

**COURT-I**

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(APPELLATE JURISDICTION)**

**APPEAL NO. 80 OF 2014 &  
IA NOS. 149 & 151 OF 2014**

**Dated: 17<sup>th</sup> April, 2017**

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson  
Hon'ble Mr. T. Munikrishnaiah, Technical Member**

**In the matter of:**

**Education Research & Development Foundation ..... Appellant(s)  
Vs.**

**Central Electricity Regulatory Commission & Ors. .... Respondent(s)**

Counsel for the Appellant(s) : Mr. Krishnan Venugopal, Sr. Adv.  
Mr. S. Sarferoz Karim  
Mr. Ambar Qamaruddin  
Mr. Gaurav Ray  
Mr. Kaushik Mishra

Counsel for the Respondent(s) : Mr. M.G. Ramachandran  
Mr. Kumar Mihir for R-2  
  
Ms. Panchajanya Batra Singh, Adv.  
Mr. T.J. Singh, Research Officer, for MoEF  
  
Ms. Aprajita Mukherjee for R-7

**ORDER**

Today, Mr. Thoudam James Singh, Research Officer (E), Ministry of Environment, Forest & Climate Change, North Eastern Regional Office, Shillong is present along with files. We direct Respondent No.6 to file a detailed affidavit of a responsible officer with the help of the record, which has been brought to the Court indicating whether the campus area and, particularly, the area of the campus, over which the diverted route of the transmission line is proposed for which an application has been made by NETC/Respondent No.2, is a forest land or not. The affidavit shall also state the approximate time which will be taken to process the application for grant of forest clearance. Respondent No.6 shall clearly state its stand in the said affidavit. Affidavit be filed on or before 09.05.2017 after serving copy on the other side. Response, if any, to the same may be filed or before 24.05.2017 after serving copy on the other side.

The counsel for the State of Meghalaya states that they have received the letter from the Ministry of Environment, Forest and Climate Change dated 29.3.2017, recently. The following are the two important paragraphs of the said letter:

*The State Government has submitted the Working Scheme of the Private Community Forest located in the 17<sup>th</sup> Community Development Blocks under the management of KHADC vide letter No. FOR/173/2003/145 dated 07.05.2014. The Working Scheme as recommended by the State Government. has not approved as the names of the Private & Community Forest owners was not mentioned in the Working Scheme and the forest area of each of the owners was not demarcated in the field nor in the Forest Type Map of the Working Scheme.*

*Now, the land of 15.171 ha occupied by RIST is to be plotted and superimposed in the Forest Type Map under Umling Block in 1:25,000 scale depicting clearly the forest land and non-forest land. Thereafter, the area of 13.6262 ha occupied by RIST, in case is a forest area, a proposal for diversion of such forest land is to be submitted as per the Forest (Conservation) Act, 1980.*

Counsel for the State of Meghalaya states that required action will be taken by the State Government within a period of four weeks from today. The State of Meghalaya shall also file an affidavit indicating its stand on or before 09.05.2017 after serving copy on the other side. If the District Level Committee has determined the forest area in the district, then those particulars may also be furnished to this Tribunal and the affidavit may also indicate those facts.

Affidavit of the appellant is taken on record today.

List the matter for further hearing on **31.05.2017 at 2:30 p.m.**

**(T. Munikrishnaiah)**  
**Technical Member**  
ss/vt

**(Justice Ranjana P. Desai)**  
**Chairperson**