

Before the Appellate Tribunal for Electricity  
( Appellate Jurisdiction )

**Appeal No. 80 of 2014 &  
I.A. Nos. 149 & 151 of 2014**

**Dated : 26<sup>th</sup> September , 2014**

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

**Education Research & Development Foundation      ...Appellant (s)  
Versus.  
C.E.R.C. & Ors.      ...Respondent(s)**

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

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

**ORDER**

Now the Additional Affidavit has been filed by respondent No.2 showing some progress. The relevant portion in Para 2 of the Affidavit is as follows:

- a. After completion of survey for diversion of the line, the forest proposal was prepared both in Hard copy and Soft copy for submission. The hard copy was submitted on 28.07.2014 to Nodal Officer, FCA, Office of Principal Chief Conservator of Forest, Sylvan House, Lower Lachumiere, Shillong-793001, Meghalaya. The portal on web-site of Forest Deptt. for

submission of proposal on-line was not working / responding although the Respondent No.2 tried on 28.07.2014, 23.08.2014, 25.08.2014, 26.08.2014 and 01.09.2014 but failed. The forest proposal could be submitted on-line on 02.09.2014.

- b. As directed in the Order dated 03.06.2014 of the Hon'ble Tribunal, the Respondent No.2 has forwarded the forest proposal to Ministry of Power, Govt. of India (MOP) on 13.08.2014 for expediting the case with Ministry of Environment and Forest, Govt. of India (MoEF). A reminder enclosing draft letter to Forest Deptt. From MoP was also sent to MoP on 09.09.2014. The Respondent no.2 has been pursuing the said clearance.
- c. Regarding procurement of material for alternative route of transmission line and for undertaking the requisite work at site the process of tying up with the contractor is in progress.”

On receipt of this affidavit copy, it is now brought to the notice of this Tribunal by the learned counsel for the Appellant that there is a delay in submitting the forest proposal on-line and this shows that there

is slackness on the part of the Respondent. However it is clear that the forest proposal hard copy has been submitted on 28.07.2014 itself and the soft copy was submitted on-line only on 02.09.2014.

Now it is represented by Mr. M.G. Ramachandran, the learned counsel for the Respondent that the District Forest Officer informed the Respondent that one of the Forest Officers will visit the spot immediately after the Pooja holidays for enumeration of trees.

The Representatives of both the parties may be present at that time and make their respective Representations to that Forest Officer.

The Respondent will inform the Appellant the time and date on which the Forest Officer will visit the place.

Since some progress has been shown in the Affidavit filed by the Respondent, we direct the Respondent to continue the process and finish the same as expeditiously as possible without giving any room for the Appellant to make any complaint whatsoever.

Post the matter for reporting further progress on **17.10.2014.**

**(Rakesh Nath)**  
**Technical Member**  
ts/js

**(Justice M. Karpaga Vinayagam)**  
**Chairperson**