

## Short narrative of the proposal:

North East Transmission Company Ltd. (NETC), a joint venture company of Power Grid Corporation of India Limited (POWERGRID), ONGC Tripura Power Company Limited (OTPC) and states of Assam, Tripura, Mizoram, Manipur, Meghalaya and Nagaland was incorporated on 26<sup>th</sup> August, 2008 under Companies Act 1956. NETC is a transmission licensee in terms of section 2(73) of the Electricity Act and is engaged in development and maintenance of power transmission lines in the North Eastern States of India.

The shareholding pattern as per share holder's agreement dated, 3<sup>rd</sup> February, 2009 and Deed of Adherence executed by the shareholders is as under.

Power Grid Corporation of India Ltd.	26%
Government of Mizoram	10%
ONGC Tripura Power Company Limited (OTPC)	26%
Government of Manipur	6%
Assam Electricity Grid Corporation Limited	13%
Government of Meghalaya	5%
Government of Tripura	10%
Government of Nagaland	4%

NETC has been entrusted with the construction and maintenance of a 400 kV D/C transmission line from Palatana in Tripura to Bongaigaon in Assam for evacuation of electric power from the Gas Based Combined Cycle Power Plant (GBCCPP) of ONGC Tripura Power Company (OTPC) having capacity of 726 MW situated at Palatana in Tripura. Through this line, electric power shall be transmitted to North Eastern States and shall also facilitate transmission of surplus power if any to other parts of the country. The transmission system is the only back bone evacuation path for delivering the share of power from GBCCPP at Palatana to NER states.

Power Allocation as per the Ministry of Power Order dated November 25, 2008 is indicated below:

Assam 240 MW	Meghalaya 79 MW
Tripura 196 MW	Nagaland 27 MW
Mizoram 22 MW	Balance on merchant sale 98.6 MW
Manipur 42 MW	Total 726.6 MW

The following approvals have been accorded to NETC:

- The said transmission project has been approved by the Govt. of India, Ministry of power under section 68 of Electricity Act, 2003 on 20<sup>th</sup> August, 2009.
- Govt. of India, Ministry of Power conferred, under section 164 of the Electricity Act, 2003, all the powers on NETC which telegraph authority possesses under the Indian Telegraph Act, 1885 on 11<sup>th</sup> December, 2013.
- NETC has also been granted permission for the construction and maintenance of the above transmission line by Central Electricity Regulatory Commission (CERC) vide license No.9/ transmission/CERC, dated.16<sup>th</sup> June,2009. Relevant documents are enclosed.

The construction work has commenced from the year 2009 and as on date status of the project is as indicated below:

- (i) **Palatana-Silchar 400 KV double circuit transmission line (247 Km):** Line has been commissioned and is in commercial operation since 1<sup>st</sup> September, 2012.
- (ii) **Silchar-Byrnihat 400 KV double circuit transmission line (213 Km):** One circuit (Ckt-1) emanating from Silchar looped in at Byrnihat. This circuit has been commissioned and is in commercial operation since 1<sup>st</sup> March, 2013. The second Circuit (Ckt-2) in service with one circuit of Byrnihat – Azara section has been commissioned on 23.06.2014 connecting Silchar to Azara.
- (iii) **Byrnihat-Bongaigaon 400 KV double circuit transmission line (201 Km):** Line section from Byrnihat to Azara has been completed and one circuit is series with the second circuit of Silchar –Byrnihat has been commissioned on 23.06.2014 as indicated at Sl. No. (ii) above. The section from Azara to Bongaigaon is also complete except for 4 Nos.tower locations and associated stringing in the state of Assam out of which work in two locations are in progress and the balance 2 locations are pending for want of forest clearance in Goalpara Forest Division in Assam.

The transmission system traverse through the private, Govt. and Forest land in the state of Tripura, Assam and Meghalaya. NETC received final approvals for use of Forest land in the state of Tripura, Assam and Meghalaya for 372.98 ha, 120.6 ha and 114.0156 ha respectively from MoEF, Govt. of India on 17.08.2010, 08.05.2012 & 30.04.2012 respectively. However,forest approval is still awaited for 5.40 ha Corresponding to2 Nos. tower locations and associated spans in Goalpara Forest Division in the state of Assam.

In the state of Meghalaya approval has been accorded by MoEF, Govt. of India vide F.NO.8-60/2008-FC, dated 30<sup>th</sup> April,2012 (copy enclosed ) for diversion of 114.0156 ha of forest land for the project spread in 3 Nos. Forest Divisions viz, Jaintia Hills Territorial, Jowai (14.49 ha), Jaintia Hills Autonomous District Council, Jowai (49.3212 ha) and Khasi Hills Autonomous District Council, Shillong (50.2044 ha).

The line from Silchar to Byrnihat has been completed and commissioned on 1<sup>st</sup> March, 2013. Further, while constructing the line from Byrnihat to Bongaigaon along the approved route of the transmission line inside Myllem reserve forest area under Khasi Hills Autonomous District Council, near 9<sup>th</sup>Mile, Killing Road, Meghalaya, it was found that an engineering college, namely Regional Institute of Science and Technology (RIST) has subsequently come up which was not existing at the time of survey of the line route and submission of Forest proposal in the year 2006.

No tower of the line was to be located in RIST campus and only the overhead conductors connecting the towers located on either side of the campus were passing over the campus head at a height of around 33 mts. from the ground level. Survey was carried out as per standards and electrical clearances were also available as per Safety Regulations. Still RIST authority raised objection against passing of the transmission line over their campus.

The RIST also filed writ petition in the High Court, Shillong for diversion of the line and the same was disposed of with a direction to resolve the issue at appropriate commission, i.e the Central Electricity Regulatory Commission (CERC), New Delhi in this case. Accordingly NETC approached the CERC, New Delhi vide petition no 118/MP/2013 dated 30<sup>th</sup> May 2013.

CERC while admitting the petition had advised NETC to file affidavit stating whether any alternate route was studied for constructing the transmission line passing through the RIST. In response NETC submitted the alternative routes examined along with its salient features as also the problems/adverse effect on the project for adopting alternatives. The major observation was that such alternative route shall call for fresh forest clearance which would delay the project and therefore not feasible.

CERC directed the Central Electricity Authority (CEA), New Delhi also to examine feasibility of re-routing of the transmission line within campus with quickly implementable alternative. (Para-19 -20, Page No.20-22 of order dated, 10.03.2014 of CERC – **copy enclosed**.)

Accordingly representative of CEA visited site and submitted their report where they have mentioned that *the best possible diversion of the line is to erect a tower on the southern side within the campus and connect the same with the tower no. new 3 (DD+6) and tower no. new 6 (DC+6) of the alternate route proposed by NETC in the map given under Annexure 6 of the document.* Map submitted under Annexure - 6 of the document is attached for reference.

Based on the above and after hearing both NETC and RIST, the CERC vide order dated 10.03.2014 permitted NETC to construct the transmission line over the RIST campus along the original route.(Copy of order dated, 10.03.2014 of CERC in this regard is enclosed as Annexure-C).

The RIST however challenged the legality and validity of the order passed on 10<sup>th</sup> March 2014 by CERC, New Delhi and approached the Appellate Tribunal for Electricity,(APTEL), New Delhi vide appeal no. 80 of 2014 on 25.03.2014. After examination of the case and various hearings the Tribunal passed order on 3<sup>rd</sup> June 2014 (copy enclosed) stating the following:

- 1.0 NETC will proceed to lay down the overhead line temporarily across the campus of RIST to allow flow of power from OTPC power plant.
- 2.0 NETC will take immediate steps for taking up the works on the alternative route through the southern side of campus of RIST as suggested by the Central Electricity Authority.

In the light of the above direction of Appellate Tribunal of Electricity, New Delhi, detailed survey was been conducted for alternate route and proposal for forest clearance for diversion of line is submitted herewith.

After receipt of approval for the diverted route (2.4 km, 11.04 ha) from MoEF, Govt. of India, New Delhi construction shall be carried out and subsequently the present existing section of transmission line (2.103 km, 9.6738 ha) passing over the RIST campus shall be dismantled.

  
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