

COURT-I

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)**

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

Dated : 20th July, 2017

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. I.J. Kapoor, Technical Member**

In the matter of:

**Education Research & Development Foundation
Vs.
Central Electricity Regulatory Commission & Ors. Appellant(s)
.... Respondent(s)**

**Counsel for the Appellant(s) : Mr. Krishnan Venugopal, Sr. Adv.
Mr. Kaushik Mishra
Mr. Gaurav Ray
Mr. Tejasvi Kumar**

**Counsel for the Respondent(s) : Mr. M.G. Ramachandran
Ms. Poorva Saigal
Mr. Shubham Arya
Mr. Anand K. Ganesan
Mr. Kumar Mihir for R-2**

**Ms. Panchajanya Batra Singh
Mr. T.J. Singh for MoEF R-6**

Ms. Aprajita Mukherjee for R-7

ORDER

Counsel for the parties on instructions from their respective clients are agreed that the present appeal can be disposed of in terms of the following consent order without expressing any opinion on the merits of the case and on the impugned order:-

- a) North East Transmission Company Limited (**NETC**) has filed an application on 22.05.2017 for approval of the forest clearance to enable the laying down of the transmission line through the alternative route as agreed to in the earlier consent order dated 03.06.2014, to the Divisional Forest Officer, Khasi Hills Division, Shillong, Meghalaya.

- b) In Paragraph 17 of the Affidavit dated 01.07.2017 of Shri Lumlang Synrem filed by the State of Meghalaya/Respondent No.7 in this Tribunal, the State of Meghalaya has stated that it will take a decision on forwarding the application filed by NETC to the Regional office of the Union Ministry of Environment, Forest & Climate Change within 85 days of the date of filing of the application, in case it is approved.

- c) It is stated in the Affidavit dated 11.5.2017 of Shri Ralte Lalnun Sanga filed by the Ministry of Environment, Forest & Climate Change in this Tribunal that the Central

Government shall dispose of the said application if it is complete in all respects, within 60 days thereafter.

- d) Mr. S.N. Sunkari, Managing Director, NETC has filed affidavit dated 18.07.2017 in this Tribunal. During the course of hearing, the parties have agreed to the following:
- (i) NETC shall initiate tender process for selection of contractor upon grant of forest approval.
 - (ii) NETC shall internally prepare the tender documents ready for being issued within 10 days from the grant of forest approval.
 - (iii) NETC shall complete tendering process for selection of contractor, which would involve a period of 3 months from the grant of forest approval.
 - (iv) The NETC shall ensure that the selected contractor shall execute and complete the work (inclusive of preliminary activities of mobilization, supply & services and RoW activities) within a period of 6 months but excluding the intense monsoon period in North Eastern Region, which is from June to September.

We accept the statements made by the parties which are recorded in this order. The parties shall abide by the said statements. Liberty to the parties to approach this Tribunal if the circumstances of the case so demand.

Mr. Venugopal, learned senior counsel appearing for the Appellant has stated that there is a safety issue involved in this case about which the students are very apprehensive. Mr. M.G. Ramachandran has, however, strongly refuted this statement. In any case since students are involved in this matter, we direct the concerned authorities to take expeditious steps in the matter. This order shall be without prejudice to the rights and remedies available to the Appellant in other fora.

We make it clear that we have not expressed any opinion on the merits of the case or on the impugned order. Appeal is disposed of in terms of the above consent order. All connected IAs shall stand disposed of.

(I. J. Kapoor)
Technical Member

(Justice Ranjana P. Desai)
Chairperson

pr/mk