

COURT-I

**Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)**

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

Dated : 17th October, 2014

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

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

Versus

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

Counsel for the Appellant (s) : Mr. Ambar Qamaruddin

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

ORDER

Now, the affidavit has been filed on behalf of North-Eastern Transmission Company (R-2) showing the progress. The following is the relevant extract.

2) "In terms of para no.3(v) of the order dated 03.06.2014 of Hon'ble Tribunal passed IA No.221 of 2014 in Appeal No.80 of 2014, the Respondent No.2 (North-East Transmission Ltd.) is submitting the monthly progress report as on 16.10.2014 as under:

- a. Respondent no.2 (NETC) had requested to the Division Forest Officer, Khasi Hills Forest Division, Shillong, Meghalaya (DFO) on 08.10.2014 (**Refer Annexure A**) to depute his representative on 13.10.2014 for joint enumeration of trees along the proposed alternative route of the transmission line. The DFO confirmed on telephone to depute his representative on 13.10.2014 and the Appellant i.e. Chairman of Regional Institute of Science and Technology, Meghalaya (RIST) was informed vide letter dated 11.10.2014 (**Refer Annexure B**) regarding date of commencement of enumeration of trees. The Forest Ranger and official of Respondent

no.2 met Chairman RIST on 13.10.2014 and requested to depute representative for witnessing the enumeration of trees. The enumeration of trees commenced in the presence of forest officials and representative of Respondent no.2. No representative of Appellant joined the enumeration of trees. The enumeration of trees shall continue for 4 to 5 days.

b. Letter dated 09.10.2014 **(Refer Annexure C)** was written by Respondent no.2 to Dy.Commissioner Ri-bhoi district, Nongpoh, Meghalaya for taking appropriate action as per Forest Rights Act (FRA)-2006.

c. Letter dated 09.10.2014 **(Refer Annexure D)** was written by Respondent no.2 to the Chief Secretary, Govt. of Meghalaya, Shillong, Meghalaya for providing non forest land for Compensatory Afforestation in the state as per Forest (Conservation) Act, 1980 or otherwise a certificate of non availability of the non forest land in Meghalaya may please be given”.

We have heard the learned counsel for the parties on the affidavit. Now, further progress has to be made.

Both the parties should coordinate with each other in meeting Chief Secretary as well as Commissioner and in pursuing the matter to take appropriate further action. Accordingly directed.

The matter is posted on **14.11.2014** for Reporting Compliance. In the meantime, affidavit showing the further progress is delivered to be filed after serving copy on the other side.

(Rakesh Nath)
Technical Member
Pr/js

(Justice M. Karpaga Vinayagam)
Chairperson