



अपील प्राधिकारी-सूचना का अधिकार अधिनियम 2005-के अंतर्गत  
पावर ग्रिड कॉर्पोरेशन ऑफ इंडिया लिमिटेड  
एस.सी.ओ. 5-10, सेक्टर -16ए फरीदाबाद, पिन:121002

ऑन लाइन अपील पत्र पंजीकरण संख्या : PGCIL/A/E/20/00063

दिनांक:07.12.2020

संदर्भ सं0: ई.डी./सचिवालय/आर. टी. आई./1923 2395 दिनांक: 05.01.2021

लोक प्राधिकारी का नाम : पावरग्रिड उ. क्षे-1 मुख्यालय फरीदाबाद -121002

### आदेश

ऑन लाइन आर. टी. आई प्रार्थना पत्र पंजीकरण संख्या PGCIL/R/E/20/00466 दिनांक 04.11.2020 के माध्यम से श्री अशोक कुमार, फ्लैट संख्या-A-33, फर्स्ट फ्लोर, पार्सवनाथ सिटी फैज़ाबाद रोड, तिवारीगंज, लखनऊ, पिन कोड - 226028 फ़ोन-8299500936 ने सी.पी.आई.ओ. उ.क्षे.1 फरीदाबाद से आर. टी. आई. अधिनियम -2005 के अंतर्गत जानकारी मांगी थी। सी.पी.आई.ओ. उ.क्षे.1 ने अपने पत्र सं.पावरग्रिड / उ. क्षे.1/आर. टी.आई./1923/1973 दिनांक 01.12.2020 के द्वारा मांगी गई जानकारी सूचना का अधिकार अधिनियम 2005-के नियमानुसार प्रदान किया।

अब श्री अशोक कुमार ने प्रथम ऑन लाइन अपील पत्र पंजीकरण संख्या PGCIL/A/E/20/00063 दिनांक 07.12.2020 के तहत प्रथम अपील अधिकारी को अपील की है। अपीलकर्ता ने मांगी गई जानकारी प्रदान करने के लिये प्रार्थना कि है क्योंकि अपीलकर्ता के अनुसार सी पी.आई. ओ, उ.क्षे.1 के द्वारा प्रदान की गई जानकारी तर्कसंगत नहीं है एवं संतुष्ट नहीं है।

श्री अशोक कुमार के उपरोक्त आर. टी. आई प्रार्थना पत्र, अपील पत्र एव. सी. पी. आई ओ. के पत्र दिनांक 01.12.2020 का अध्ययन करने के उपरांत इस निष्कर्ष पर पहुंचे है कि सी. पी. आई. ओ उ. क्षे.1 द्वारा दी गई जानकारी वर्तमान रिकार्ड/दस्तावेजों के अनुसार सम्बंधित कार्यालय से प्राप्त कर दिया गया है जो कि तर्कसंगत है। जहा तक पालिसी का सवाल है इंडियन इलेक्ट्रिसिटी एक्ट एवं भारतीय तार अधिनियम का जिकर किया गया है और पावरग्रिड ESPP Appendix -XV (Tree and Crop Compensation Procedure) के पेज 58 एवं 59 संलग्न है। इसलिए अपीलकर्ता ने जो कहा गया है कि दी गई जानकारी तर्कसंगत नहीं है और वह संतुष्ट नहीं है वह सही नहीं है और इस अपील को बंद किया जाता है।

[डी. के. सिंह]

कार्यपालक निदेशक निदेशक, उ.क्षे .1 एवं प्रथम अपीलीय प्राधिकारी  
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### प्रतिलिपि :

1. श्री अशोक कुमार, फ्लैट संख्या-A-33, फर्स्ट फ्लोर, पार्सवनाथ सिटी फैज़ाबाद रोड, तिवारीगंज, लखनऊ, पिन कोड - 226028 फ़ोन-8299500936 : आपके अपील पत्र दिनांक 07.12.2020 के संदर्भ में।
2. श्री आदर्श श्रीवास्तव, वरि. महाप्रबंधक(पी .ई .एस .एम) एवं अधिकृत सी पी आई ओ, उ.क्षे.1: सूचना एवं रिकार्ड हेतु।
3. महाप्रबंधक (सतर्कता) उ. क्षे.1: सूचनार्थ।



पावरग्रिड

## **TREE AND CROP COMPENSATION PROCEDURES**

### **Statutory Requirements:**

As per the statutory requirements (IS-5613, Part 3, 1989) all the trees and bushes, including saplings coming in the ROW limit i.e. clearance belt of transmission lines must be cut and removed. The procedure for clearing of trees and crops is as illustrated below.

In exercise of the powers vested with Power Grid Corporation of India Limited (POWERGRID) under Indian telegraph Act 1885, part 3, section 10 to 19 conferred under section 164 of the Electricity Act 2003 through Gazette by India, extra ordinary dated 24th Dec. 2003, has the authority to place and maintain transmission lines under over along or across and posts in or upon, any immovable property. As per the provisions of Indian Telegraph Act 1885 Part III Section 10 (b) which prohibits acquisition of any rights other than that of use only, land for tower and right of way is not acquired and agricultural activities are allowed to continue. However, as per clause 10 (d) of same act stipulates that the user agency shall pay full compensation to all interested for any damages sustained during the execution of said work. Accordingly, POWERGRID pays compensation to land owners towards damages if any to trees or crop during implementation of transmission project as well as during Operation and maintenance phase. The procedure followed for such compensation is as follows:

POWERGRID follows the principle of avoidance, minimization and mitigation in the construction of line in agricultural field having crop due to inherent flexibility in phasing the construction activity and tries to defer construction in cropped area to facilitate crop harvesting. However, if it is unavoidable and is likely to affect project schedule, compensation is given at market rate for standing crops. All efforts are also taken to minimize the crop damage to the extent possible in such cases. As regards trees coming in the Right Of Way (ROW) following procedure is adopted for enumeration:

All the trees which are coming within the clearance belt of ROW on either side of the center line are identified and marked/numbered from one AP to the other and documented. Type, Girth (Measured 1 m. above ground level), approximate height of the tree is also noted for each tree. Trees belonging to Govt., Forest, Highways and other local bodies may be separately noted down or timely follow up with the concerned authorities for inspection and removal. Cashew, Guava, Lemon and other hybrid trees which are not of tall growing nature are not marked for cutting since these trees can be crossed using standard tower extensions if required.

A notice under Indian Telegraph Act is served to the landowners informing that the proposed transmission line is being routed through the property of the individual concerned. The notice

shall contain the particulars of the land, ownership details and the details of the trees/crops inevitably likely to be damaged during the course of the construction of the proposed transmission line and acknowledgement received from land owner. A copy of said notice is further issued to the Revenue Officer, who has been authorized by the State Govt. for the purpose of assessment/valuation and disbursement of compensation to the affected parties.

The revenue officer shall further issue a notice of intimation to the concerned landowner and inspect the site to verify the documents related to the proof of ownership and a detailed Mahazer is prepared for the identified trees and crops inevitably damaged during the course of the construction. For assessing the true value of timber yielding trees help of forest officials is taken and for fruit bearing trees help of Horticulture department is taken.

The Mahazer shall contain the land owner details type of tree/crop, its present age, variety, yielding pattern etc. and the same is prepared at site in the presence of the land owner. These Mahazers are further compiled and a random verification is conducted by the concerned District Collector or his authorized representative in order to ascertain the assessment carried out by the revenue office is genuine and correct. After this process the District collector issues a tree cutting permit to Power Grid Corporation to enable removal / damage to the standing tree/crop identified in the line corridor.

Once the tree/crop is removed / damaged, POWERGRID shall issue a tree cutting/crop damaged notice to the land owner with a copy to the Revenue Officer to process the compensation payment. Based on the above the compensation payment is generated by means of a computerized programme developed by the National Informatics Center exclusively for this purpose. The detailed Valuation statement thus generated using this programme is verified at various levels and approval of payment of compensation is accorded by the concerned District Collectors.

On approval of compensation, the revenue officer shall further intimate the amount payable to the different landowners and POWERGRID arranges the payment by way of Demand Draft to the affected parties. The payment is further disbursed at the local village office after due verification of the documents in presence of other witnesses.

#### **Procedure exclusively followed in Kerala State:**

Due to typical demography of Kerala state and presence of several orchards of Coconut and Rubber, State government in consultation with Kerala State Electricity Board (KSEB) have devised a formula for arriving the compensation which is as follows:

Compensation = yield X constant factor X average market value X future age.

The constant factor is to arrive the net return component for the particular variety of tree in line with the annuity ratio slab prescribed for the balance life of the tree.