

COURT-I

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

**Appeal No. 80 of 2014 &
IA-149 of 2014 & IA-151 of 2014**

Dated : 24th November, 2014

Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson
Hon'ble Mr. Rakesh Nath, Technical Member

In the matter of :

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

Versus

... Respondent(s)

Central Electricity Regulatory Commission & Ors.

Counsel for the Appellant (s) : Mr. Jayant Bhushan, Sr. Adv.
Mr. Ambar Qamaruddin

Counsel for the Respondent(s) : Mr. M.G. Ramachandran
Mr. Vishal Gupta
Mr. Kumar Mihir for R-2

ORDER

I.A. No. 450 of 2014

A Petition has been filed seeking for impleadment of Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi through the Secretary, as one of the Respondents, as it is a necessary party to be heard before passing any Orders in the matter.

We have heard the learned counsel for the Respondent also. The learned Counsel for the Respondent fairly submitted that the Respondent has no objection for impleading the Ministry of Environment in this Appeal.

Therefore, the Application is allowed. The learned counsel for the Appellant is directed to serve dasti notice on the Ministry of Environment and also to file the amended memo of parties.

Appeal No. 80 of 2014

A note has been filed by the Respondent giving the particulars about the subsequent development, which is as follows:

“1.0 Meeting on 18.11.2014 with Chief Secretary, Meghalaya (CS)

Meeting was held on 18.11.2014 which was attended by Managing Director, NETC and Chairman, ERDF wherein Principal Chief Conservator of Forest, Meghalaya (PCCF) and Director, Meghalaya State Electricity Board were also present as per the invitation of CS. MD, NETC explained the whole case to CS for forest approval for alternative route to transmission line passing over the campus of RIST as directed by APTEL. The issue of availability of non-forest land or otherwise certificate of non-availability of non-forest land was discussed in detail. CS concluded the meeting stating that the case shall be looked into by PCCF and the Govt. and the observations shall be indicated within 7 to 10 days.

2.0 Meeting on 12.11.2014 with Dy. Commissioner, Ri-Bhoi district, Meghalaya (DC)

Mr. Ratan Singh Basnet, Engineer of NETC visit the office of DC on 12.11.2014 to deliver letter dated 08.11.2014 to DC regarding appointment to discuss the issue of Forest Right Act (FRA). DC called Engineer of NETC in her office who directed to meet Addl. Dy. Commissioner (ADC) regarding the issue of FRA. ADC stated that he will visit the site for alternative route after 22.11.2014.”

In view of the above statement made by the learned counsel for the Respondent, it would be appropriate to post this matter on 28.11.2014 to ascertain further progress and for passing further Orders in this matter.

Accordingly, post this Appeal on 28.11.2014.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

Sh/Jps