

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 10/SM/2017**

Subject : Non-compliance of the provisions of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) Regulations, 2009.

Date of hearing : 27.9.2017

Coram : Shri Gireesh B. Pradhan, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member

Respondent : Teestavalley Power Transmission Limited (TPTL)

Parties present : Shri Tarun Johri, Advocate, TPTL  
Shri Jaideep Lakhtakia, TPTL  
Shri Pritam Goswami, TPTL  
Ms. Pallavi Kansal, TPTL  
Ms. Swapna Seshadri, Advocate, Dans Energy  
Shri Ashwin Ramanathan, Advocate, Dans Energy  
Ms. Rhea Luthra, Advocate, Dans Energy

**Record of Proceedings**

At the outset, learned counsel for Teestavalley Power Transmission Limited (TPTL) submitted that the delay in completion of 400 kV Teesta III-Kishanganj transmission line is due to delay in grant of approval under Section 164 of the Electricity Act, 2003, delay in grant of forest clearance in Sikkim and West Bengal area, Power Line crossing of 220 kV transmission line constructed by Dans Energy without maintaining required Electrical phase clearances as per IE rules and RoW in Darjeeling area, etc. Learned counsel for TPTL further submitted as under:

(a) TPTL requested Energy and Power Department, Sikkim to instruct DANS Energy to construct its 220 kV transmission line keeping electrical clearances from 400 kV Teesta-III Kishanganj transmission line. Subsequently, a meeting was called by Energy and Power Department, Sikkim wherein TPTL and DANS Energy were directed to conduct a joint-survey and DANS Energy was directed to construct under-pass gantry for the power lines crossing to maintain statutory electrical clearances. However, DANS Energy neither carried out survey nor constructed under-pass gantry.

(b) TPTL vide its letter dated 1.6.2017 requested CEA to look into the matter. Subsequently, CEA conducted a meeting on 28.6.2017 and directed TPTL and DANS Energy to conduct a joint survey. A joint survey was conducted by TPTL and

DANS Energy from 24.7.2017 to 27.7.2017. In the report of joint survey, four options were suggested and it was decided that cost estimation of Option-1 and 2 shall be made by TPTL and cost estimation of Option-3 and 4 shall be made by DANS Energy. Accordingly, TPTL prepared the cost estimation for Option-1 and 2 and submitted the same to CEA and DANS Energy vide letter dated 22.8.2017. However, DANS Energy has not submitted the cost estimation of Option 3 and 4 till date and the learned counsel for TPTL requested the Commission to direct DANS Energy to submit the same to expedite the proceedings.

2. Learned counsel for DANS Energy submitted that TPTL has wrongly claimed that delay in commissioning of 400 kV Teesta III-Kishanganj line is due to the line crossing of 220 kV Jorethang HEP-New Melli transmission line, constructed by DANS Energy without maintaining required Electrical phase clearances as per IE rules. Learned counsel for DANS Energy further submitted that as per the directions of CEA and PGCIL, DANS Energy has completed the dedicated 220 kV line by March, 2016. However, at such point of time, there was no line or activity of TPTL in the vicinity of the dedicated line being constructed by DANS Energy.

3. After hearing the learned counsels of the parties, the Commission directed TPTL to furnish the following information, on an affidavit, on or before 25.10.2017:

- (a) The present status of 400 kV D/C Teesta III-Kishanganj transmission line;
- (b) Year wise progress of the 400 kV D/C Teesta III-Kishanganj transmission line from the date of grant of licence;
- (c) Details of time over-run along with documentary evidence and asset-wise activities in chronological order as per the following format:-

Assets	Activity	Period of Activity				Reason(s) for Delay along with reference to supporting documents
		Planned		Achieved		
		From	To	From	To	

(d) With regard to Forest clearance pertaining to West Bengal submit (i) The Forest Clearance proposal copy pertaining to West Bengal and (ii) TPTL has obtained Stage-I clearance on 28.5.2013 and stage-II clearance on 4.1.2017. The justification of delay from Stage I to Stage II pertaining to West Bengal.

- (e) Copy of approval under Section 164 of the Electricity Act, 2003;
- (f) With regard to approval for tree cutting in private land and forest land of Darjeeling Hills, the date when the petitioner applied for tree cutting and when the final approval for tree cutting was received;

(g) How many tower locations are covered under Forest area (West Bengal, North Sikkim, East Sikkim & Darjeeling hills);

(h) With regard to RoW problem, whether the Petitioner has resolved the RoW problems at location Numbers AP-36, 169C-169 C/1, 169D-169-E, 169-F, location No.271, 309, 310 & 310/2, 316 & 317 and documentary evidence in support of RoW problems at above locations;

(i) Documentary evidence in support of the delay in erection, stringing and civil works including foundation due to geological surprise.

4. The Petition shall be listed for hearing on 21.11.2017.

**By order of the Commission**

**Sd/-  
(T. Rout)  
Chief (Law)**