

Ministry of External Affairs

NOTIFICATION

New Delhi, Dated: September 2024

Amendment to the Offshore Wind Energy Lease Rules, 2023

The Offshore Wind Energy Lease Rules, 2023 have been notified vide G.S.R. 901(E) on 19.12.2023 to regulate the grant of lease of offshore areas for the development of offshore wind energy projects.

2. The Central Government hereby notifies the following amendment in the said rules dated 19.12.2023:-

- a. Clause 2 (i) of the existing rules is substituted as follows,
"Lease" means an agreement to grant rights over seabed within the Territorial Waters and Exclusive Economic Zone to Lessee by the Central Government for a fixed term against payment of lease amount".
- b. Clause 2 (m) of the existing rules is substituted as follows,
"Offshore Wind Energy Project" means a complete system consisting of wind turbines, offshore pooling substation, array of offshore cables including intra array cables and inter array, and power generating systems from other renewable sources utilized on offshore platforms to meet the auxiliary power needs within the Territorial Waters and Exclusive Economic Zones with fixed foundation or floating foundation to generate electrical power in natural sea environment".
- c. Clause 5(1) of the existing rules is substituted as follows,
"The Central Government may lease out offshore area within the Territorial Waters and Exclusive Economic Zone for Offshore Wind Energy Project and Offshore Wind Transmission Project;
 - i. the offshore area for the Lease shall be identified by the Central Government based on wind resource assessment followed by marine spatial planning;
 - ii. the selection process of the Lessee shall be governed by National Offshore Wind Energy Policy;
 - iii. clearances from the Ministry of Defence, Ministry of Home Affairs, Ministry of External Affairs, Ministry of Environment, Forest and Climate Change, Department of Space and Ministry of Ports, Shipping and Waterways shall be obtained before granting of the Lease;"
- d. Clause 8(2) of the existing rules is substituted as follows,
"For construction and operation of offshore wind energy project, the Lease shall be granted for thirty-five years which can be extended on case-to-case basis subject to functional viability and safety of the project
."
- e. Clause 11 of the existing rules is substituted as follows,

"Transfer or Assignment. - The Lessee shall not assign or transfer his



right, title and interest in respect of the Lease or in respect of the area within the Territorial Waters or Exclusive Economic Zone of India covered by such Lease, without the written consent of the Central Government."

f. Clause 18 of the existing rules is substituted as follows,

"Regulation of Operations. - The Lessee shall carry out the study/survey, construction, installation, commissioning and operation & maintenance of the offshore wind energy project in accordance with the technical standards and instructions issued by the Central Government."

A handwritten signature in blue ink, appearing to read "J. M. M.", is located on the right side of the page.