

पावर ग्रिड कारपोरेशन ऑफ इंडिया लिमिटेड
(भारत सरकार का उद्यम)
POWER GRID CORPORATION OF INDIA LIMITED
(A Government of India Enterprise)



केन्द्रीय कार्यालय : "सौदामिनी" प्लॉट सं. 2, सैक्टर-29, गुडगाँव-122 001, हरियाणा
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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.
C/CP/RTI/2015/26

Date: 12th May, 2015

Shri Kusumbar Choudhury
Namalpur, Sidli
Distt.- Chirang, Assam-783373

Sub: Information under Right to Information Act, 2005.

Dear Mr. Choudhury,

This has reference to your RTI request dated 14th April 2015 seeking information under RTI Act, 2005.

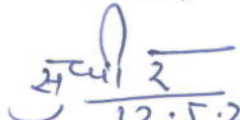
The information sought is attached at Annex-I.

Details of Appellate Authority, as per the provisions of RTI Act, 2005 is as under

Shri B. Mishra
Executive Director (CP & IT) & Appellate Authority,
Corporate Centre, Power Grid Corporation of India Limited,
"Saudamini", Plot No. 2, Sector-29,
Gurgaon – 122007, Haryana

Thanking You,

भवदीय,


12.5.2015
(सुधीर मिश्रा)

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

1. **Is there any detailed compensation policy for compensating farmers/ land owners on whose land the transmission towers in connection with Biswanath Chariali to Agra transmission line are being constructed?**

The provisions stipulated in section 67-68 of the Electricity Act, 2003 read with section 10 & 16 of the Indian Telegraph Act, 1885 governs the compensation as POWERGRID has been vested with the powers of Telegraph Authority vide MOP's Gazette Notification dated 24.12.03 under sec 164 of the Electricity Act.

The provisions in the **Electricity Act, 2003 and Indian Telegraph Act, 1885** regarding compensation for laying of transmission lines are as follows:

➤ **The Electricity Act, 2003, Part-VIII, Section 67 & 68**

Section 67 (3-5):

Quote:

- (3) *A licensee shall, in exercise of any of the powers conferred by or under this section and the rules made thereunder, cause as little damage, detriment and inconvenience as may be, and shall make full compensation for any damage, detriment or inconvenience caused by him or by any one employed by him.*
- (4) *Where any difference or dispute [including amount of compensation under sub-section (3)] arises under this section, the matter shall be determined by the Appropriate Commission.*
- (5) *The Appropriate Commission, while determining any difference or dispute arising under this section in addition to any compensation under sub-section (3), may impose a penalty not exceeding the amount of compensation payable under that sub-section.*

Section 68 (5 & 6):

- (5) *Where any tree standing or lying near an overhead line or where any structure or other object which has been placed or has fallen near an overhead line subsequent to the placing of such line, interrupts or interferes with, or is likely to interrupt or interfere with, the conveyance or transmission of electricity or to interrupt or interfere with, the conveyance or transmission of electricity or the accessibility of any works, an Executive Magistrate or authority specified by the Appropriate Government may, on the application of the licensee, cause the tree, structure or object to be removed or otherwise dealt with as he or it thinks fit.*
- (6) *When disposing of an application under sub-section (5), an Executive Magistrate or authority specified under that sub-section shall, in the case of any tree in existence before the placing of the overhead line, award to the person interested in the tree such compensation as he thinks reasonable, and such person may recover the same from the licensee.*

Explanation. - For purposes of this section, the expression tree shall be deemed to include any shrub, hedge, jungle growth or other plant.

Unquote.

➤ **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.**

In the instant project POWERGRID has prepared an entitlement matrix in consultation with ADB for such compensation and the same is disclosed on website of POWERGRID. The translation of entitlement matrix in local language like Assamese, Bengali, Hindi etc. for wider circulation and better understanding is also available on POWERGRID website at following link:

[http://www.powergridindia.com/ layouts/PowerGrid/User/QuickLinksDetail.aspx?LangID=English&Category=Documents](http://www.powergridindia.com/layouts/PowerGrid/User/QuickLinksDetail.aspx?LangID=English&Category=Documents)

2. **Whether there is any compensation fixed for compensating affected farmers and households on whose lands/ dwelling area the tower line is being constructed under Sidli Revenue Circle in Chirang District of Assam. If yes, what is the rate of compensation?**

Since fixation/assessment of compensation against damages are normally done with the help of local Revenue Authorities it varies and depend upon the extent of damage/type of crop/trees etc. The details of compensation paid are also disclosed thru semi-annual monitoring report on POWERGRID website at following link:

<http://www.powergridindia.com/ layouts/PowerGrid/User/QuickLinksDetail.aspx?LangID=English&Category=Documents>

3. **Who will retain the ownership of the area of and where the high voltage transmission tower is erected by PGCIL?**

The ownership of land remains with the owner because provisions of Telegraph Act provides under section 10 (b) that the Govt./licensees "shall not acquire any right other than that of user only" hence POWERGRID do not acquire land for tower and line.

4. Whether the landowner/ farmer be able to take up any future development of the area of land and its surroundings where the tower is constructed, if he decides so? If no, is PGCIL acquiring the land?

The landowner is allowed to continue the agriculture activities with certain restriction like plantation of high grown trees, tall structure/houses in the RoW as per Electric Safety norm/rules notified by Central Electricity Authority in September, 2010 under section 177 of the Electricity Act, 2003.

5. Is there any provision of prior consultation with land owners/ farmers before fixing the route of the transmission line? Whether they should be given a notice or served with a caveat at the first instance itself?

As per the provision of POWERGRID's Environmental and Social Policy & Procedures (ESPP) the route alignment is always discussed with public/landowners during Public consultation/information meet which is an integral part of the project implementation. Public is informed about the project at every stage of execution. During survey also POWERGRID's site officials meet people and inform them about the routing of transmission lines. In the instant project also this procedure has been followed. Details of such consultation as follows:

Public Consultation Meetings:

S. No.	Village	No. of people attended	Date
1.	Saikia Chuburi	41	03.05.07
2.	Hapa Gaon	29	10.06.07
3.	Singimari	163	24.06.07
4.	Jamadarbari	55	10.06.07
5.	Sarangia	46	10.06.07

Informal Group Meetings

S.No.	Village Name	Date	No. of People attended
1.	Nagshankar, Dist..Sonitpur	20/11/06	25
2.	Kokakuli, Dist..Sonitpur	05/10/06	20
3.	Thelamara, Dist..Sonitpur	12/12/06	19
4.	Baligaon, Dist. Udalgari	05/05/06	30
5.	Awnajuli. Dist. Udalgari	07/07/06	16
6.	Batabari, Dist. Udalgari	15/11/06	26
7.	Udalgurl, Dist. Udalgari	07/06/06	29
8.	Silakuti, Dist. Barga	10/05/06	17
9.	Ahopathar, Dist: Barpeta	09/09/06	22
10.	Khagrabari, Dist. Chirang	14/09/06	19

In addition to above, POWERGRID also conduct public consultation during the construction, every individual, on whose land tower is erected and people affected by ROW, are consulted. During such consultation they are informed about the project in general, its benefit, likely impact on land by placing of tower and proposed compensation plan as described above.