



पावर ग्रिड कारपोरेशन ऑफ इंडिया लिमिटेड

(भारत सरकार का उद्यम)

POWER GRID CORPORATION OF INDIA LIMITED

(A Government of India Enterprise)



पावरग्रिड

दक्षिणी क्षेत्र पारेषण प्रणाली - II क्षेत्रीय मुख्यालय, आर.टी.ओ. ड्राइविंग टेस्ट ट्रैक के पास
सिंहनायकनहल्ली, येलहंका होब्ली, बेंगलूरु - 560 064. दूरभाष : 080-23093700.

Southern Region Transmission System - II RHQ., Near RTO Driving Test Track, Singanayakanahalli
Yelahanka Hobli, Bangalore - 560 064. Phone : 080-23093700

Registered Post- Acknowledgement Due

Ref: SR-II: RTI: F-691:2018/1270

Date:10th May, 2018

To

Shri G.Basavaraja,
Prl.District and Sessions Judge,
Chamarajanagar
Chamarajanagar District

Sub: Your RTI Appeal- reg.

Sir,

This has reference to your appeal dated 06/04/2018 under RTI Act, 2005 received at this office on 12/04/2018 against the CPIO reply dated 26/02/2018. I have gone through your appeal and reviewed the reply given by the CPIO of POWERGRID Southern Region-II. It is found that the CPIO has furnished the information based on the records and also provided the same within the time frame stipulated under RTI Act, 2005 i.e. your initial RTI request dated 31/01/2018 received at the office of CPIO on 05/02/2018.

However, pointwise reply to the above appeal is furnished as **Annexure-I**.

Thanking you,

Yours faithfully,


(R.K.Singh)

Executive Director (SRTS-II)

Appellate Authority

e-mail : sr2edo@powergrid.co.in

Tel.No.: 080-23093701

Encl.: As above

स्वहित एवं राष्ट्रहित मे ऊर्जा बचाएं Save Energy for the Benefit of Self and Nation

पंजीकृत कार्यालय : बी-9, कुतब इंस्टीट्यूशनल एरिया, कटवारिया सराय, नई दिल्ली - 110 016. दूरभाष : 26560112. फैक्स : 011-26601081

कारपोरेट कार्यालय : प्लॉट सं: 02, सेक्टर-29, इफको चौक के पास, गुडगांव (हरियाणा)-122001. फैक्स : 0124-251760

Registered Office : B-9, Qutab Institutional Area, Katwaria Sarai, New Delhi - 110 016. Phone : 26560112. Fax : 011-26601081. Grams : NATGRID

Corporate Office : PLOT No. : 02, Sector-29, Near IFFCO CHOWK, GURGAON (HARYANA) - 122001 Fax : 0124-251760 EPABX : 0124-251700-719

CIN:L40101DL1989GOI038121

Reply to Q.No.1:

POWERGRID has obtained prior approval of the appropriate Government to install the over head lines under section 68 of Electricity Act 2003 (i.e.) Government of India, Ministry of Power vide letter Ref. No.52/11(PGCIL)/2015-PSPA-II/142-143 dt.23.02.2016 and the same was furnished as Annexure-I(a) to the reply of CPIO dated 26/02/2018.

Reply to Q.No.2:

Central Electricity Authority, Ministry of Power, Power System Planning & Appraisal, Sewa Bhawan, R.K.Puram, New Delhi - 66

Reply to Q.No.3:

The above said employees have been working in the execution of 400KV Pavagada – Hiriyyur D/C line at Pavagada end.

Reply to Q.No.4:

POWERGRID has not acquired the land in Sy.No.245/1,248 and 185 of Metikurke village, Hiriyyur Taluk, Chitradurga District. Land acquisition, Rehabilitation and Resettlement act,2013 are not applicable for placing of power transmission lines /towers.

Reply to Q.No.5:

a) For Query no.6 of application dt.31.01.18 :

POWERGRID has not acquired the land in Sy.No.245/1,248 and 185 of Metikurke village, Hiriyyur Taluk, Chitradurga District.

b) For Query no.7 of application dt.31.01.18:

POWERGRID has not acquired the land in Sy.No.245/1,248 and 185 of Metikurke village, Hiriyyur Taluk, Chitradurga District.

c) For Query no.8 of application dt.31.01.18:

i) All the employees mentioned in the application are working in Power Grid Corporation of India Ltd.,

ii) Sh.V.Hari Babu , Sr.Engineer, Sh.K.Mani, Chief Manager, Sh.P.Manju Nath Prabhu, Jr Engineer, Sh.G.Srinivas Rao, Chief Manager.

Reply to Q.No.6:

a) Obtaining approval from Government of India, Ministry of Power for the project.

b) Publication of project details (in brief) in Local and National News paper.

c) Obtaining compensation assessment order from respective Dy.Commissioner/District Collector for releasing compensation to the affected land owners towards transmission tower footing and transmission line corridor.

Reply to Q.No.7:

a) POWERGRID is having rights for placing and maintaining electrical lines or electrical plant under, over, along or across, posts in or upon any immovable property for the transmission of electricity under Part-III of the Indian Telegraph Act 1885.

b) POWERGRID has not acquired any land nor is required to acquire lands for placing/installing overhead lines on any type land. Land acquisition, Rehabilitation and Resettlement Act, 2013 are not applicable for placing of Transmission lines /towers.

Reply to Q.No.8:

The RFCTLARR Act is applicable only to land acquisition, whereas POWERGRID has not acquired any land nor is required to acquire lands for placing of transmission towers /lines.

Reply to Q.No.9:

Electricity Act, 2003 and Indian Telegraph Act, 1885 are the statutes applicable to Power Transmission Lines. Prior approval under section 68 (1) of Electricity Act, 2003 has been obtained. POWERGRID has not acquired any land nor is required for placing/installing overhead lines on any type of land. Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013 is not applicable for construction of Transmission lines. Hence no violation.

Reply to Q.No.10:

POWERGRID has not acquired any land for placing/installing overhead lines and hence no fund was allotted for land acquisition.

Reply to Q.No.11:

This is POWERGRID's project under execution. The agency M/s.KRRTPL's representatives are executing the work as per the contract agreement with Power Grid Corporation of India Ltd. As there is 'No Land Acquisition' involved in the process, the question of issuing Notification and passing of award does not arise.

Reply to Q.No.12:

The reply forwarded vide letter dt.26.02.18 by POWERGRID is correct.

Reply to Q.No.13:

a)For Query no.17 of application dt.31.01.18 : POWERGRID employees are not Public Servants

b)For Query no.18 of application dt.31.01.18 : Power Grid corporation of India Limited having its Registered Office at New Delhi is a Government of India Enterprise under Ministry of Power.

**BEFORE THE EXECUTIVE DIRECTOR (SRTS-II) POWER GRID
CORPORATION OF INDIA LIMITED-CUM-1ST APPELLANT
AUHTOIRTY CONSTITUTED UNDER RIGHT TO INFORMATION
ACT, 2005**

APPEAL NO. /2018

APPELLANT:

G.Basavaraja
Prl.District and Sessions Judge,
Chamarajanagar
Chamarajanagar District

Vs.


RESPONDENT:

The DGM & CPIO
Power Grid Corporation of
Indian Limited
Southern Region Transmission
System-II RHQ.,
Near RTO Driving Test Track,
Singanayakanahalli
Yelahanka Hobli,
Bangalore-560 064

I N D E X

- (1) Memorandum of appeal filed under Section 19 of Right To Information Act, 2005.
- (2) List of documents with copy of documents.
- (3) Copy of Memorandum of appeal.

Date: 06.04.2018
Place: Chamarajanagar


Appellant

Sh. Senthil
PI sent to
DAM (STA)
11/04/18



11.11.11

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BY RPAD

**BEFORE THE EXECUTIVE DIRECTOR (SRTS-II) POWER GRID
CORPORATION OF INDIA LIMITED-CUM-1ST APPELLANT
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Bangalore-560 064**

**The Memorandum of appeal filed under Section 19 of the Right To
Information Act, 2005**

The appellant beg to submit as under:

The appellant has sought for information from the respondent by filing application under Section 6(1) and 7 of Right To Information Act, 2005. The copy of the application is enclosed herewith, which is shown as Annexure-“A”.

The application was submitted through the Registered Post with acknowledgement due and the same was duly served to the respondent. The respondent has furnished the reply vide Letter No. SR-II:RTI:F-691:2018/1140 – 77238 dated 26.02.2018. This letter was sent to the appellant's old address, but subsequently he has promoted as Prl.District and Sessions Judge, Chamarajanagar and hence same was redirected to the address Prl.District and Sessions Judge, Chamarajanagar. That on

08.03.2018, the appellant has received this information furnished by the respondent. The copy of the covering letter and reply furnished by the respondent are herewith produced as Annexure-“B”.

1. The respondent has not furnished information within 30 days from the date of receiving application. The respondent has not furnished proper information as to the information sought by the appellant. The appellant has sought for information obtained by the appropriate Government to install the overhead lines under Section 68 of Electricity Act, 2003. But they have not furnished the permission obtained by the appropriate Government to install the overhead lines under Section 68 of Indian Electricity Act, 2003., in the land situated in Hiriyr Taluk.
2. The respondent has not furnished as to the appointment of Chief Electrical Inspector appointed by the appropriate Government under Section 162 of Indian Electricity Act, 2003, simply it is stated that Central Electricity Authority. The appointment order not furnished.
3. The respondent has not furnished the name and address of all the employees working in Power Grid Corporation of India, Pavagad. They have furnished only the name of Chief Manager K.Mani, and Sr.Engineer Prakashayya and Jr. Engineer Sudhir.
4. With regard to item No.5 of the application of Annexure-“A”, the appellant had sought for information as to whether the Power Grid Corporation of India has acquired the land Sy.No.245/1, 248 and 185 of Metikurike village, Hiriyr Taluk, Chitradurga District under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and

Resettlement Act, 2013. But the respondent has furnished false information in this regard. For the reason that, the respondent has referred the decision reported in 2016 SCC Online SC 1534 and furnished the copy of the order under Section 164 issued by Ministry of Power, The Gazette of India, EXTRAORDINARY No.1148 dated 24.12.2003. This information is misleading one. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 came into force on 01.01.2014. This decision of Hon'ble Apex Court was pertaining to the dispute prior to commencement of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The decision of Hon'ble Apex Court and the Gazette Notification dated 24.12.2003 are not after commencement of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. That in order to mislead the appellant, the respondent has furnished false information.

5. For queries as to the information item No.6 to 8, he has referred the same, which is not applicable to the case on hand.
6. With regard to item No.9 of Annexure-"A" is concerned, he has referred again query No.1, which is not applicable.
7. With regard to item No.10 is concerned, again he has referred the reply query No.5, which is not applicable and same is not proper.
8. With regard to item No.11 is concerned, the respondent has furnished the false reply, which is against to the enactment passed by the Central Government.

9. With regard to item No.12 is concerned, though they have violated the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, they have stated that there is no violation, which is not correct.
10. With regard to item No.13 is concerned, they have not furnished proper reply as the respondent has referred the reply to query No.5, which is not applicable to the case on hand.
11. With regard to item No.15 is concerned, again he has referred reply Sl.No.1, which is not applicable to the case on hand.
12. The Indian Electricity Rules are framed, but it is stated that there is no such rules as Electricity Rules, 2006, which is not correct.
13. The respondent has not furnished the information as to the item No.17 and 18 sought by the appellant and he has not assigned any reasons for not furnishing the information as to item No.17 and 18, shown in Annexure-“A”.

The respondent willfully has suppressed the real facts of the case and he has not furnished proper information as sought by the appellant.

Therefore, it is respectfully prayed that this Hon'ble authority may kindly be pleased to direct the respondent to furnish proper information as sought by the appellant under Annexure-“A” and allow this appeal with exemplary cost and take necessary legal steps against the respondent as he has furnished false information.

Date: 06.04.2018
Place: Chamarajanagar


Appellant

**BEFORE THE EXECUTIVE DIRECTOR (SRTS-II) POWER GRID
CORPORATION OF INDIA LIMITED-CUM-1ST APPELLANT
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Yelahanka Hobli,
Bangalore-560 064**

List of documents filed on behalf of Appellant

- (1) Copy of the application filed under Section 6(1) of Right To Information Act, 2005 – Annexure-“A”.
- (2) The reply copy of the covering letter with documents furnished by the respondent- Annexure-“B”.

Date: 06.04.2018
Place: Chamarajanagar


Appellant

