

Through RPAD

FIRST APPEAL UNDER SECTION 19(1) OF THE R.T.I. ACT, 2005

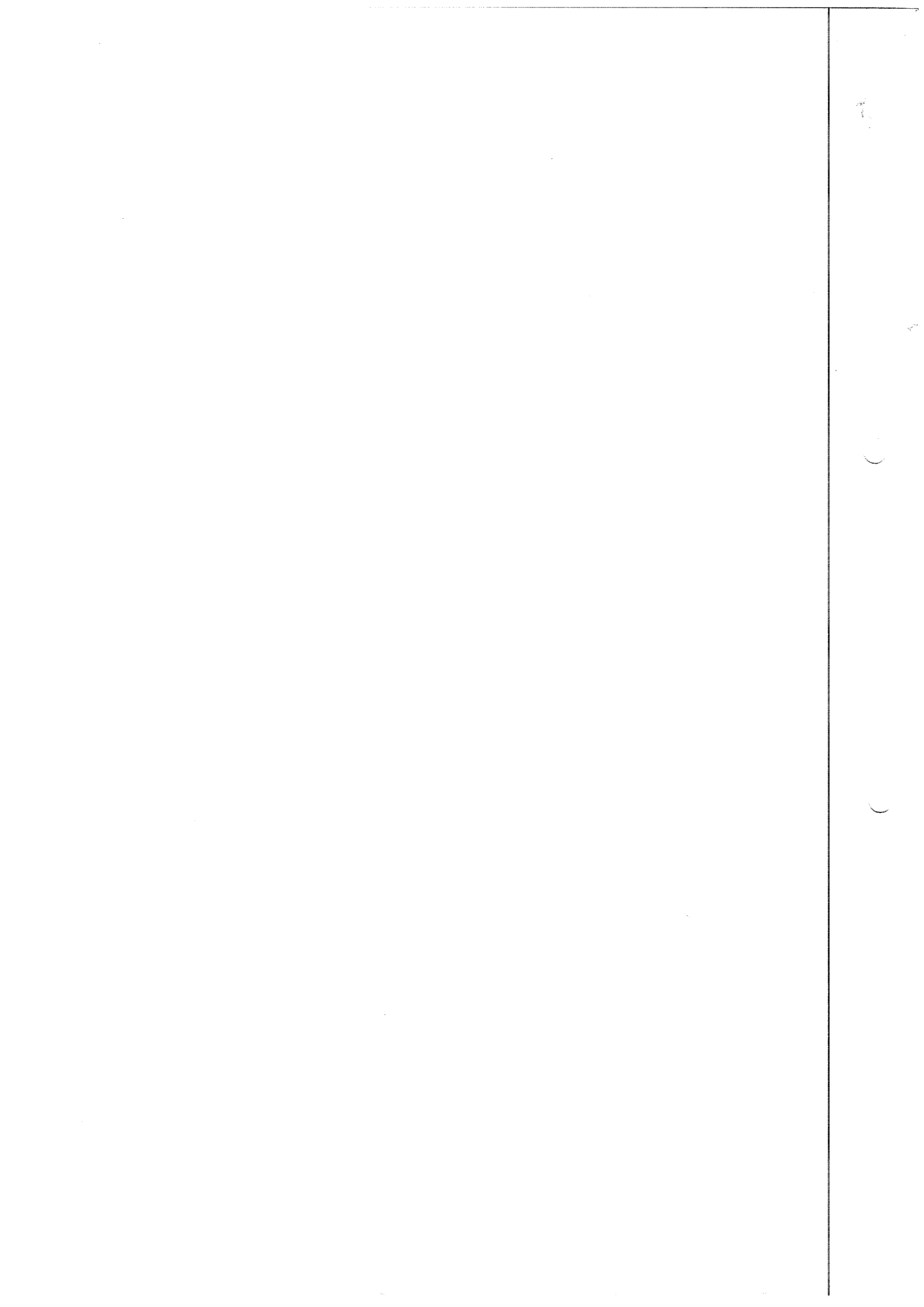
1)	To,	Sri. S.Ravi, First Appellate authority/ Executive Director, Power Grid Corporation of India Limited., SRTS-II, Singanayakanahalli, Yelahanka Hobli, Bengaluru 560 064.
2)	Name and Address of the Appellant	Rachana.S D/o Sachidananda R/at "Arunodaya Nilaya" B.L.Gowda Nagar, Hiriyur, Hiriyur Taluk, Chitradurga District.
3)	Particulars of the PIO. a) Name b) Address	The Public Information Officer/ Power Grid Corporation of India Limited RTO road, Siganyakanahalli, Yelahanka, Bengaluru-560064
4)	Details of the information sought under Section 6(1)	Attached as Annexure-A
5)	Particulars of the Applicant fee.	Indian Postal order number: 50F 542472 , 13/08/2020
6)	Date of submission of application for seeking information.	02-11-2020
7)	Reason for Appeal.	Attached as Memorandum of appeal under Section 19 of RIGHT TO INFORMATION ACT, 2005 by the appellant for not furnishing false information and suppression of material facts. Hence, this appeal.

Therefore, it is respectfully prayed that this Hon'ble Authority may kindly be pleased to:

Direct the respondent to furnish full particulars as sought by the appellant in the Memorandum of appeal and allow this appeal as it is very necessary in the interest of justice.

Place: Hiriyur
Date: 30-12-2020

Rachana.S
Signature of the Appellant



**BEFORE THE EXECUTIVE DIRECTOR (SRTS-II),
POWER GRID CORPORATION OF INDIA LTD.,
SINGANAYAKANAHALLI, YELAHANKA HOBLI,
BANGALORE-560064 AND FIRST APPELLATE
AUTHORITY CONSTITUTED UNDER RIGHT TO
INFORMATION ACT, 2005**

APPELLANT	.VS.	RESPONDENT
S. Rachana D/o S. Sachidananda Advocate, R/at Arunodaya Nilaya, B.L.Gowda Nagar, Hiriyur, Hiriyur Taluk, Chitradurga District rachanaproponent@gmail.com Mobile No.7760287964		Senior General Manager & CPIO M/s Power Grid Corporation of India Limited Southern Region Transmission System II RHQ, Near RTO Driving Test Track, Singanayakanahalli, Yelahanka Hobli, Bengaluru-560064 sr2cpio@powergrid.co.in Tel.No. 080 23093711

**MEMORANDUM OF APPEAL UNDER SECTION 19 OF
RIGHT TO INFORMATION ACT, 2005 BY THE
APPELLANT**

The appellant begs to submit as under:

1. The appellant has sought for information from the respondent vide Annexure – A dated 02-11-2020.
2. The respondent has furnished the information as per letter dated 07-12-2020 which is shown as Annexure B is not in accordance with Annexure – A.

3. Annexure B particulars are incomplete and incorrect with regard to the following items:

i. The appellant has sought for information as to whether the respondent has awarded any compensation to the owner of land bearing Sy.No.185, which is shown as Section 48/3, 48/4 & 48/5, Tamarind Trees, Neem Trees, Beri Trees, Honge Trees, Jungu Trees and other trees. But the respondent has not furnished any information in this regard.

ii. The appellant has sought for information as to whether the respondent company has obtained the valuation report from Department of Forest/Horticulture as to the market value of the trees situated in the land bearing Sy.No.185 of Metikurke Village, Hiriya Taluk, Chitradurga District, but the respondent has not furnished any particulars in this regard.

iii. The appellant has sought for information as to whether the respondent company has passed any award for destruction of bund and formation of road by destroying crops and trees in the land bearing Sy.No.185 of Metikurke Village, Hiriya Taluk, Chitradurga District, but the respondent has furnished false information that no bunds are destructed and no road was formed. However, it is stated that crop compensation was paid. For which crop, compensation was paid, how many acres

crop was standing at the relevant point of time are not furnished by the respondent.

iv. The appellant has sought for information as to whether the respondent has obtained any permission from the Court to erect electric wire in land bearing Sy.No.185. In this regard the respondent has furnished information that transmission line was constructed under prior approval by the Ministry of Power, Government of India vide Ref.52/11(PGCIL)/2015-PSPA-II/142-143 dated 23-02-2016 under Section 68(1) of Electricity Act, 2003 (Annexure-A). But in the Annexure - A as mentioned in the letter dated 07-12-2020, there is no reference as to Sy.No.185 of Metikurke Village, Hiriyr Taluk, Chitradurga District. The respondent has not furnished any information as to permission from the Court to erect electric wire in land bearing Sy.No.185. Smt. R. Kathyamma has filed the suit before the Civil Judge, Hiriyr against the respondent company and others and she has also obtained injunction order. Therefore, the appellant has sought this information, but the respondent has not furnished any information in this regard.

v. The respondent has furnished information pertaining to Sl.No.5 as shown in Annexure - A that no tower is installed in Sy.No.185, but this information is false. Further information furnished by the respondent is that Rs.2,22,500/- awarded for corridor compensation ,

but extension of corridor area is not furnished by the respondent. In Annexure - B the respondent has stated that Power Grid has only "USER RIGHT" and "No acquisition of land" is involved in the process of construction of transmission line/tower which comes under The Electricity Act, 2003 and Indian Telegraph Act, 1885. This information is false and also against the provision of Sec.105 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. In Fourth Schedule under Sec.105 of this Act, Electricity Act, 2003 is inserted. Therefore, Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 is applicable to Electricity Act, 2003, but the respondent has given false information in this regard.

vi. The appellant has sought for information as to whether owner of the land bearing Sy.No.185 can grow any plant or tree in this corridor area. In this regard, the respondent has furnished the information that the required electrical clearance is available as per Central Electricity Authority (Measures relating to safety and electric supply) Regulations, 2010 is to be strictly adhered to. But the respondent has not furnished any regulations. The respondent has not disclosed the correct information to the question shown in Sl.No.6 of Annexure - A., which is against to Right to Information Act, 2005.

vii. With regard to Sl.No.7 of Annexure A is concerned, the respondent has furnished information that fence is not destructed, but in this regard also the respondent has furnished false information that though the Power Grid Company has destructed barbed fence erected in land bearing Sy.No.185 of Metikurke Village, they have furnished false information in this regard.

viii. With regard to Sl.No.8 of Annexure - A is concerned, the respondent has furnished information that notice issued for land bearing Sy.No.185 vide Notice No.1926 and the notice copy enclosed as Annexure - B. But the respondent has not furnished the information about mode of service of notice and in the said notice, number of trees are also not mentioned, name of tree and crop is also not mentioned, proper age of tree is also not mentioned, garth and height of tree and area of crop and other information is not furnished, but in column No.6 - List of trees to be cut, it is stated that "corridor compensation shall be paid after joint venture of measurement as per DC order." Though the respondent has not issued any notice to the owner of the land, has falsely stated that the company has issued the notice which is not correct.

ix. In respect of Sl.No.9 of Annexure - A is concerned, the survey sketch issued by the respondent is not signed by the concerned authority, on which date the survey was

conducted, who has conducted this survey, whether survey was conducted in the presence of owner of land and name and address of contractor, supervisor, workers, who have erected the electric wire in corridor area has not been furnished by the respondent. But he has simply stated with regard to Sl.No.9 of Annexure - A that M/s KRRTPPL engaged as contractor. Survey Sketch enclosed as Annexure-C. But the respondent has not furnished information as sought in Sl.No.9 of Annexure - A.

x. With regard to Sl.No.10 of Annexure - A is concerned, the appellant has sought for information regarding name and address of officer, who has conducted the survey in Sy.No.185 of Metikurke Village, Hiriyyur Taluk, Chitradurga District, it is stated that M/s Power Grid Corporation of India Ltd., Hiriyyur has conducted survey along with Revenue Officials. But name and address of the officers, who have conducted survey has not been furnished.

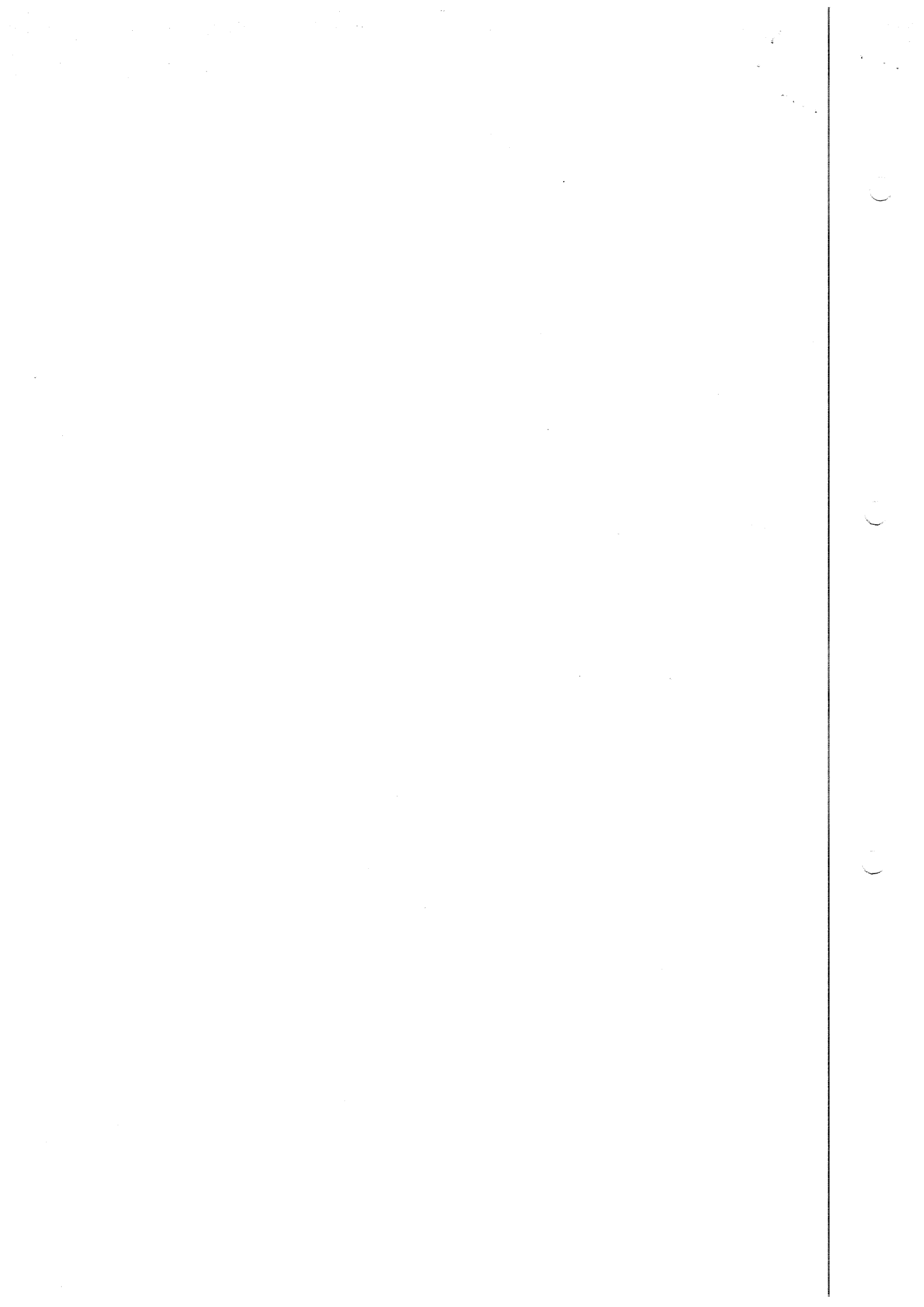
xi. With regard to Sl.No.11 of Annexure - A is concerned, the appellant has sought for certified copy of mahazar if any drawn by the respondent or Revenue Authority or Department of Horticulture and Forest Department, but in this regard the respondent has furnished information that mahazar/survey sketch enclosed as Annexure - C.

For the aforesaid reasons, the respondent has failed to comply the mandatory provisions of Right to Information Act, 2005. The respondent has suppressed the material facts which is against to law. The respondent has furnished false information in some of Serial Numbers which are shown above. Without following relevant Act and Rules, the respondent has furnished false information which amounts professional misconduct.

Therefore, it is respectfully prayed that this Hon'ble Court may kindly be pleased to direct the respondent to furnish the correct, proper and legal information to the appellant as per relevant Act and Rules. Further it is prayed that this Hon'ble Court may kindly be pleased to take suitable legal action against the respondent for furnishing false information in serial numbers above and also for suppression of material facts and allow this appeal as it is very necessary in the interest of justice, equity and good conscious.

Place: *Hiriyur*
Date: *30/12/2020*

Rathana.S
Appellant



RTI Application Form
FORM 'A'
See Rule 3(1)

I. D. No.....
(For Office Use Only)

To
The Public Information Officer/
Power Grid Corporation of India Limited
RTO Road, Singanayakanahalli
Yelahanka, Bengaluru - 560064

1.Full Name of The Applicant : S. Rachana
2.Father Name/Spouse Name : D/o S. Sachidananda
3.Permanent Address : Advocate
R/at "Arunodaya Nilaya"
B.L.Gowda Nagar, Hiriyyur,
Hiriyyur Taluk, Chitradurga District.
rachanaproponent@gmail.com
Mobile No.7760287964
4.Correspondence Address : As above
5.Particulars of the Information Solicited
a) Subject Matter of Information :

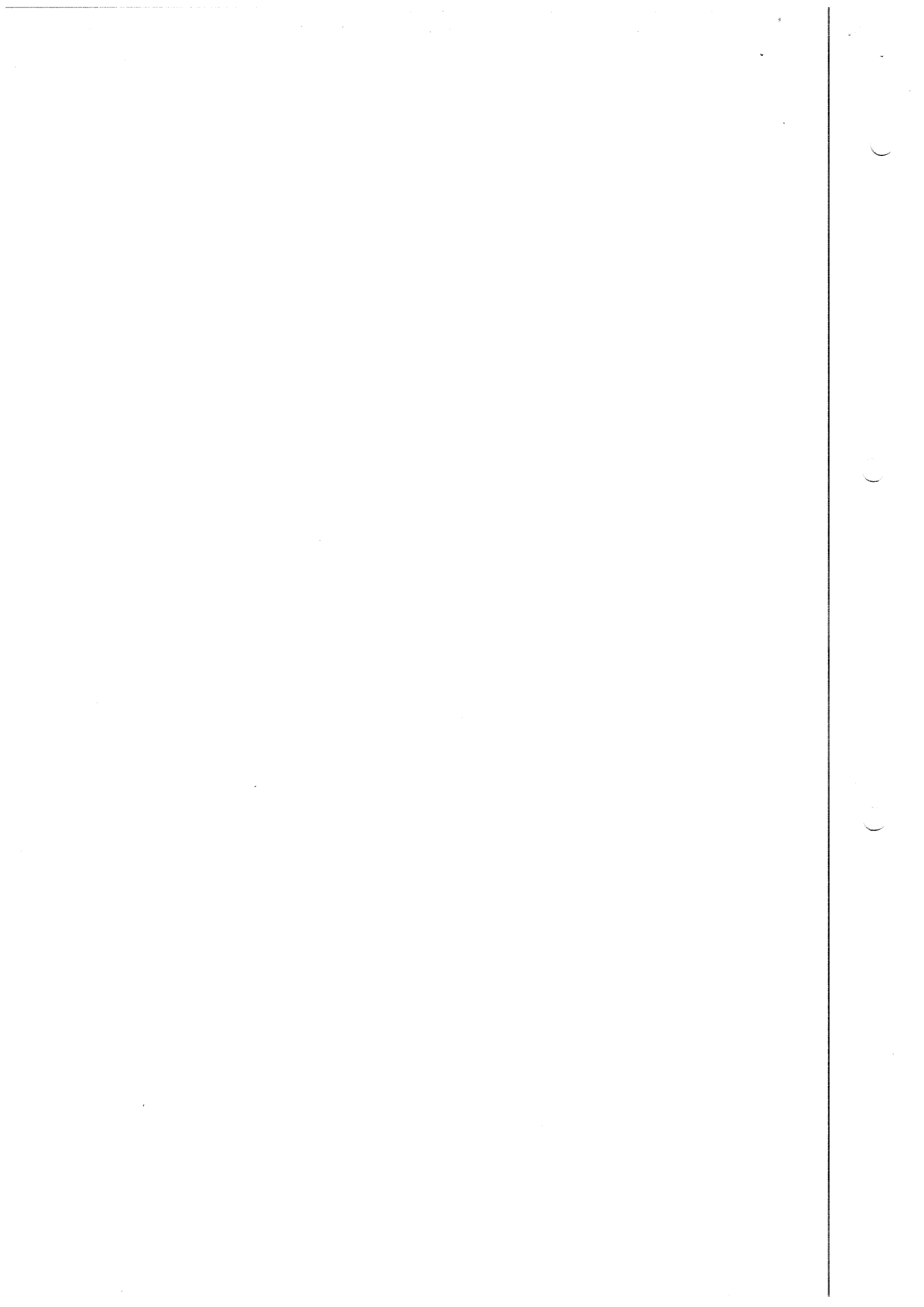
1. Whether your Corporation has awarded any compensation to the owner of land bearing Sy.No.185 which is shown as Section 48/3, 48/4 & 48/5, Tamarind Trees, Neem Trees, Beri Trees, Honge Trees, Jundu Trees and other trees? Furnish details in this regard. If not furnish reasons.
2. Whether your Corporation has obtained the Valuation Report from Department of Forest/Horticulture as to the market value of the trees situated in the land bearing Sy.No.185 of Metikurki Village, Hiriyyur Taluk, Chitradurga District?
3. Whether your Authority has passed any award for destruction of bund, destruction of trees situated in bund and formation of road by destroying crops and trees in the land bearing Sy.No.185 of Metikurki Village, Hiriyyur Taluk, Chitradurga District?
4. Whether you have obtained any permission from the Court to erect electric wire in land bearing Sy.No.185? If it is so, furnish details in this regard.
5. Furnish details as to award passed by your Authority in detail : (i) for installation of tower in Sy.No.185 of Metikurki Village, Hiriyyur Taluk, Chitradurga District (ii) Corridor compensation awarded in Sy.No.185 of Metikurki Village, Hiriyyur Taluk, Chitradurga District (iii) furnish extent of corridor acquired by your Authority and (iv) furnish the conditions for using corridor area acquired by your Authority?
6. Whether owner of the land bearing Sy.No.185 can grow any plant or tree in this corridor area. Furnish details in this regard.
7. Whether your company has granted any compensation for destruction of barbed wire fence and thrown fence erected to land bearing Sy.No.185 of Metikurki Village, Hiriyyur Taluk, Chitradurga District. Furnish the certified copies of the award made by your authority/Corporation as to the acquire of land for installation of tower or erection of electric wire in Sy.No.185 of Metikurki Village, Hiriyyur Taluk, Chitradurga District

8. Whether your Authority has issued any notice prior or after installation of Tower or Electric Wire in Sy.No.185 of Metikurki Village, Hiriyur Taluk, Chitradurga District? If it is so, furnish certified copy of notice.
9. Furnish the name and address of the contractor, supervisor, workers, who have erected the electric wire in corridor area at the instance of your company in Sy.No.185 of Metikurki Village, Hiriyur Taluk, Chitradurga District. Furnish the certified copy of survey sketch prepared by your company prior and after acquisition of land?
10. Furnish the name and address of the officer, who has conducted the survey in Sy.No.185 of Metikurki Village, Hiriyur Taluk, Chitradurga District
11. Furnish the certified copy of mahazar, if any, drawn by your authority or revenue authority or Department of Horticulture and Forest Department. Furnish details in this regard. If you have not conducted any mahazar and survey sketch, furnish necessary endorsement in this regard
- b) The period to which information relates : Mentioned above
c) Specific Details of Information required : Mentioned above
d) Whether information is required by Post : Information is required by post or in person (the actual postal fees shall be included in additional fee in providing the information)
e) In case by Post (ordinary/registered or speed post) : Registered Post with acknowledgement
- I am herewith enclosed Rs.10/- postal order towards the charges of above said copies.

Place: Hiriyur
Date: 02/11/2020

Rachana. S
Signature of Applicant

IPO No - 50F 542472
Date - 13/08/2020



Copy to: CoO (CPU - 1 copy)
: ED (Smart Grid)

Copy Sent

ED (C.P.)

21/02/16

9/10/15
DGM (C)

भारत सरकार
Government of India
विद्युत मंत्रालय
Ministry of Power
केन्द्रीय विद्युत प्राधिकरण
Central Electricity Authority



Annex



st. para Sh. Sathish
9/10/15

विद्युत प्रणाली योजना एवं परियोजना मूल्यांकन प्रभाग-II [ISO: 9001:2008]
Power System Planning & Appraisal -II-Division
सेवा भवन, रा. क. पुरम, नयी दिल्ली - 110066
Sewa Bhawan, R. K. Puram, New Delhi-110066

No. 52/11(PGCIL)/2015-PSPA-II/142-143

Dated: 23.02.2016

To
Chairman & Managing Director,
Powergrid Corporation of India Ltd.,
Plot No.2, Sector-29, Near IFFCO Chowk,
Gurgaon-122001

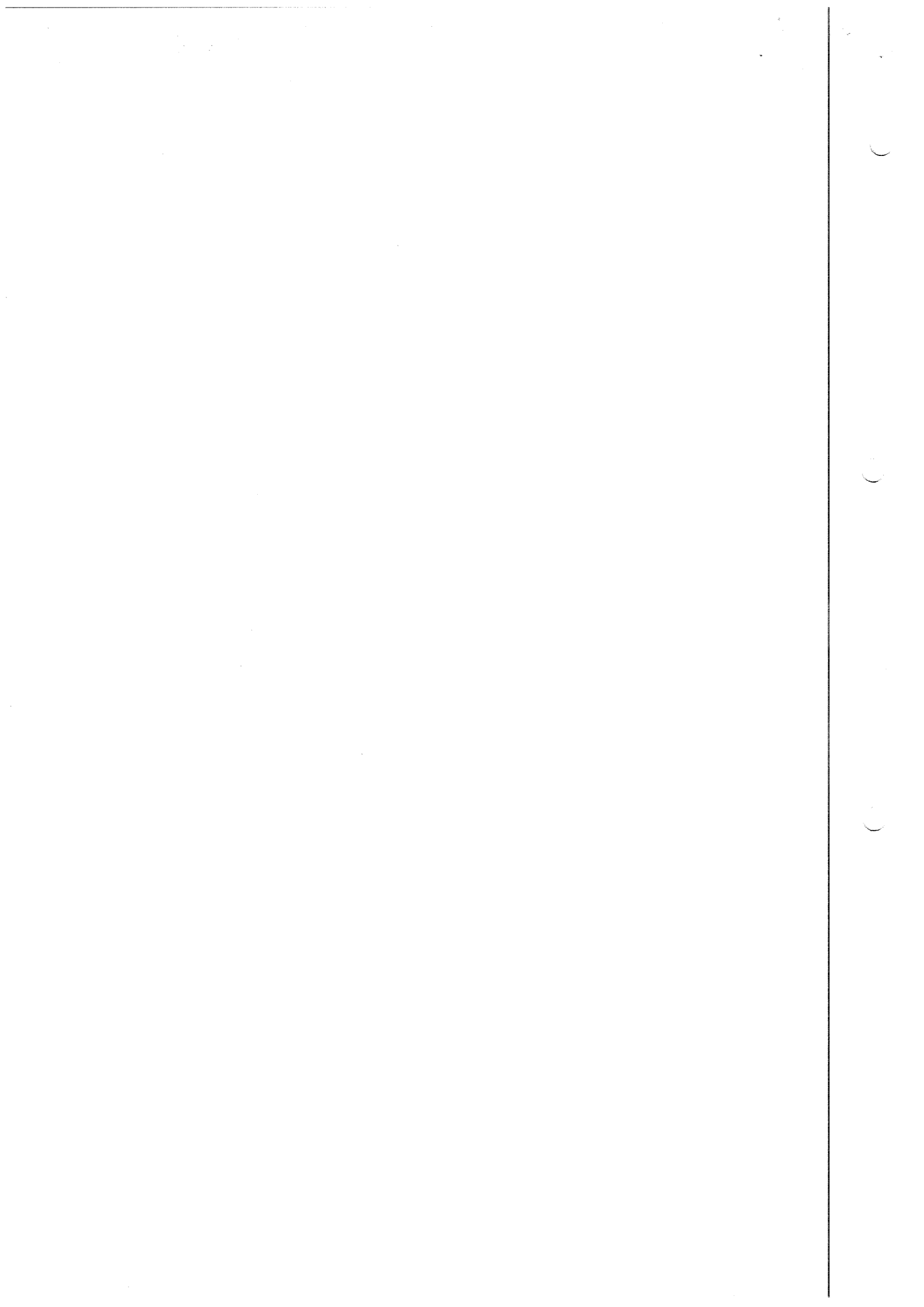
Subject: Prior approval of the government under section 68(1) of EA, 2003 for
a) "Transmission System for Ultra Mega Solar Park at Tumkur, Karnataka - Phase-I"
b) "Transmission System for Ultra Mega Solar Park at Tumkur, Karnataka - Phase-II" regarding.

Reference: PGCIL's letter no. C/C.P./MoP/Solar Park- Tumkur dated 11th January, 2016.

Sir,
This has reference to POWERGRID's letter no. dated 11th January, 2016 seeking prior approval of Government under Section 68(1) of Electricity Act, 2003 for their schemes:

- a) "Transmission System for Ultra Mega Solar Park at Tumkur, Karnataka - Phase-I"
- b) "Transmission System for Ultra Mega Solar Park at Tumkur, Karnataka - Phase-II" with following scope of works:

- A. Transmission System for Ultra Mega Solar Park at Tumkur, Karnataka - Phase-I:
 - (i) L.L.O of 400kV Goolya - Madhugiri D/c at Tumkur (Pavagada) Pooling station
 - (ii) L.L.O of 400kV Bellary Pool - Madhugiri D/c (Quad) both circuits (KPTCL line) at Tumkur Pooling station
 - (iii) Tumkur Pooling station - Hiriyut 400 kV D/c
 - (iv) 3x500 MVA, 400/220KV Pooling station at Tumkur
 - (v) 1x125MVA bus reactor at 400/220KV Tumkur Pooling station
 - (vi) 220kV Bays(8 Nos) at Tumkur PS for solar interconnection.



B. Transmission System for Ultra Mega Solar Park at Tumkur, Karnataka -Phase-II

- (i) Hiriya - Mysore 400 kV D/c line
- (ii) Tumkur Pooling station- Devanahally (KPTCL) 400kV D/c (Quad)
- (iii) Augmentation of 2x500 MVA, 400/220KV transformer at Tumkur Pooling station
- (iv) Third 400/220 kV, 1x500 MVA transformer at Madhugiri (new)
- (v) 1x125MVA bus reactor (2nd) at Tumkur Pooling Station
- (vi) 1x80 MVA switchable Line reactor at Mysore end of Hiriya- Mysore D/c line
- (vii) 220kV Bays (8 nos.) at Tumkur PS for Solar Interconnection.

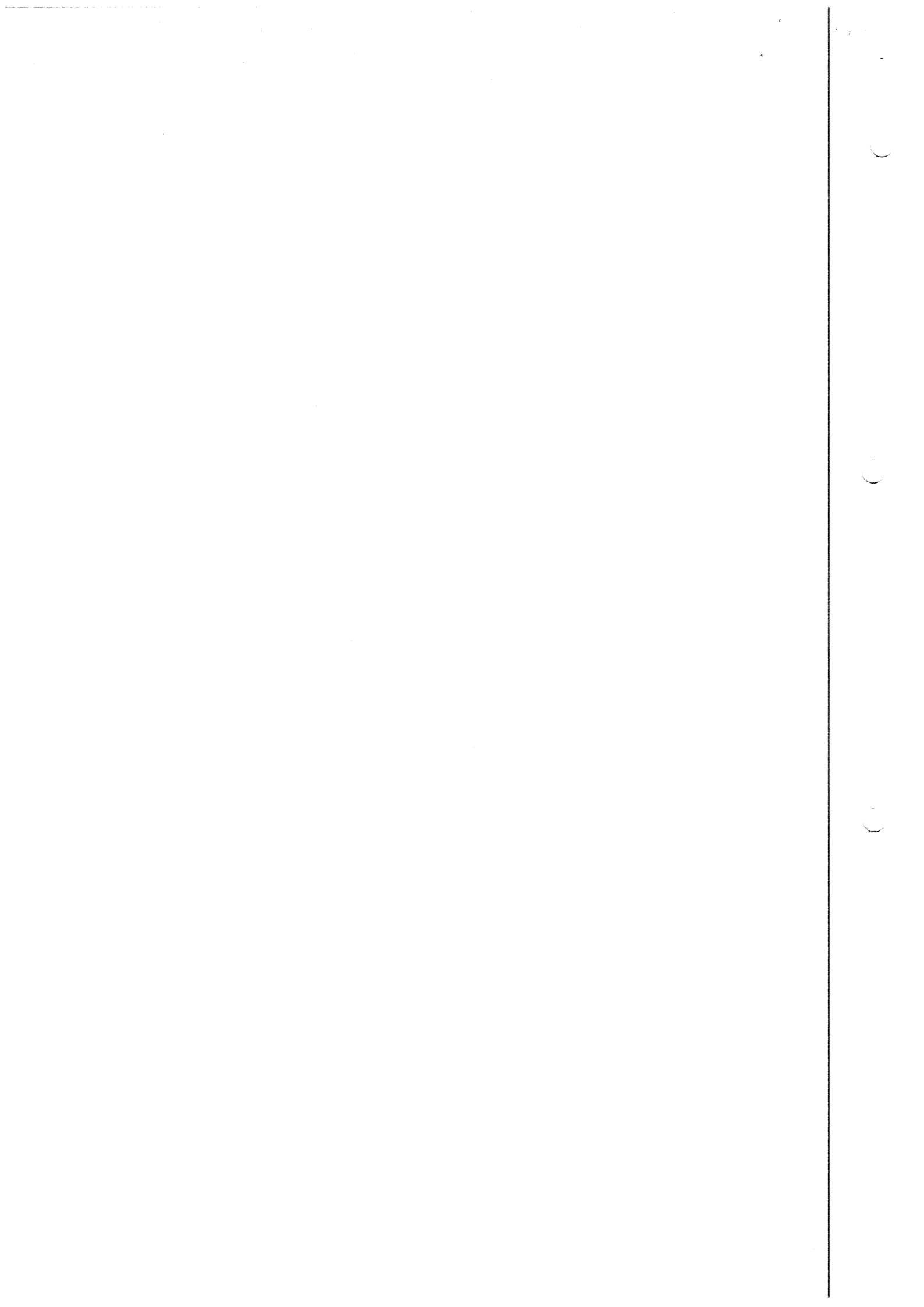
2. The above schemes and the scope of works were discussed in the 39th meeting of the Standing Committee on Power System Planning of Southern Region held on 28th - 29th December, 2015 in NRPC Committee room, Karwaria Sarai, New Delhi. However, in the same meeting the name of Madhugiri 765/400kV substation inter alia under the scope of SRSS-XII was agreed to be changed to Tumkur (Vasantnarsapur) 765/400kV substation in Tumkur taluk.

3. Considering above, CEA conveys the prior approval of Government under Section 68(1) of Electricity Act, 2003 to PGCIL for the schemes

- a) Transmission System for Ultra Mega Solar Park at Tumkur, Karnataka - Phase-I
- b) Transmission System for Ultra Mega Solar Park at Tumkur, Karnataka - Phase-II - with following scope of works:

A. Transmission System for Ultra Mega Solar Park at Tumkur, Karnataka - Phase-I

- (i) LILO of 400kV Gooty - Tumkur (Vasantnarsapur) D/c at Tumkur (Pavagada) Pooling station
- (ii) Tumkur (Pavagada) Pooling station - Hiriya 400 kV D/c (as part of Tumkur (Pavagada) Pooling station - Mysore line)
- (iii) LILO of 400kV Bellary Pool - Tumkur (Vasantnarsapur) D/c (Quad)(both circuits)[KPTCL line] at Tumkur (Pavagada) Pooling station
- (iv) 2x500 MVA, 400/220KV Pooling station at Tumkur(Pavagada)
- (v) 1x125MVA bus reactor at 400/220KV Tumkur (Pavagada) Pooling station
- (vi) 220kV Bays(8 Nos) at Tumkur (Pavagada) PS for interconnection with solar project



B. Transmission System for Ultra Mega Solar Park at Tumkur, Karnataka
Phase-II

- (i) Hiriur - Mysore 400 kV D/c line
- (ii) Tumkur (Pavagada) Pooling station- Devanahally (KPTCL) 400kV D/c (Quad)
- (iii) Augmentation of 2x500 MVA, 400/220KV transformer at Tumkur (Pavagada) Pooling-station
- (iv) 1x125MVAR bus reactor (2nd) at Tumkur (Pavagada) Pooling Station
- (v) Third 400/220 KV, 1x500 MVA transformer at Tumkur (Vasantnarsapur)
- (vi) 1x60 MVAR switchable Line reactor at Mysore end of Hiriur- Mysore D/c for each circuit.
- (vii) 8 nos. 220kV line Bays at 400/220kV Tumkur (Pavagada) PS for Solar Interconnection

5. This approval is subject to compliance of:
- (a) The requirement of the relevant provisions of the Electricity Act, 2003, as amended from time to time and the rules and regulations framed there under, and
 - (b) CEA's (Measures relating to Safety and Electrical Supply) Regulations, 2010 framed under the Electricity Act, 2003.

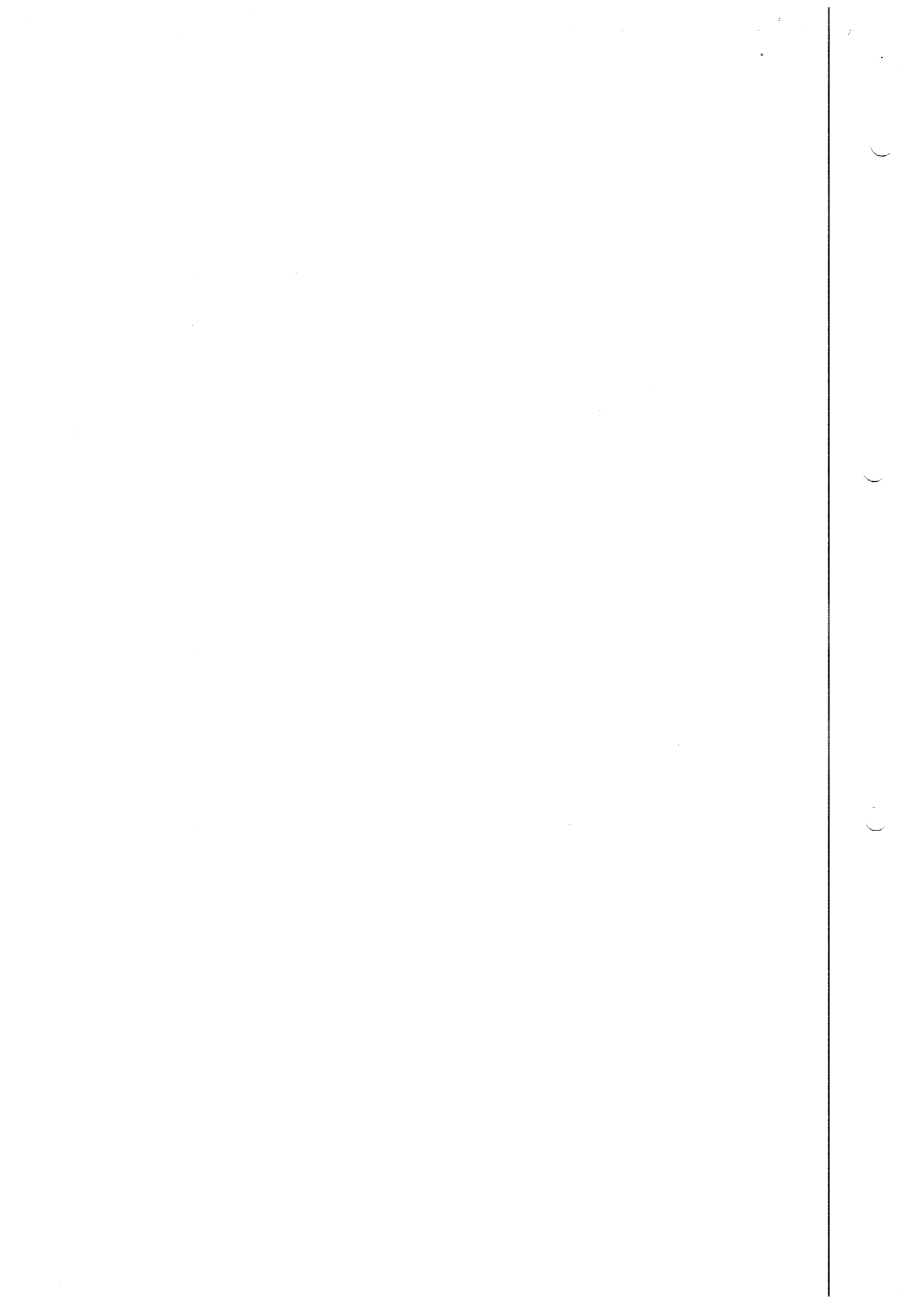
6. The approval is also subject to the following conditions:
- i) The implementing agency will commence construction of the project within three years, unless this term is extended by the Central Electricity Authority.
 - ii) Central Electricity Authority may withdraw the approval before the expiry of the period of three years after giving a one month notice.
 - iii) The implementing agencies shall abide by the provisions of Work of Licensee Rules, 2006 notified by the Govt. of India, Ministry of Power in the Gazette of India, extra-ordinary Part II, Section 3(i) dated: 18-04-2006 (vide GSR 217 (E) dated: 18-04-2006). Provided that nothing contained in this rule shall affect the powers conferred upon the licensee under section 164 of the Electricity Act, 2003.

Yours faithfully

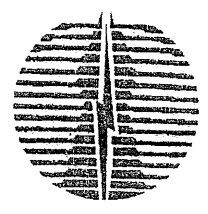
(P. D. Sibal)
Secretary, CEA

Copy for information:

Joint Secretary (Trans), Ministry of Power, Shri Sri Shakti Bhawan, New Delhi - 110001



POWERGRID CORPORATION OF INDIA LIMITED
(A Government of India Enterprises)



House no : 05, Tirumal Nilaya, Near Swamy Vivekananda College, Vijayanagara Layout,
Pavagada - 561 202, Tumkur Dist.

NOTICE UNDER INDIAN TELEGRAPH ACT 1885

Ref No : Comp /

No : **1926**

To P. Kalyanamma Kam Kuvundappa
Mehkurve Village, Hiriyur TG
Chitradurga Dist.

Date : 12/6/18

Dear Sir / Madam,

Power Grid Corporation Of India Ltd, has been entrusted with the construction of Pavagada - Hiriyur 400 KV D/c Transmission Line by Government of India Vide its letter No ; 52/11 (PGCIL) / 2015-PSPA-II/ 142 - 143 dated 23.02.2016.

In exercise of the powers under the Indian telegraph act 1885, Part - III section 10 to 19 conferred under section 164 of the Indian Electricity act 2003, through the Gazette of India, extraordinary dated 24th December 2003, notice is hereby given that the 400KV Pavagada-Hiriyur D/C Transmission Line will pass through your property as described below which may cause damage to the standing crops and the trees within the Right of way are required to be cut. The crops damaged / trees cut may be taken over by you or your authorized representative. Reasonable compensation for the crops damaged / trees cut will be paid as per the assessment of the Revenue / Horticulture / Forest Departments (Governments of Karnataka/Andhra Pradesh).

1. Name of the Owner : P. Kalyanamma Kam Kuvundappa
2. Survey no : 185
3. Name of the Village : Mehkurve
4. Name of the Mandal / Tashil : Amangale
5. Name of the District : Chitradurga Dist
6. List of Trees to be cut

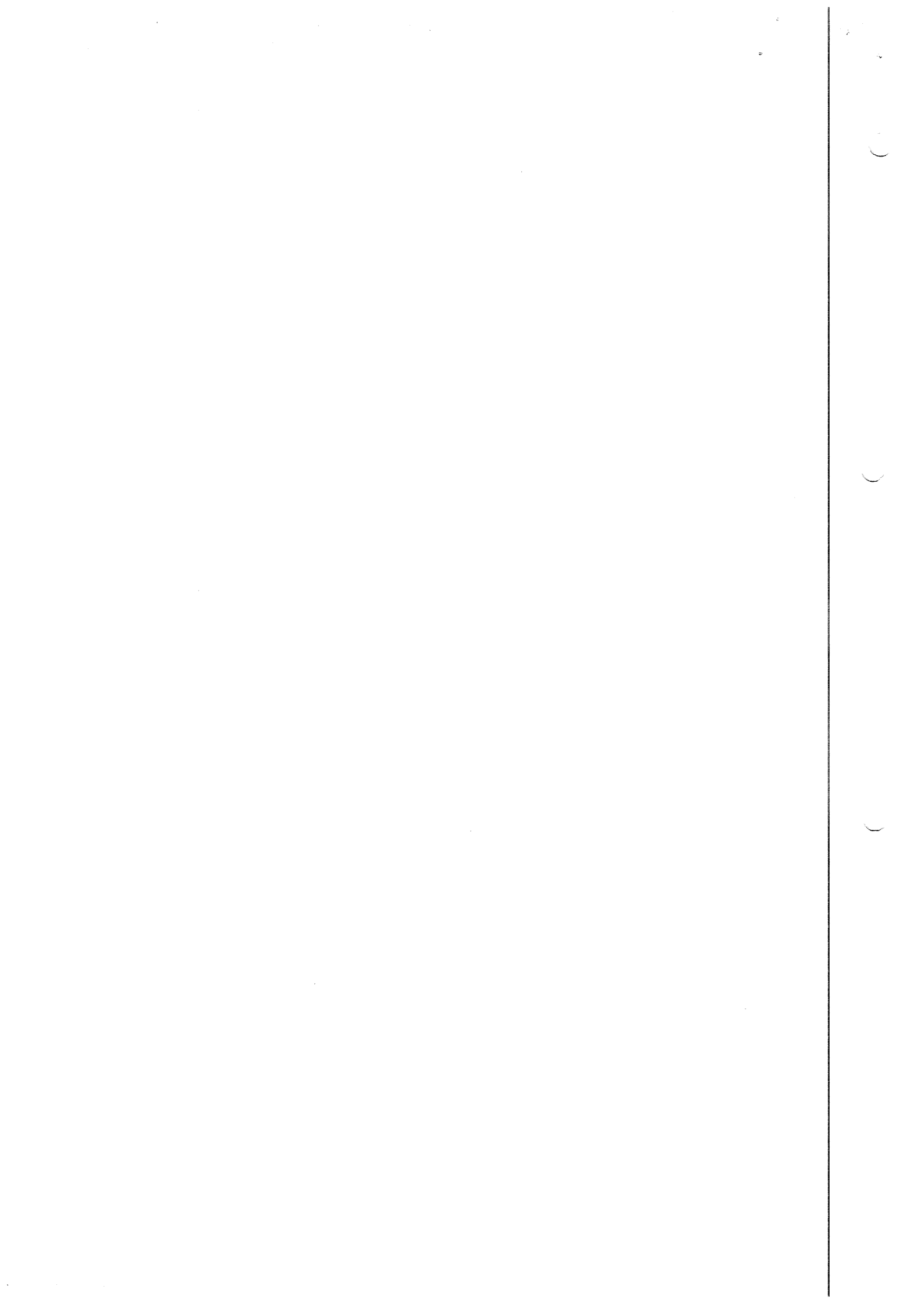
Sl	Section	Tree No.	Name of Tree / Crop	Approx Age	Girth & Height of the tree/ Area of the Crop	Tree cut / Crop Damaged During (FDN/EREC/ ST RG)
<u>1</u>	<u>48th - 49th</u>	<u>-</u>	<u>corridor</u>	<u>compensation</u>	<u>shall be paid</u>	<u>after joint verification of measurement</u>
			<u>of power line</u>	<u>order</u>		<u>Received under protest.</u>

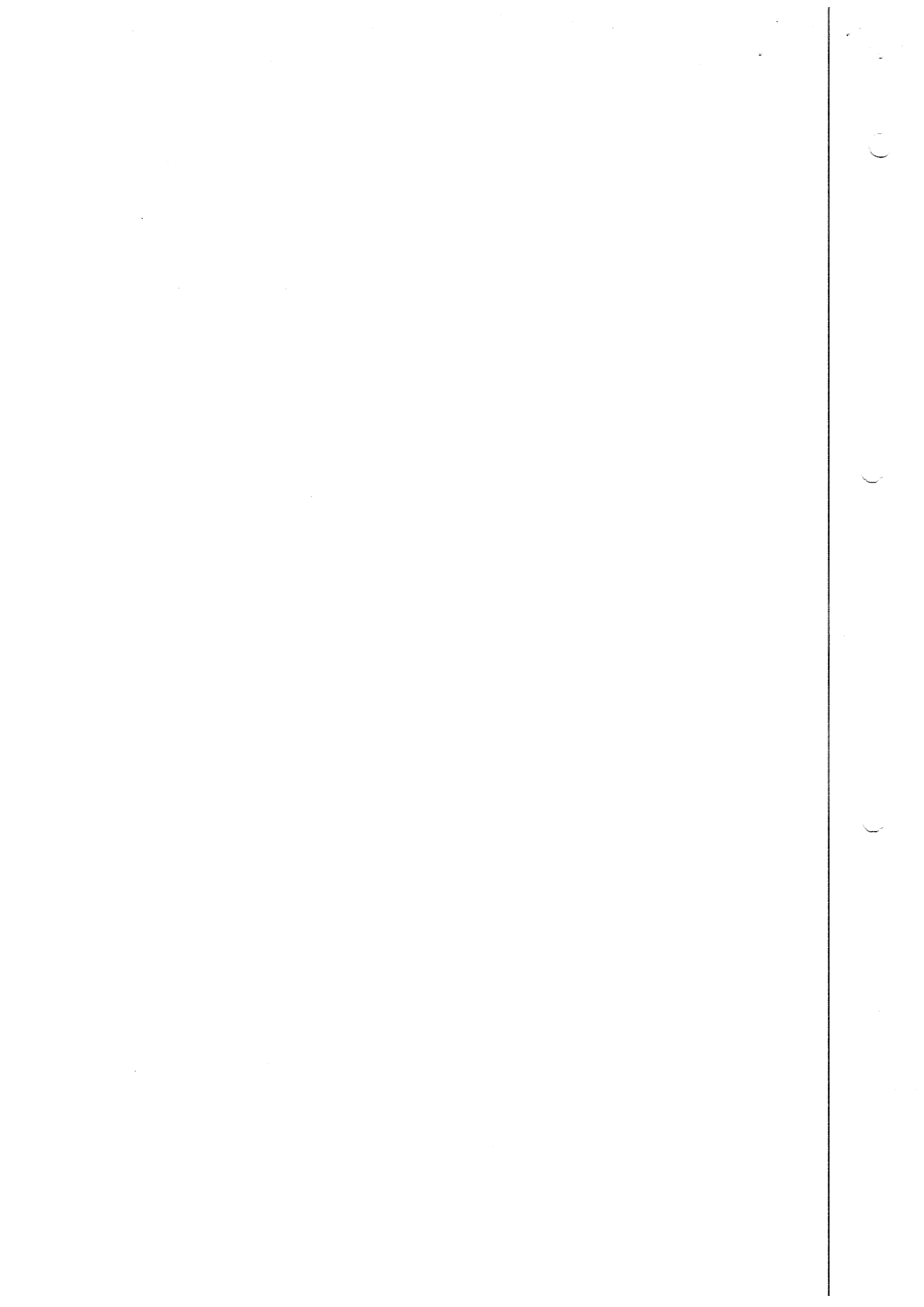
Received the Notice :

Signature [Signature]
Farmer / Authorized representative.
Date

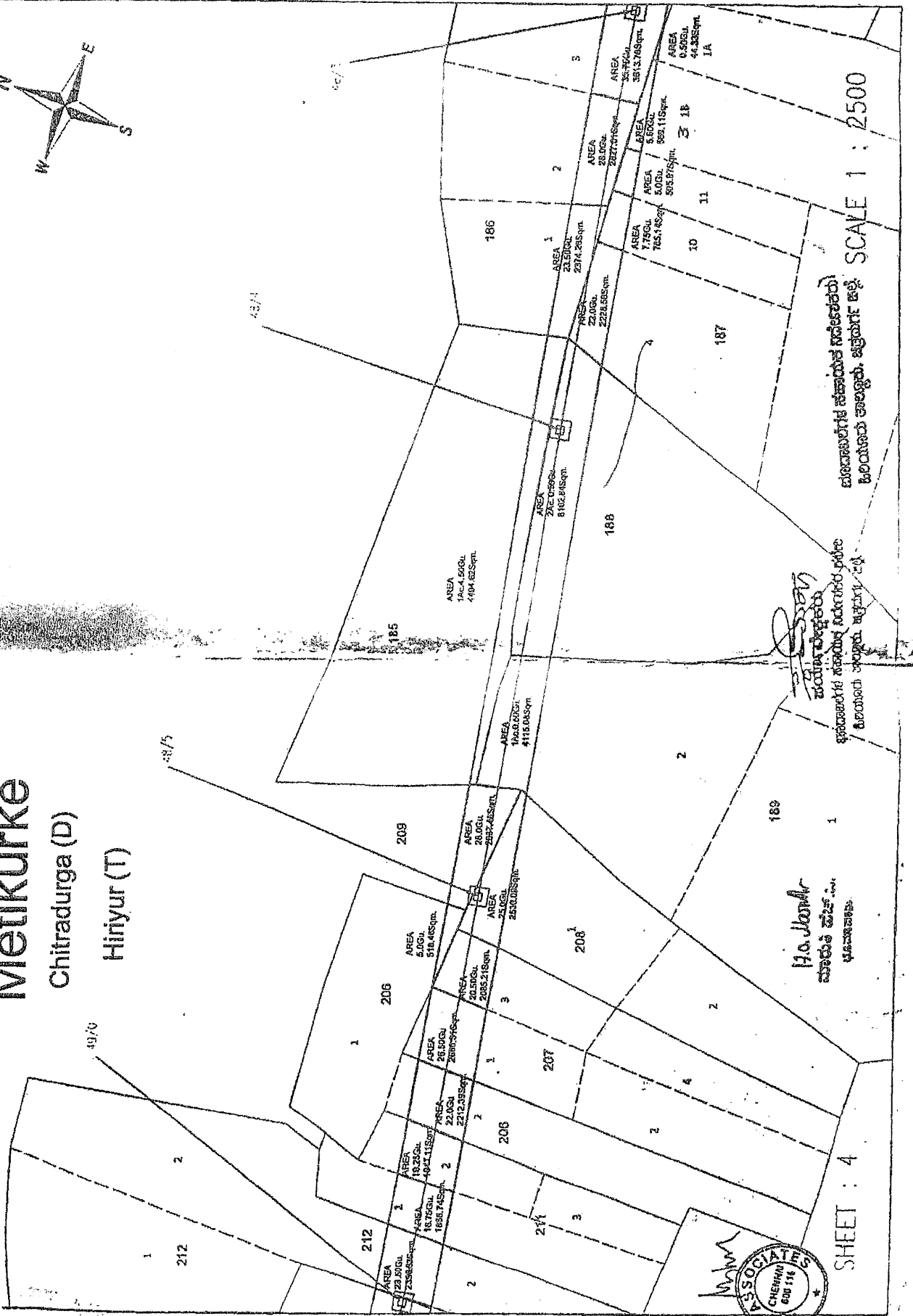
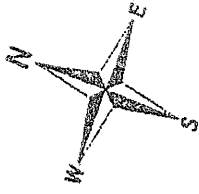
For : POWERGRID CORPORATION OF INDIA LIMITED

[Signature]
CHANDRAN VARADA
LEGISLATIVE ENGINEER





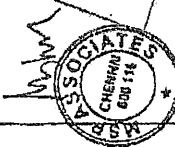
Metikurke Chitradurga (D) Hiriyur (T)



ಇದೇನು ಸರ್ಕಾರದ ಸ್ವತ್ತಿನದು
ಹಿರಿಯೂರು ತಾಲ್ಲೂಕು, ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲೆ

ಇದೇನು ಸರ್ಕಾರದ ಸ್ವತ್ತಿನದು
ಹಿರಿಯೂರು ತಾಲ್ಲೂಕು, ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲೆ

H.O. Jankar
ವಾಣಿಜ್ಯ ಮೆಟ್ರಿಕ್ಸ್
ಉಪನಿರ್ದೇಶಕರು



SCALE 1 : 2500

SHEET : 4

