

पावर ग्रिड कारपोरेशन ऑफ इंडिया लिमिटेड

(भारत सरकार का उद्यम)

POWER GRID CORPORATION OF INDIA LIMITED

(A Government of India Enterprise)



पावरग्रिड

केन्द्रीय कार्यालय : "सौदामिनी" प्लॉट सं. 2, सैक्टर-29, गुडगाँव-122 001, हरियाणा
फोन : 0124-2571700-719, फ़ैक्स : 0124-2571760, 2571761 तार 'नेटग्रिड'
Corporate Office : "Saudamini" Plot No. 2, Sector-29, Gurgaon-122 001. Haryana
Tel. : 0124-2571700-719, Fax : 0124-2571760, 0124-2571761 Gram : 'NATGRID'

संदर्भ संख्या / Ref. No. Ref. C/CP/RTI /2013/ 201

Date: 18th March, 2014

Shri Sonu Jaiswal,
Near Ganesh Chowk,
Barghaht Road,
Seoni, MP – 480661

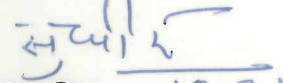
Sub: Information sought under RTI Act, 2005.

Dear Mr. Jaiswal,

This has reference to MoP's letter No. 10/2/2014/RTI/60145 dated 9th February, 2014 transferring your RTI application dated 17th February, 2014 for providing information under RTI Act, 2005.

The information sought is attached at Annex-I.

भवदीय,



(सुधीर मित्तल) 18.3.14

महाप्रबंधक (के.आ.) एवं के.लो.सू.अधिकारी

Attach: As above

Transmission lines are constructed under the ambit of Electricity Act, 2003. As regards locating tower on individual landowner, POWERGRID follows the Section 68 of Electricity Act, 2003 read with Section 164 vide which powers of Indian Telegraph Act 1885 part 3 Section 10 to 19 conferred to POWERGRID vide Gazette notification dated Dec.24, 2003.

As per the provision of Indian Telegraph Act, 1885 Section 10 b), POWERGRID is not authorized to acquire any land hence land under tower is not acquired. However, compensation for all damages are paid to the individual land owner as per the provision of Section-10 d) of Indian Telegraph Act, 1885. The relevant provisions of telegraph act are as follows:

The Indian Telegraph Act, 1885, Part-III, Section 10:

Quote:

Section 10 – *The telegraph authority may, from time to time, place and maintain a telegraph line under, over, along, or across, and posts in or upon any immovable property, Provided that –*

- a) *the telegraph authority shall not exercise the powers conferred by this section except for the purposes of a telegraph established or maintained by the [Central Government], or to be so established or maintained;*
- b) *the [Central Government] shall not acquire any right other than that of user only in the property under, over, along, across in or upon which the telegraph authority places any telegraph line or post; and*
- c) *except as hereinafter provided, the telegraph authority shall not exercise those powers in respect of any property vested in or under the control or management of any local authority, without the permission of that authority; and*
- d) *in the exercise of the powers conferred by this section, the telegraph authority shall do as little damage as possible, and, when it has exercised those powers in respect of any property other than that referred to in clause (c), shall pay full compensation to all persons interested for any damage sustained by them by reason of the exercise of those powers.*

Unquote.

As brought out above land for tower and right of way is not acquired as per the provisions of existing law (*Indian Telegraph Act, 1885 Part III Section 10 (b) prohibits acquisition of any rights other than that of use only*) and farming activities are allowed to continue after construction is over. It is also informed that all damages during the construction, major O&M activities are compensated after due assessment and validation by revenue authorities as per the provision of section 10 (d) referred above.