki at village Sanganara Taluka Nakhtrana for windfarm project's industrial purpose. As per the map attached with the application by applicant enclosed herewith, windmill no.SNG-08 falls under land bank plantation area. So we don't have opinion on this.

By your order no.JMN/4/vashi/CA/2000 dated 07/06/2000, 51.00 ha. land of survey no. 84 Paiki of Village Sangnara, Taluka- Nakhatrana allotted under land bank to Forest Department; in which plantation has been done in the 35.00 ha. For the remaining 16.00 ha. land adjacent to this plantation land, it is our conditional opinion on below mentioned conditions, with keeping safe distance from the Suzlon Company's demanded land for windmill no.SNG-01, SNG-02, SNG-03, SNG-04, SNG-05 and SNG-06.

#### Conditions

- 1) The electric lines have to be insulated.
- 2) Bird guards and reflectors have to be placed on the electric poles and lines.

Includes: As above (map of applicant's demanded land)

-Sd-  
(P. A. Vihol)  
Dy. conservator of Forest  
Kutch West Division, Bhuj

No B/JMN/T.12/806-07/18-19  
Office of Chief Conservator of Forest  
Kachchh Forest Circle, Bhuj  
Date : 25/04/18

To,  
The District Collector,  
Revenue Branch  
Bhuj - Kachchh

Sub: Regarding opinion to spare land for the purpose of windfarm project

In reference to the above matter, the applicants enlisted in table herewith have submitted a chapter to avail an opinion for a windfarm project in Kachchh to Deputy Conservator of Forest - Kachchh West Forest Division, Bhuj. In this context, location as referred to in column no 8, conditional opinion in this regard is submitted herewith:

1. It will be mandatory to provide bird guards and reflectors on electric poles and electricity lines, with a minimum distance of 2.50 mt. to be maintained between each electricity line. Further, in future, depending on the circumstances, necessary insulations will be done on these electricity lines.
2. At the proposed location, work shall be executed, beyond minimum 50 meters from the local existing forest area.
3. It shall be ensured that no forest area shall be used and no wild animals in this forest area shall be harmed during the excavation works.
4. In the proposed area, if there will be any cutting of existing trees than appropriate permissions as per law shall be taken from competent authorities and tree plantation in nearby area shall be done.
5. Obstructing activities for any natural water source, either going towards or coming out of the sanctuary shall not be executed.
6. If there is any blasting activity to be executed in the proposed area than proper care shall be taken to ensure avoid disturbance to the daily lifestyle of the wild animals; and necessary permissions shall be sought from concerned Range Forest Officer before commencement of such activity.

7. If, an approach road towards the proposed area need to be constructed and electric lines need to be passed over, and if main road is declared as the protected forest, then as per the provisions of Forest Conservation Act- 1980, prior permission for the use of approach road and electricity lines shall be taken from the Government of India.

Sr No.	name of the applicant	Taluka	Name of the village	Survey no.	Area ha	collector office letter no.	name of location of opinion given by this office
1	2	3	4	5	6	7	8
1	Adani Green Energy (MP) LTD.	Nakhtrana	Sanganara	Different	7.00	JMN/2/vashi/1168/ dt.9/3/18	all total 7.00 ha.
2	Adani Green Energy (MP) LTD.	Nakhtrana	Kotada Roha	194	4.00	JMN/2/vashi/1713/ dt.27/3/18	all total 4.00 ha.
3	Adani Green Energy (MP) LTD.	Nakhtrana	Laxmipur tera	Different	5.00	JMN/2/vashi/1711/ dt.17/3/18	all total 5.00 ha.
4	Adani Green Energy (MP) LTD.	Nakhtrana	Danana	Different	5.00	JMN/2/vashi/1714/ dt.17/3/18	Negative for location no-MDV- 94,269 total 2.00 ha. and positive for

							remaining 3 locations total 3.00 ha.
5	Adani Green Energy (MP) LTD.	Nakhtrana	Jatavira	Different	7.00	JMN/2/vashi/8049/ dt.5/1/18	negative for location no-K195, 137 total 2.00 ha. and positive for remaining 5 locations total 5.00 ha.
6	Adani Green Energy (MP) LTD.	Mandvi	Filon	139, 19, 28	3.00	JMN/2/vashi/1916/ dt.6/4/18	all total 3.00 ha.
7	Adani Green Energy (MP) LTD.	Mandvi	Aasambiya nana	Different	6.00	JMN/2/vashi/1173 dt.27/3/18	all total 6.00 ha.
8	Adani Green Energy (MP) LTD.	Mandvi	Vingadiya	28, 286	2.00	JMN/2/vashi/1918 dt.6/4/18	all total 2.00 ha.

9	Adani Green Energy (MP) LTD.	Mandvi	Ajapar	84/P 7	5.00	JMN/2/vashi/1707 dt.17/3/18	all total 5.00 ha.
10	Adani Green Energy (MP) LTD.	Mandvi	Layja Mota	744, 756	2.00	JMN/2/vashi/290 dt.23/4/18	all total 2.00 ha.
11	Adani Green Energy (MP) LTD.	Mandvi	Koday	680	5.00	JMN/2/vashi/1708 dt.17/3/18	negative for location no-MDV-373 total 1.00 ha. and positive for remaining 4 locations total 4.00 ha.
12	Adani Green Energy (MP) LTD.	Lakhapat	Akari	46/P 1	5.00	JMN/2/vashi/7837 dt.8/1/18	all total 5.00 ha.
13	Adani Green Energy (MP) LTD.	Lakhapat	Sambhada	Different	5.00	JMN/2/vashi/735 dt.27/3/18	all total 5.00 ha.

14	Adani Green Energy (MP) LTD.	Abadasa	Karodaiya mota	300, 301/P 2	3.00	JMN/2/vashi/2062 dt.6/4/18	all total 3.00 ha.
15	Adani Green Energy (MP) LTD.	Abadasa	balachod Moti	Different	7.00	JMN/2/vashi/1164 dt.17/3/18	all total 7.00 ha.
16	Adani Green Energy (MP) LTD.	Abadasa	Trambo	Different	4.00	JMN/2/vashi/753 dt.5/3/18	all total 4.00 ha.
17	Adani Green Energy (MP) LTD.	Abadasa	Bandiya	Different	7.00	JMN/2/vashi/752 dt.5/3/18	all total 7.00 ha.
18	Adani Green Energy (MP) LTD.	Abadasa	Naredi	Different	5.00	JMN/2/vashi/2069 dt.6/4/18	all total 5.00 ha.
19	Adani Green Energy (MP) LTD.	Abadasa	Karodiya Nana	Different	4.00	JMN/2/vashi/1165 dt.17/3/18	all total 4.00 ha.
20	Adani Green Energy (MP) LTD.	Abadasa	Vamoti Moti	Different	6.00	JMN/2/vashi/1712 dt.17/3/18	all total 6.00 ha.

**-Sd-**

**Chief Conservator of Forest  
Kachchh Forest Circle – Bhuj**

Copy to Deputy Conservator of Forest - Kachchh West Forest Division for their opinion and information.

No. B/JMN/T.12/1874 - 75/19-20  
Office of Chief Conservator of Forests  
Kachchh Forest Circle, Bhuj  
Date: 29/05/2019

To,  
The District Collector,  
Revenue Branch.  
Bhuj - Kachchh

Sub: - Regarding opinion for allotment of land for the purpose of windfarm project.

In reference to the above matter, the applicants enlisted in table herewith have submitted a chapter to avail an opinion for a windfarm project in Kachchh to Deputy Conservator of Forest - Kachchh West Forest Division, Bhuj. In this context, location as referred to in column no 8, conditional opinion in this regard is submitted herewith:

1. It will be mandatory to provide bird guards and reflectors on electric poles and electricity lines, with a minimum distance of 2.50 mt. to be maintained between each electricity line. Further, in future, depending on the circumstances, necessary insulations will be done on these electricity lines.
2. At the proposed location, work shall be executed, beyond minimum 50 meters from the local existing forest area.
3. It shall be ensured that no forest area shall be used and no wild animals in this forest area shall be harmed during the excavation works.
4. In the proposed area, if there will be any cutting of existing trees than appropriate permissions as per law shall be taken from competent authorities and tree plantation in nearby area shall be done.
5. Obstructing activities for any natural water source, either going towards or coming out of the sanctuary shall not be executed.
6. If there is any blasting activity to be executed in the proposed area than proper care shall be taken to ensure avoid disturbance to the daily lifestyle of the wild animals; and necessary permissions shall be sought from concerned Range Forest Officer before commencement of such activity.

7. If, an approach road towards the proposed area need to be constructed and electric lines need to be passed over, and if main road is declared as the protected forest, then as per the provisions of Forest Conservation Act- 1980, prior permission for the use of approach road and electricity lines shall be taken from the Government of India.

<b>Sr. No</b>	<b>Name of the applicant</b>	<b>Taluka</b>	<b>Name of the village</b>	<b>Survey no.</b>	<b>Area ha.</b>	<b>Collector office letter number</b>	<b>Name of location for which opinion given by this office</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
1	Green Infra Wind Energy Ltd	Nakhtrana	Danana	Different	7.00	No.JMN/4/windmill/vashi/2085/ dt.21/12/18	Positive opinion for all location
2	Green Infra Wind Energy Ltd	Nakhtrana	Kotada jadodar	641	11.00	No.JMN/4/wind mill/vashi/2089/ dt.21/12/18	As location No. Kotda Jadodar - 19, comes under the land bank forest area and kotda jadodar -01 located at the distance of 16mtr from Nana nakhatrana forest area; negative

							opinion for these 2 locations and positive opinion for rest of the 9 locations.
3	Green Infra Wind Energy Ltd	Nakhtrana	Sangnara	Different	18.00	No.JMN/4/wind mill/vashi/2082/ dt.05/11/18	Positive opinion for all location

-Sd-

**Chief Conservator of Forest  
Kachchh Forest Circle - Bhuj**

Copy to Deputy Conservator of Forest - Kachchh West Forest Division for their opinion and information.

No B/JMN/T.12/3502-03/19-20  
Office of Chief Conservator of Forests  
Kachchh Forest Circle, Bhuj  
Date: 19/07/2019

To,  
The District Collector,  
Revenue Branch  
Bhuj – Kachchh.

Sub: Regarding opinion to allot land for the purpose of windfarm project

In reference to the above matter, the applicants enlisted in table herewith have submitted a chapter to avail an opinion for a windfarm project in Kachchh to Deputy Conservator of Forest - Kachchh West Forest Division, Bhuj. In this context, location as referred to in column no 8, conditional opinion in this regard is submitted herewith:

1. It will be mandatory to provide bird guards and reflectors on electric poles and electricity lines, with a minimum distance of 2.50 mt. to be maintained between each electricity line. Further, in future, depending on the circumstances, necessary insulations will be done on these electricity lines.
2. At the proposed location, work shall be executed, beyond minimum 50 meters from the local existing forest area.
3. It shall be ensured that no forest area shall be used and no wild animals in this forest area shall be harmed during the excavation works.
4. In the proposed area, if there will be any cutting of existing trees than appropriate permissions as per law shall be taken from competent authorities and tree plantation in nearby area shall be done.
5. Obstructing activities for any natural water source, either going towards or coming out of the sanctuary shall not be executed.
6. If there is any blasting activity to be executed in the proposed area than proper care shall be taken to ensure avoid disturbance to the daily lifestyle of the wild animals; and necessary permissions shall be sought from concerned Range Forest Officer before commencement of such activity.

7. If, an approach road towards the proposed area need to be constructed and electric lines need to be passed over, and if main road is declared as the protected forest, then as per the provisions of Forest Conservation Act- 1980, prior permission for the use of approach road and electricity lines shall be taken from the Government of India.

8. In the villages mentioned at sr.no.13 and 14, Government of Gujarat vide resolution no.F.L.D-1091-2660-K dated 29-07-1994 have notified non forest land for the purpose of compensatory afforestation for the cases of diversion of forest land for the Government's projects. Of which 80.00 ha. land of survey no. 104 Paiki of village Vadva Bhopavala and 160.00 ha. land of survey no.151(old) of village-Naranpar Roha is kept reserved as land bank. Considering that the Revenue Department have ensured that the aforesaid land is intact, opinion for the above subject's work given. Hence, there will not be any responsibility by our side for the aforesaid matter.

<b>Sr. No</b>	<b>Name of the applicant</b>	<b>Collector office letter number</b>	<b>Taluka</b>	<b>Name of the village</b>	<b>Survey no.</b>	<b>Name of locations</b>	<b>Name of location for which opinion given by this office</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
1	Alphnar Energy Pr.Ltd.	JMN-04-windmill/vashi/112 dt.25/03/2019	Nakhatrana	Nagviri	47, 177	N41, UNT119	positive opinion for 2 locations as demanded location does not fall under forest land, Sanctuary, Eco-sensitive

							zone and vulture zone
2	Ms.Torrent Power Ltd.	JMN-04-wind mill/vashi/150 dt.30/03/2019	Nakhatrana	Sangnara	Different	2098, DN300, DNT009, DNT012, DNT013, DNT014, DNT16, DNT017, DNT018, DNT019, DNT020, DNT021	positive opinion for 12 locations as demanded location does not fall under forest land, Sanctuary, Eco- sensitive zone and vulture zone
3	Ms.Torrent Power Ltd.	JMN-04-wind mill/vashi/152 dt.30/03/2019	Nakhatrana	Sukhapar Roha	266	DN331, DNT043, DNT044, DNT045, DNT046, DNT047, DNT048	positive opinion for 7 locations as demanded location does not fall under forest land, Sanctuary, Eco- sensitive zone and vulture zone
4	Ms.Torrent Power Ltd.	JMN-04-wind mill/vashi/148 dt.30/03/2019	Nakhatrana	Danana	118, 209, 131	DN058, DN141, DNT003, DNT004	positive opinion for 4 locations

							as demanded location does not fall under forest land, Sanctuary, Eco-sensitive zone and vulture zone
5	Alphnar Energy Pr.Ltd.	JMN-04-wind mill/vashi/114 dt.25/03/2019	Nakhatrana	Paneli	170, 124, 123, 493	Paneli-18, 20, 21, 23, 24	positive opinion for 5 locations as demanded location does not fall under forest land, Sanctuary, Eco-sensitive zone and vulture zone
6	Alphnar Energy Pr.Ltd.	JMN-04-wind mill/vashi/125 dt.25/03/2019	Nakhatrana	Vigodi	Different	UNT102, 103, 104, 106, 108,109, 110,111	positive opinion for 8 locations as demanded location does not fall under forest land,

							Sanctuary, Eco- sensitive zone and vulture zone
7	Alphnar Energy Pr.Ltd.	JMN-04-wind mill/vashi/126 dt.25/03/2019	Nakhatrana	Ravapar Navavas	327	UNT115, UNT116	positive opinion for 2 locations as demanded location does not fall under forest land, Sanctuary, Eco- sensitive zone and vulture zone
8	Alphnar Energy Pr.Ltd.	JMN-04-wind mill/vashi/129 date.25/03/2019	Nakhatrana	Nadapa	123 Paiki	NADAPAR NEW 02,03,04, 06	positive opinion for 4 locations as demanded location does not fall under forest land, Sanctuary, Eco- sensitive zone and vulture zone

9	Alphnar Energy Pr.Ltd.	JMN-04-wind mill/vashi/121 date.25/03/2019	Nakhatrana	Deshalpar Guntali	607, 475, 464, 457	DESHALPAR 04, 06, 07, 08	positive opinion for 4 locations as demanded location does not fall under forest land, Sanctuary, Eco-sensitive zone and vulture zone
10	Alphnar Energy Pr.Ltd.	JMN-04-wind mill/vashi/119 date.25/03/2019	Nakhatrana	Deshalpar	413	DESHALPAR 17	positive opinion for 1 locations as demanded location does not fall under forest land, Sanctuary, Eco-sensitive zone and vulture zone
11	Alphnar Energy Pr.Ltd.	JMN-04-wind mill/vashi/131 date.25/03/2019	Nakhatrana	Rampar Sarva	214 paiki 15	N30	positive opinion for 1 locations as demanded location

							does not fall under forest land, Sanctuary, Eco-sensitive zone and vulture zone
12	Alphnar Energy Pr.Ltd.	JMN-04-wind mill/vashi/130 date.25/03/2019	Nakhatrana	Umarapar	12, 66, 106, 134, 202, 223	UMARAPAR 02, 04 06,07, 09, 11	positive opinion for 6 locations as demanded location does not fall under forest land, Sanctuary, Eco-sensitive zone and vulture zone
13	Me.Torrent Power Ltd.	JMN-04-wind mill/vashi/149 date.30/03/2019	Nakhatrana	Vadava Bhopavala	104	DN306, DN307, DNT024, DNT025, DNT027, DNT028, DNT029, DNT030, DNT033	positive opinion for 9 locations as demanded location does not fall under forest land, Sanctuary, Eco-sensitive

							zone and vulture zone
14	Me.Torrent Power Ltd.	JMN-04-wind mill/vashi/151 date.30/03/2019	Nakhatrana	Naranpar roha	Different	2115, DN109, DN301, DN302, DN304, DN323, DNT066, DNT067, DNT068, DNT069, DNT070, DNT071 DNT072, DNT073, DNT077, DNT078	positive opinion for 16 locations as demanded location does not fall under forest land, Sanctuary, Eco- sensitive zone and vulture zone
15	Alphnar Energy Pr.Ltd.	JMN-04-wind mill/vashi/127 date.25/03/2019	Lakhapat	Dayapr	569/A1/ Paiki 10	UNT083, UNT084, UNT086	negative opinion for total 3 locations, location no. UNT083, UNT084, UNT086 fall under Narayan Sarovar Sanctuary
						UNT074, UNT075, UNT077, UNT078, UNT080, UNT087	positive opinion for 06 locations as demanded location does not

							fall under forest land, Sanctuary, Eco-sensitive zone and vulture zone
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**-Sd-**

**Chief Conservator of Forest  
Kachchh Forest Circle – Bhuj**

Copy to Deputy Conservator of Forest - Kachchh West Forest Division for their opinion and information

## **Annexure V**

**Copy of Saurashtra Felling of Trees  
(Infliction of Punishment) Act, 1951**

# Annexure - V



GOVERNMENT OF GUJARAT

LEGISLATIVE AND PARLIAMENTARY AFFAIRS DEPARTMENT

SAURASHTRA ACT No. XVII OF 1951

The Saurashtra Felling of Trees (Infliction of  
Punishment) Act, 1951.

*(As modified upto the 31st May, 2012)*

**THE SAURASHTRA FELLING OF TREES  
(INFLECTION OF PUNISHMENT) ACT, 1951**

CONTENTS

PREAMBLE

SECTIONS

1. Short title, extent and commencement.
2. Interpretation.
3. Unauthorised felling of trees prohibited.
4. Appeal.
- 4-A. Procedure
5. Provision of this Act to be in addition to, and not in derogation of, any other law for the time being in force.
6. Fine recoverable as arrear of land revenue.
7. Payment of portion of fine to informer.
8. Persons seeing tree or portion being felled to take felled tree or portion to nearest Revenue Officer.
9. Order of disposal of property.
10. Revisional power of Government.
11. Rules.

SAURASHTRA ACT No. XVII OF 1951<sup>1</sup>[THE SAURASHTRA FELLING OF TREES (INFLECTION OF PUNISHMENT)  
ACT, 1951]

[ 13th July 1951 ]

Amended by Sau. 28 of 1952.

Amended by Sau. 27 of 1954.

Amended by Sau. 21 of 1955\*

Adapted and modified by the Bombay (Saurashtra Area) Adaptation of Laws ( State and Concurrent Subjects ) Order, 1956.

Amended by Guj. 9 of 1960.

## AN ACT

to provide for heavier punishment for felling of trees and for certain  
other matters

WHEREAS it is expedient to provide for heavier punishment for the unauthorised felling of trees and for certain other matters; It is hereby enacted as follows :-

1. (1) This Act may be called the Saurashtra Felling of Trees (Infliction of Punishment) Act, 1951.

Short title, extent and commencement.

<sup>2</sup> [(2) It extends to the whole of the State of Gujarat. ]

(3) It shall come into force at once.

2. In this Act, unless there is anything repugnant in the subject or context-

Interpretation.

(a) "Collector" means a Collector of the District having jurisdiction.

<sup>3</sup>\* \* \* \* \*

<sup>4</sup> [(c) "tree" shall not include shrubs, bushes and such other varieties as may be notified by Government by notification in the *Official Gazette* ].

<sup>5</sup>\* \* \* \* \*

<sup>6</sup> [(e) "Code" means—

(i) in relation to the Bombay area and the Saurashtra area of the State of Gujarat, the Bombay Land Revenue Code, 1879 ; and

(ii) in relation to the Kutch area of the State of Gujarat, the Bombay Land Revenue Code, 1879 as applied to that area ;] :

(f) expressions used, but not defined in this Act, shall have the same meanings as are assigned to them in <sup>7</sup>[ the Code ].

3. (1) Notwithstanding anything contained in <sup>8</sup>[ the Code ] or in any other law for the time being in force in the State-

Unauthorised felling of trees prohibited.

(a) no person either by himself or through any other person shall, without the written permission of the Collector or any other officer <sup>9</sup>[or<sup>10</sup>] [any Village Panchayat constituted or deemed to be a Village Panchayat under the Bombay Village Panchayats Act, 1958]] duly empowered in this behalf by the Government, voluntarily fell, appropriate or damage, or cause to be felled., appropriated or damaged, any tree, or any portion thereof <sup>11</sup>[\*\*\*]

(b) any person who contravenes the provisions of sub-clause (a) shall, on conviction by a revenue officer not below the rank of a Mahalkari authorised by Government in this behalf, be liable to fine which may extend to rupees one thousand <sup>12</sup>[and which shall not be less than rupees fifty, unless the Revenue Officer inflicting such fine considers it

improper, for special reasons to be recorded in writing, to inflict such minimum amount of fine ].

<sup>13</sup>[(2) Nothing contained in sub-section (1) shall apply to the felling, appropriating or damaging any branch of babool tree for the purpose of using it or causing it to be used for cleaning teeth ].

4. <sup>14</sup>(1) The order of the revenue officer passed under clause (b) of sub-section (1) of section 3 shall be final subject to appeal which may be preferred, within 30 days of the date of communication of such order, to the Collector.

Appeal.

<sup>15</sup>(2) It shall be lawful for the Collector to delegate his power to hear appeal under sub-section (1) to the Assistant Collector or any Deputy Collector subordinate to him].

<sup>16</sup>[4A. In dealing with cases under this Act, the revenue officers and the Collector shall follow, as far as may be practicable, the procedure prescribed in Chapter XII or XIII, as the case may be, of <sup>17</sup>[ the Code ]].

Procedure.

5. Provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

Provisions of this Act to be in addition to and not in derogation of, any other law for the time being in force.

6. Any fine inflicted under this Act shall be recoverable as arrear of land revenue.

Fine recoverable as arrear of land revenue.

<sup>18</sup>[7. The revenue officer trying any case under the provision of clause (b) of sub-section (1) of section 3, or the Collector <sup>19</sup>[ or the Assistant Collector or the Deputy Collector, as the case may be ] hearing an appeal under section 4 may direct that any portion, not exceeding one-fourth, of any fine which may be imposed under any of the said sections, shall be paid to, or distributed amongst, such person or persons as may have given assistance in the detection of the offence, as reward].

Payment of portion of fine to informer.

<sup>20</sup>[8. It shall be lawful for any person present at or near the place where an offence of contravention of the provisions of clause (a) of sub-section (1) of section 3 is, or is being committed, to take the felled, appropriated or damaged tree or any portion thereof, as the case may be, to the nearest revenue officer ].

persons seeing tree or portion being felled to take felled tree or portion to nearest revenue officer.

<sup>20</sup>[9. While passing an order under clause (b) of sub-section (1) of section 3, the revenue officer may make such order as he thinks fit for the disposal by confiscation or delivery to any person claiming to be entitled to possession thereof or otherwise, of felled, appropriated or damaged tree or any portion thereof, produced before him or in his custody or regarding which any offence appears to have been committed.]

Order for disposal of property.

<sup>20</sup>[10. (1) The Government may call for and examine the records of any proceedings of any revenue officer under this Act for the purpose of satisfying itself as to the legality or propriety of any decision or order passed and as to the regularity of the proceedings of such officer.

Revisonal power of Government.

(2) If in any case it shall appear to the Government that any decision or orders passed in any proceedings called for under sub-section (1) requires to be modified annulled or reversed, it may pass such orders thereon as it deems fit:]]

<sup>21</sup>[ Provided that no such order which adversely affects any person shall be passed under this section unless such person has been given reasonable opportunity of being heard].

<sup>22</sup>[11. The Government may make rules for the purpose of carrying into effect the provisions of this Act].

Rules.

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<sup>1</sup> For Statement of Objects and Reasons, see *Saurashtra Government Gazette*, 1951, Part I-A, pages 372-373.

\* Section 3 of Sau. 21 of 1955 reads as follows:-

<sup>2</sup> Sub-section (2) was substituted for the original by Guj. 9 of 1960, s. 3(a).

<sup>3</sup> Clause (b) was deleted by the Bombay ( Saurashtra Area ) Adaptation of Laws ( State and Concurrent Subjects) Order, 1956.

"3. Any powers conferred by Government upon, and any permission given in the exercise of such powers by any Gram Panchayat constituted under the Saurashtra Gram Panchayat Ordinance, 1949 before the coming into force of this Act, in virtue of the provisions contained in clause (a) of sub-section (1) of section 3 of the said Act shall be, and shall be deemed to have been, as good and valid in law, as if this Act was in force on the date on which the said Act came into force and such powers and permission had been given under the provisions of clause (a) of sub-section (1) of section 3 of the said Act, as amended by section 2 of this Act."

[Validation of powers conferred upon and permission given by Gram Panchayat under Sau. Act No. XVII of 1951.](#)

<sup>4</sup> This clause was substituted for the original by Sau. 28 of 1952.

<sup>5</sup> Clause (d) was deleted by the Bombay ( Saurashtra Area ) Adaptation of Laws (State and Concurrent Subjects) Order, 1956

<sup>6</sup> Clause (e) was substituted for the original clause by Guj. 9 of 1960, section 3(6)(i).

<sup>7</sup> These words were substituted for the words and figures "The Bombay Land Revenue Code, 1879", by Guj. 9 of 1960, section 3 (d) (ii).

<sup>8</sup> These words were substituted for the words and figures "The Bombay Land Revenue Code, 1879, by Guj. 9 of 1960, section 3 (c)(i).

<sup>9</sup> The words and figures "or any Gram Panchayat constituted under the Saurashtra Gram Panchayat Ordinance, 1949" were inserted by Sau. 21 of 1955, section 2.

<sup>10</sup> These words and figures were substituted for the words and figures any Gram Panchayat constituted under the Saurashtra Gram Panchayat Ordinance, 1949" by Guj. 9 of 1960, section 3(c)(ii).

<sup>11</sup> The words "unless it be his own property " were deleted by Sau. 28 of 1952.

<sup>12</sup> These words were added by Sau. 27 of 1954.

<sup>13</sup> This sub-section was substituted for the original, by Sau. 27 of 1954.

<sup>14</sup> This was renumbered as sub-section (1), by Sau. 27 of 1954.

<sup>15</sup> This sub-section was added, by Sau. 27 of 1954.

<sup>16</sup> This section was inserted by Sau. 28 of 1952.

<sup>17</sup> These words were substituted for the words and figures "The Bombay Land Revenue Code, 1879, as adapted and applied in Saurashtra "by Guj. 9 of 1960, section 3 (d.)

<sup>18</sup> This section was added by Sau. 28 of 1952.

<sup>19</sup> These words were inserted by Sau. 27 of 1954.

<sup>20</sup> These sections were added by Sau. 27 of 1954.

<sup>21</sup> This proviso was added by Guj. 9 of 1960 section 3 (e).

<sup>22</sup> These sections were added by Sau. 27 of 1954.

## **Annexure VI**

**Statement Showing Present Status of  
projects and enumerated number of trees  
at sanctioned locations.**

## Annexure VI

Statement Showing Present Status and enumerated number of trees at sanctioned locations in Sangnara Village					
Sr. No.	Name of User agency	Order number and date of Collector, Kutch	Location name	No. of Trees as per enumeration done by Forest Staff of Kachhh	Status
1	2	3	4	5	6
1	Suzlon Gujarat Windpark Ltd., Rajkot	JMN/2/Vashi/3314/2015/ Dt.01/08/2015	3	613	Work not started
2			4	Area already cleared	Windmill erected
3			1	Area already cleared	Windmill erected
4			2	Area already cleared	Windmill erected
5	Suzlon Gujarat Windpark Ltd., Rajkot	JMN/2/Vashi/4640/2015/ Dt.26/10/2015	SNG-04	Area already cleared	Windmill erected
6			SNG-03	Area already cleared	Foundation work done
7			SNG-02	Area already cleared	Foundation work done
8			SNG-06	692	Work not started
9			SNG-05	Area already cleared	Windmill erected
10			SNG-07	522	Work not started
11			SNG-01	Area already cleared	Windmill erected
12	Adani Green Energy (MP) Ltd., Ahmedabad	JMN/4/Windmill/Vashi/1168/2018/ Dt.20/12/2018	MDV-260	580	Work not started
13			MDV-568	514	Work not started
14			MDV-31	617	Work not started
15			MDV-439	709	Work not started
16			MDV-96	1524	Work not started
17			MDV-178	735	Work not started
18			MDV-601	225	Work not started
19	Green Infra Wind Energy Ltd., New Delhi	JMN/4/Windmill/Vashi/2637/2019/ Dt.05/07/2019	Sangnara-06	Area already cleared	Foundation under construction
20			Sangnara-03	971	Work not started
21			Sangnara-05	766	Work not started
22			Sangnara-01	Area already cleared	Foundation work done
23			Sangnara-09	856	Work not started
24			Sangnara-10	1250	Work not started
25			Sangnara-16	683	Work not started
26			Sangnara-15	630	Work not started
27			Sangnara-18	Area already cleared	Foundation under construction
28			Sangnara-19	485	Work not started
29			Sangnara-17	445	Site cleaning and some tree cutting done
30			Sangnara-14	785	Work not started
31	Torrent Power Ltd., Ahmedabad	JMN/4/Windmill/Vashi/2777/2019/ Dt.08/08/2019	DNT-013	979	Work not started
32			DNT-021	837	Work not started
33			DNT-019	587	Work not started
34			DNT-020	484	Work not started
35			2098	527	Work not started
36			DN-300	523	Work not started
37			DNT-017	712	Work not started
38			DNT-016	962	Work not started
39			DNT-014	799	Work not started
40					DNT-012
<b>Total</b>				<b>20012</b>	-

## **Annexure VII**

### **Species wise number of trees at sanctioned locations**

<b>ANNEXURE - VII</b>			
<b>Species wise number of trees</b>			
<b>Sr. No.</b>	<b>Scientific Name</b>	<b>Common Name</b>	<b>No. of trees</b>
1	<i>Acacia senegal</i>	Gorad	8684
2	<i>Acacia nilotica</i>	Desi Baval	2120
3	<i>Ziziphus nummularia</i>	Boradi	1234
4	<i>Commiphora wightii</i>	Guggal	409
5	<i>Balanites roxburghii</i>	Igoriyo	578
6	<i>Prosopis juliflora</i>	Gando Baval	3545
7	<i>Capparis decidua</i>	Kerda	486
8	<i>Acacia tortilis</i>	Isaraili Baval	357
9	<i>Gymnosporia spinosa</i>	Vukalo	196
10	<i>Prosopis cineraria</i>	Khijado	166
11	<i>Acacia leucophloea</i>	Harmo	220
12	<i>Misc.</i>		2017
<b>Total</b>			<b>20012</b>

## **Annexure VIII**

**Copy of the orders of Mamlatdar,  
Nakhatrana dated 30/08/2019**

## Annexure- VIII

Mamlatdar Nakhatrana – Court Nakhatrana Kutch

Saurashtra Tree Intersection Act Case no. 01/2019

Plaintiff: 1. Sarpanch Shree Sangnara Juth Grampanchayat

Defendant: 1. Green Infra. Wind Energy Ltd. New Delhi

Sub: Concerning penalties in accordance with Article 3 of Saurashtra tree intersection 1951.

The fact in this case is, written complaint submitted by plaintiff of this case Sarpanch shree sangnara juth Grampanchayat on 16/08/19 for sanctioning the land of sangnara village ta: nakhatrana for the wind mill project to Green Infra. Wind Energy Ltd New Delhi. Sanctioned land have desi bawad , kher, bordi , kandhor , gugad etc shrub over it. The complaint is against Green Infra: Wind Energy Ltd New Delhi for starting activity related to industry, Trees are cut down illegally to take a strict action against this crime.

Accordingly, the letter no. Land / Tree intersection / Sangnara / 2019 Date: 20/08/19 Inquired by Revenue Talati Shri, Nagalpar the objectionable land has been sanctioned to Shri Green Infra Wind Energy Limited New Delhi has been approved for the Wind Farm project as per the status report submitted on 22/08/19 and 27/08/19. Without any written permission obtained, the company has cut down the trees like, Bawad, Kher, bordi, Kandhor , gugad etc illegally. This land is waste land of government situated at surrounding of Seam of sangnara village. And as per the Punch work at that place, approx 432 trees are intersected without prior permission from competent authority. With the range forest officer nakhatrana's report dated 27/08/19 about location status it is found that trees are intersected for the work of making the road and for the point sanctioned to the company.

By court , Hearing was organised on 21/08/19 with respect to the application of plaintiff on the basis of the Punch work conducted by revenue talati, Villager of

Nagalpar and defendant being present for this matter and applied in return to conduct the punch work again with presence of representative of company as prior punch work regarding tree intersection was done without their presence, as per their demand, the punchnama was carried out on 22/08/19 with presence of representatives of company and The next point in the interest of justice was adjourned. Defendant was presented and heard. He demanded more time as to present written answer, it was adjourned to 27/08/19. As per the written answer presented, We are connected to the company's non-traditional way of generating electricity. Accordingly, we have received a bid from the government-designated agency to generate an estimated 550 MW of non-conventional energy. Accordingly, the company has been received 10 hectares of land in Sanganara village for a 20-year lease on government bad land dated 05/07/19, dated No.4 / Windmill / Vashi / 2637/2019. In this sanctioned land we started our work related to wind farm project but as per condition no. 11 if the trees need to be cut in the demanding area then the permission need to be taken from authorised officer then it can be used. But, we have disobeyed and not taken any permission. we have taken action against law. The company is ready to pay the punitive amount that is being paid this was accepted in written.

In this regards, Letter dated 23/08/19 of this office from range forest officer extension nakhatrana the report is presented on 27/08/19. As per that, It's found to investigate locally that Trees cut down for the sanctioned point work and making the road. And because of company has cut down trees without permission, Range forest officer suggested to file a crime according to article -3 of Saurashtra Tree intersection act -1951

Thus, application of plaintiff, punch work of revenue talati nagalpar, report of range forest officer nakhatrana and statements presented apparently by defendant in Mamlatdar - Court Nakhatrana, defendant -1 has not taken any permission from authorised officer. For this, It is considered proven that violence to article -3 of Saurashtra Tree intersection act -1951 has been occurred by authorised officer, Thus, the following is ordered :

Order :

Defendant Green Infra Wind Energy Limited New Delhi authorised person made non-traditionally tree trunks and considering the punch work of Revenue Talati nagalpar and report of Range forest officer as per following information Fine of minimum 50 rs to maximum 1000 rupees for cutting trees charged as violence to article -3 of Saurashtra Tree Intersection act -1951

No.	Name of Offender	The kind of trees that have been cut	No. Of Trees	The amount of fines per tree	Total Amount of Fine
1	Rathod	Desi Bawad	115	1000	1,15,000/-
2	Sanjay	Kher	102	1000	1,02,000/-
3	Prbhatbhai	Kindhod	65	200	13,000/-
4	, On behalf	Liyadi	47	250	11,750/-
5	of Shree	Gangita	30	300	9,000/-
6	Green Infra	Mithi bordi	35	600	21,000/-
7	Wind	Desi Gugad	10	1000	10,000/-
8	Energy Ltd	Harma	8	400	3200/-
9		Khijdo	20	1000	20,000/-
		Total	432		3,04,950/-

The sum of the fine is deposited in the Government "0029" by the Land Revenue Invoice and a copy of the invoice has been issued by the office of the office here within 7 days and the wood scrap of trees to deliver at bury yard of sangnara village .Company has to plant double trees against of cut down trees being in contact with sangnara gram panchayat. After plantation , The company will be responsible for the maintenance of water, such as watering and conservation, and will have to submit progress reports every month.

If parties are unhappy with this judgement then appeal to be done to authorised officer within 30 days from date of receiving order.

An order was issued with my signature as well as an office stamp on 30/08/19

Mamlatdar – Nakhatrana

Copy to:

1. To all concerned parties
2. Range Forest Officer, Shri. Y Range- Eclipse
3. Revenue Talati Shri, Nagalpar-Tal: Nakhatrana  
2 / - Implementation of information and order against the party and take further action to recover the penalty amount.

Duplicate for the information to:

1. Shri, Collector, Revenue Department, Bhuj - Kutch
2. Shri Deputy Collector, Nakhatrana Kutch

T.C.  
/

## **Annexure IX**

**Copy of the orders of Mamlatdar,  
Nakhatrana dated 11/12/2019 under  
Saurashtra Felling of Trees (Infliction  
of Punishment) Act, 1951**

## Annexure - IX

MAMLATDAR in NAKHATRANA COURT, NAKHATRANA – KUTCH  
SAURATRA, TREE TRUNCATION ACT CASE NO.02/2019

Plaintiff: 1. Sangnara Gram Panchayat & Villagers DT: 11/12/2019

Defendant: 1. Green Infra Wind Energy Ltd. New Delhi

Subject: To fine according to article – 3 of Saurashtra Tree truncation act 1951

The short fact of the case is the kind that, by the plaintiff of this work Sangnara Gram Panchayat & villagers by giving complaint in written at this office on 03/09/2019 Government land of village sangnara , Taluka Nakhatrana has been sanctioned/granted to Green Infra Wind Energy Ltd, Chennai for wind project. There are, Desi Bavad, Gugad, Ghorad, Kundher shrubs in sanctioned land.

Complaint has been fined against them for illegal tree-cutting and strict action against him for practicing this crime at point no.17 in land, with starting of industrial operation/work by Green Infra Wind Pvt Ltd.

The questioned land has been sanctioned to Shree Green Infra Wind Energy Private Limited as per the report of the status/condition and location/place quo dated 11 10 2019 when investigating through Circle Officer Vithon. Desi Bavad, Gugad, Ghrad and Kundher trees are cut down in an unauthorized manner without written permission of any kind. As well, according to the local punch work done at the location approx 95 trees are truncated without pre permission from competent authority.

Thus, Application of plaintiff, Circle officer – Vithon's punch work report and statements given in personal by defendant at Mamlatdar court – Nakhatrana there is no any kind permission taken from competent authority. So, it has been proven infringing by the authorized person of Green Infra Wind Pvt Ltd under article 3 of Saurashtra Tree truncation act 1951. So, as Mamlatdar has power to punish minimum 50rs per tree to maximum 1,000rs per tree according to article 3(B) of Saurashtra Tree truncation act 1951 , The following is ordered :

:: Order ::

By considering, The unauthorized truncation of trees done by authorized person of defendant Green Infra Wind Energy Ltd and the punch work done by Circle

officer – Vithon, counting the remnants of truncated trees as per article 95 calculating 500rs per tree total 47,500/-rs Mamlatdar has power to punish minimum 50rs per tree to maximum 1,000rs per tree according to article 3(B) of Saurashtra Tree truncation act 1951, Since the fine is determined according to height of tree but here are the only remnants of trees so, average 500/-rs. Fine per tree Penalties are imposed.

The penalty amount is ordered to be submitted by challan to the office of the government according to "0029" land revenue and copy of the challan of the amount deposited to present to this office within seven days. As well, the wood of truncated tree shrubs will have to be deposited/given to cremation of Sangnara village. In exchange for the trees cut by the company, two times of the tree should be planted keeping contact with the Sangnara Gram Panchayat and after the planting of the tree, the company will have to take care of its maintenance such as raising water and conservation and report the progress of the work in this regard every month.

If the parties are dissatisfied with this order, the reply must be obtained on appeal to the Deputy Collector Nakhatrana within 7 days from the date of receipt of the order.

The order was issued on 11/12/ 2019 with my signature and office stamp.

Mamlatdar – Nakhatrana

Copy To:

1. To all concerned parties
2. Range forest officer, Sangnara. Range – Nakhatrana
3. Revenue Talati, Sangnara Ta: Nakhatrana

2/- To act on the information and execution of the order against the aforesaid order and to reimburse the fine.

Duplicate copy to:

1. Respected Collector, Revenue Department Bhuj – Kutch
2. Respected Dy. Collector, Nakhatrana - Kutch

T. U. A.

## **Annexure X**

**Copy of the letter no. JMN/4/VS/  
NGT/07/2020 dated 23.07.2020 of Collector,  
Kachchh to Deputy Conservator of Forest  
Kachchh West Division**

# Annexure - X

## Office of the Collector and District Magistrate, Kachchh - Bhuj

JMN-4 Record, Revenue Branch, District Seva Sadan, Mandvo Road, at. Bhuj-Kachchh,  
Pin-370001.

Email : [collector-kut@gujarat.gov.in](mailto:collector-kut@gujarat.gov.in), Tel-02832-250020/Fax-02832-250430

No.JMN-4/VS/N.G.T./07/2020

Dt. 23/07/2020

### COURT MATTER / Immediate

To,  
**The Deputy Conservator of Forests,**  
Kachchh West Forest Division, Bhuj.

#### **Sub:- (Original Application No.06/2020)**

Shankarlal Gopal Patel

V/s.

Govt. of India and Others.

Ref :- (1) Letter No.B/JMN/T.11/2841/20-21, Dated- 20/07/2020 of Your Office  
(2) Letter No.N.JMN/Vashi/935/2020, Dated- 22/07/2020 of the Deputy  
Collector, Nakhatrana.

With reference to the subject cited above as well as refrence shown below it, this is to state that Shri Shankarlal Gopalbhai patel has filed Original application No.6/2020 in the National Green Tribunal, Principal Bench, New Delhi for illegal cutting of trees and causing damage to the wild animals in the Government Wasteland allocated to M/s. Green Infra wind Energy Ltd. and seven other Companies.

In this regard vide reference letter- (1) this office was informed to send opinion regarding three points. In lieu of this, Deputy Collector Nakhatrana was informed to send report. The original copy of the report thus submitted is attached herewith.

You are therefore requested to take in to consideration of the details of the report and remain present before the Hon'ble N.G.T. on next date of the hearing of the abovesaid matter and represent the government.

-sd-  
**(Pravina D.K)**  
**Collector, Kachchh**

**Office of the Deputy Collector and Sub - Divisional Magistrate,  
Nakhatrana - Kachchh.**

Phone:- (O) 02835-222122.

E-mail: prantnakhatrana@gmail.com

No. JMN/VS/935/2020

Date: 22/07/2020

**To,**  
**The Hon'ble Collector,**  
Revenue Branch,  
Bhuj - Kachchh.

**Sub :- (Original Application No.06/2020)**

Shankarlal Gopal Patel

V/s.

Govt. of India and Others.

Ref :- (1) Letter No. JMN-4/Vashi/NGT/07/2020, dated 20/7/2020 of Resident Addl. Collector, Bhuj-Kachchh.

(2) Letter No. JMN/Vashi/1970/2020, dated 22/7/2020 of the Mamlatdar, Nakhatrana.

With reference to the above, I am to request you and to state that, in the matter of Shankerlal Gopal Patel V/s Govt. of India and others, original application No. 6/2020 was preferred before the National Green Tribunal. After verification and clarification done by the Mamlatdar - Nakhatrana as per above ref. letter (2), the facts that came out are as under, and point wise report is submitted as under;

**Point No.1 :-** Vide your order dated 5/7/2019, Green Infra. Wind Energy Ltd. New Delhi has been allocated 12 Location and, Suzlon Gujarat windpark Ltd. Rajkot has been allocated 7 and 4 locations vide order dated 1/8/2015 and 26/1/2015 respectively, for the purpose of land. As per condition No.4, a mention has been made that the developer will be entitled to get right of way for WGT and spreading of transmission line. But, the Company has prepared approach road leading from Village Sangnara to the location for transporting machinery, while, for spreading the transmission line, separate roads are prepared, and the said approach road is not included in the right of way. The companies will be required to spread trans. line with machinery after preparing approach road and widening the existing cart way. And if, there was no cart way requiring the company to prepare approach road, then in that case, permission will be required to be taken as per rules for preparing road, erecting windmill points alongwith cutting of trees coming between the said task. But, no company have obtained permission for the windmill locations sanctioned at village Sangnara.

**Point No.2** :- The Suzlon Guj. windpark, Rajkot, has erected windmill on 6 locations out of 11 locations granted to it, and the foundation work have been done on 2 locations, while no work has been done on three locations. The company has not taken any permission for cutting of trees, while doing the work of approach road and spreading of transmission lines just to reach at the location site, and no actions are taken by us against the company. The particulars of total 11 locations of Suzlon company are as under:

- Vide order dated 1/8/15 of the Collector Kachchh-Bhuj, Shri Suzlon Gujarat Wind Park Ltd. Rajkot, has been sanctioned land of Hectare 7.00 Area out of S.No. 84(part) of Sangnara traverse, for industrial purpose pertained to wind-farm project. The windmill have been erected on three locations no. ROH-126, 132 and 133 out of 7 locations. Foundation works have been done on locations ROH 129 and 130. No work of whatsoever nature have been done by the company on location No. (as per Survey measurement sheet) SNG 06 and SNG-07.
- (1) ROH-126, this windmill has been erected in year 2017 on the land of 1 Hectare cut of S.No. 84 (part), SNG-01, as per measurement sheet. This windmill is situated 1 K.M. away from village Godjiper North-west direction. For going to the windmill, approach road has been prepared after widening the cart way. The trees of Kher (Gorad), Kerdo, Boradi and Gandabawals situated around this location site, are found to be cut down during the relevant period.
  - (2) ROH-132, This windmill has been erected in year 2017 on 1 Hectare land, S.No. 84 (part)land, as per measurement Sheet-SNG-04. There was no Cart Way on that location, hence, windmill was erected with approach road by the company. The trees v/z. Kher (Gorad), Kerdo, Boradi, Ganda Bavals are found to be cut down during the relevant time.
  - (3) ROH-133, This windmill has been erected in year 2017 on One hectare land, S.No. 84(part) land, SNG-05 as per measurement sheet. There was no cart way on that place. Hence, to reach at the RHO-130, 132, and 133, approach road upto 2400 Meter was constructed and windmill was erected thereafter. The trees viz. Kher (Gorad), Kerdo, Bordi, and Desi Bawals are found to be cut down at the relevant time.
  - (4) ROH-129, Only foundation filling work has been done on 1 Hec. land, S.No. 84(part) land, SNG-02, as per measurement sheet. windmill is not erected. About 100 Meter approach road has been prepared from cart way site. At this place, trees viz. Kher, Boradi, and Ganda Bawals have been cut down at the relevant time.

- (5) ROH-130, Only foundation filling work has been done on One H land. S.No. 84(part)land, SNG-3, as per measurement Sheet No windmill has been erected. A cart way existed at the said place. This and road constructed for ROH-132, ROH-133 have been utilized.

Thus, out of sanctioned land of total 7 locations, no work of any nature whatsoever have been done on SNG-06 and SNG-07, as per measurement sheet.

- That, vide order dated 26/10/15 of the Collector, Kachchh, the land ad-measuring Hec. 4-00-00 Are has been sanctioned from S.No. 84 paiki -1 land, and out of them, windmill has been erected on three locations, and no work has been done on one location, work has been done on 3 locations. The particulars about it are as under: -
  - (1) ROH-122, This windmill has been erected in year 2017, on one hec. Land in S.No. 84 (part-1) land. The windmill has been erected 470 meter away from the existing Rampar Beru coal tar road. Therefore an approach road from location site of 170 meter has been newly constructed and existing cart road in the area has been widened by 300 meters. At this place, trees like Kher, Bordi, are found to be cut down at the relevant time.
  - (2) ROH-127, windmill has been erected on hilly land on 1 hec. land, S.No. 84 paiki-1 land new approach road of 400 Mtr. has been prepared from existed cart way and it is utilized. At this place, trees like Kher, Bordi are found to be cut-down during the relevant time.
  - (3) ROH-138, windmill has been erected on 1 hec. land in year 2017, on land of 1 hec., S.No. 84 paiki-1, and approach road to the extent of about 180 Mtr., has been prepared from village Beru to Mosuna situated toward western direction, and Windmill has been erected over there. The trees like Kher, Bordi, Khijdo, Ganda Baval are found to be cut down during the relevant time.

Thus, 3 windmills have been erected on 3 hec. land out of 4 hec. land- sanctioned to the company, and no work has been done on one hec. land by the company.

- That, vide order dated 5/7/2019 of the Collector, Kachchh - Bhuj, Green Infra. Wind Energy Ltd. New Delhi, has been sanctioned land of S.No. 4, 60,65,75, 109, 174 and 209-total being seven in all situated at village Sangnara thus, the 12 hectares land have been sanctioned for 12 locations. The following works have been started by company on the locations as shown hereunder:
  - (1) Location No.18, Sangnara's S.No.60, land Hec. 1-00-00 Are, On this location, the company has dug about 10 Mtr. deep pit having 15 Mtr.

diameter by J.C.B., for foundation work and for erection of windmill on the said location. Existed cart way has been utilized for reaching at the said location. The tress like Kher, Deshi Bawal, Bordi, Gugar, Ganda Bawal etc have been removed from the land of the said area in August-2019. Only digging work has been done, and no other task have been done.

- (2) Location No. 17, Sangnara's S.No. 109, land hec.1. On this location the company has dugged 6 ft. deep pit having 15 x 15 ft. Size by J.C.B. Machine and the trees like Kher, Bordi, Deshi Bawal, Ganda Bawal's thickets have been cut down situated surrounding the location, for cleanliness purpose. No other works have been done Trees have been removed from about 50 Mtr. areas from existed cartway, and JCB has taken it from the said place.
- (3) Location No.6, Sangnara's S.No. 209, land hec. 1.00.00 Aare, This location is situated toward west, 1.50 K.M. away from Coaltar road, leading from Beru road to Mosuna village. For the purpose of erecting windmill, the company has dugged a pit of about 10 Mtr. with 15 Mtr. diameter where ironbar with distinct thickness have been spread, cement –concrete work is not done. In August-2019, trees like Kher, Bordi, Deshi Bawal, Ganda Bawal were cut down from the area of about 200 Mtr. from the existed cart way. The said trees were cut for widening the road where Suzlon company's transmission line is passing. No approach road has been prepared. This road was used for transporting iron and other Materials.
- (4) Location No.1, Sangnara's S.No.174, land being 1 hec. The trees like Kher, Deshi Bawal, Bordi, Ganda Bawal which were existing surrounding the said location, were cut down for cleaning the area, and foundation was filled up with iron bars, cement concrete but this windmill is not erected. Road has been prepared by removing trees in 100 Mtr. area approx. No approach road has been prepared.
- (5) Location No.3 and 5, Sangnara's S.No. 209. To reach at this location, trees like Kher, Bordi, Deshi Bawal, Gando Bawal have been cut down, no road has been prepared, and no work of whatsoever nature have been done. Even, there is a Cart way to go at the location No.5, digging work of about 50 Mtr. have been done and road is prepared after removing the thickets.
- (6) Location No.9, S.No.75, Location No.10, S.No.75, Location No.14, S.No.4, Location No.15, S.No.60, Location No.16, S.No.65, Location

No.19, S.No.60. On all these locations, no works have been done by the company.

That, upon cutting of 432 trees illegally at the above places by the company, case No. 1/2019 was filed & conducted under Saurashtra tree felling Act - 1951, in which, case, fine (Penalty) of Rs. 3,04,950/- was inflicted vide order dated 30/8/2019, the company has paid and deposited the said amount in SBI, Nakhatrana Bank on 31/8/2019, and in case No. 2/2019 filed under Saurashtra tree felling Act - 1951, fine of Rs. 47,500/- has been inflicted vide order dated 11/12/19 for cutting 95 trees illegally, and the said amount of fine is deposited in SBI, Nakhatrana on 16/12/19.

- (7) That, vide this office order dated 11/12/2019, permission has been granted to the company for cutting of 96 trees for going at the location No.5,6, 17, and 18. But, the company has not removed the said trees coming on way till this day.

**Point No.3** :- The Company-wise present position of windmill's 40 locations having been sanctioned, for Sangnara of Nakhtrana Taluka, is as under:-

1.	Suzlon Guj. wind Park Ltd. Rajkot -	11
2.	Green Infra. Wind Energy Ltd. New Delhi -	12
3.	Torrent Power Ltd. Ahmedabad -	10
4.	Adani Green Energy (M.P.) Ltd. Ahmedabad -	07

The present position of above 40 locations is as under:-

- (1) Suzlon Gujarat windpark Ltd. Rajkot's 11- location
- \* Windmill has been erected on 6 locations.
  - \* Foundation filling work has been done on 2 locations.
  - \* No work has been done on 3 locations.
- (2) Green Infra. Wind Energy Ltd.,New Delhi's 12 - locations.
- \* Pits are dugged on 2 locations (being locations 17 and 18)
  - \* Iron bars are spread on one location. Foundation not filled up. (location No.6).
  - \* Foundation filling work done on one location (Location No.1)
  - \* No work has been done on 8 locations. (Location No.3, 5, 9, 10, 14, 15, 16 and 19).
- (3) Torrent Power Ltd. Ahmedabad's 10 - Locations.
- \* Company has not done and carried out any work on all he said 10 locaitons.
- (4) Adani Green, Energy (M.P.) Ltd. Ahmedabad's 7 - locations.

\* The company has not done any working on all these 7 locations.

The abovesaid facts are submitted along with the required documents which are attached for your kind information.

**-Sd.-**

**(Pravinsinh Jaitawat)**

**Dy. Collector - Nakhatrana**

Encl:- As above.

## **Annexure XI**

**Photographs showing glimpses of  
landscape, flora and fauna in  
project area**

Annexure XI: Photograph showing landscape, flora and fauna of the Sangnara village



Arial view of vegetation in project area



Arial view of vegetation in project area



Fauna



Vegetation