25-17/2/2023-POWER GRID(MoP)

608861/2023/POWER GRID SECTION

No. 25-10/27/2023-PG

Government of India

Ministry of Power

Shram Shakti Bhawan, Rafi Marg, New Delhi – 110001

Tele: 011-23730264

*****

New Delhi, dated 09th June, 2023

ORDER

Subject: Delegation of power for approval under provision of Section 68 and Section 164 of the Electricity Act, 2003-Regarding.

The undersigned is directed to refer to this Ministry's Order No.4/14/2014-PG dated 12.02.2015 on the subject cited above and to say that Hon'ble Minister of Power & NRE has approved the delegation of powers as follows:

i. Power for approval under Section 68 of the Electricity Act, 2003, presently vested with Chairperson, CEA, is delegated to Joint Secretary (Transmission), Ministry of Power.
ii. Power for approval under Section 164 of the Electricity Act, 2003, presently vested with Chairperson, CEA, is delegated to Joint Secretary (Transmission), Ministry of Power.

2. The revised Standard Operating Procedure (SOP) for granting approval under provision of Section 68 & Section 164 of the Electricity Act, 2003 is also enclosed at **Annexure-I & II** respectively.

Encls: As above

09/06/2023

(Deepak Rao)
Director
Tel: 011-23716674

To

i. Chairperson, CEA, R.K. Puram ,New Delhi
ii. CMD, PGCIL, Gurugram, Haryana
iii. CMD, REC Transmission Projects Company Limited, Gurugram, Haryana
iv. CMD, PFC Consulting Limited, New Delhi
v. CMD, Grid Controller of India Limited, New Delhi
vi. Technical Director, NIC for uploading the order on the website of Ministry of Power

Copy for information to :

1. PS to Minister for Power & New and Renewable Energy
2. Addl. PS to MoS for Power
3. Sr.PPS/PPS to Secretary (P)
4. Sr.PPS/PPS to SS&FA/ Additional Secretary, Ministry of Power
5. Sr. PPS/PPS/PS to all Joint Secretaries, Economic Adviser and Chief Engineer, Ministry of Power
6. All Directors/Deputy Secretaries/Under Secretaries in the Ministry of Power

Annexure-I of MoP OM No. 25-10/27/2023-PG dated 09.06.2023

Revised procedure for obtaining prior approval under Section 68 of the Electricity Act, 2003:

I. Under Section 68 of the Electricity Act 2003, following is prescribed:

1. An overhead line shall, with prior approval of the Appropriate Government, be installed or kept installed above ground in accordance with the provisions of sub-section (2).
2. The provisions contained in sub-section (1) shall not apply-
   a. in relation to an electric line which has a nominal voltage not exceeding 11 kilovolts and is used or intended to be used for supplying to a single consumer;
   b. in relation to so much of an electric line as is or will be within premises in the occupation or control of the person responsible for its installation; or
   c. in such other cases, as may be prescribed.
3. The Appropriate Government shall, while granting approval under sub-section(1), impose such conditions (including conditions as to the ownership and operation of the line) as appear to it to be necessary.
4. The Appropriate Government may vary or revoke the approval at any time after the end of such period as may be stipulated in the approval granted by it.
5. Where any tree standing or lying near an overhead line or where any structure or other object which has been placed or has fallen near an overhead line subsequent to the placing of such line, interrupts or interferes with, or is likely to interrupt or interfere with, the conveyance or transmission or electricity or the accessibility of any works, an Executive Magistrate or authority specified by the Appropriate Government may, on the application of the licensee, cause the tree, structure or object to be removed or otherwise dealt with as he or it thinks fit.
6. When disposing of an application under sub-section (5), an Executive Magistrate or authority specified under that sub-section shall, in the case of any tree in existence before the placing of the overhead line, award to the person interested in the tree such compensation as he thinks reasonable, and such person may recover the same from the licensee.

II. For obtaining approval under Section 68 of the Electricity Act, 2003, any inter-state transmission licensee, or a special purpose vehicle company (in case of the inter-state transmission projects to be implemented under tariff based company bidding), or the generation company (in case of his dedicated transmission line which is directly connected to inter-state transmission system), or any other entity for which the appropriate government is the Central Government, is required to submit the proposal duly completed in all respect to Central Electricity Authority (CEA) on National Single Window System (NSWS) portal (www.nsws.gov.in), inter-alia including the following:-

a. Request letter giving name of transmission scheme and the details of overhead transmission line included in the scheme.
b. The board resolution for authorized signatory.
c. Copy of the Connectivity granted by CTUIL/STU, for generation projects.
d. Copy of Gazette notification/Ministry office order, for the ISTS transmission schemes to be implemented through TBCB/RTM mode.

III. The proposal duly completed with in all respects may be sent by CEA, with their recommendations, to the below mentioned addressee for approval of Ministry of Power:

Under Secretary (PG)
Ministry of Power
Shram Shakti Bhawan,
Room No. 634, New Delhi
Tel: 23730264

IV. A copy of duly approved letter would be sent by MoP to CEA for uploading onthe NSWS portal.

Annexure-II of MoP OM No. 25-10/27/2023-PG dated 09.06.2023

Revised procedure for obtaining approval under Section 164 of the Electricity Act:

1. Under the provisions of Section 9 of the Electricity Act, 2003, a person may construct, maintain or operate a captive generation plant and dedicated transmission lines. Section 10 (i) of the Electricity Act, 2003 casts the duty on the generating company to establish, operate and maintain generation stations, tie lines, substations and dedicated transmission lines, therewith in accordance with the provisions of this Act or the rules or regulations made thereunder. As per the provisions under Section 63 of the Electricity Act, 2003 and the National Electricity Policy, Ministry of Power issued Guidelines for Encouraging Competition in Development of Transmission Projects and Tariff Based Competitive Bidding Guidelines for Transmission Service. These guidelines are aimed at facilitating competition in the sector through wide participation by providing transmission services and tariff determination through a process of tariff based competitive bidding and to encourage private sector participation in transmission.

2. Under Section 164, *"The appropriate Government may, by order in writing, for the placing of electric lines or electrical plant for the transmission of electricity or for the purpose of telephonic or telegraphic communications necessary for the proper coordination or works, confer upon any public officer, licensee or any other person engaged in the business of supplying electricity under this Act, subject to such conditions and restrictions, if any, as the Appropriate Government may think fit to impose and to the provisions of the Indian Telegraph Act, 1885, any of the powers which the telegraph authority possesses under that Act with respect to the placing of telegraph lines and posts for the purposes of a telegraph established or maintained, by the Government or to be so established or maintained".*

3. In order to process the request from private transmission companies as well as generating companies who are required to construct, maintain and operate dedicated transmission lines, the following procedure has been prescribed :

a. The licensee / applicant shall cause such transmission scheme to be published in the Official Gazette of the State concerned or in Government of India Gazette in case of
   i. Inter- State Schemes
   ii. Cross Border Schemes (India portion)
   iii. Generating company dedicated transmission line connecting to ISTS substation;

   and in at least two local daily newspapers along with a notice of the date, not being less than two months after the date of such publication, before

which any interested person may make a representation on such scheme. The licensee/ applicant shall take into consideration the objections/ representations, before finalizing the optimal route alignment. Thereafter licensee/ applicants shall submit a certificate along with application under Section 164 to this effect.

The licensee/ applicant will apply the application on National Single Window System (NSWS) portal with the documents as per attached **Checklist** at **Annexure-I.**

4. Any Transmission licensee or generating company in the case of a dedicated transmission line are required to follow the above procedure for seeking approval under Section 164 of the Electricity Act, 2003. Applicant should finalize Transmission line the route alignment with the help of PM Gati Shakti Portalto optimize the route in-line with other Infrastructure projects in the country before submitting the application on NSWS portal.

5. The proposal duly complied with in all respects may be sent by CEA, with their recommendations, to the below mentioned addressee for approval of Ministry of Power:

Under Secretary (PG)
Ministry of Power
Shram Shakti Bhawan,
Room No. 634
Tel: 23730264

6. A copy of publication of approval of Section 164 in the Gazette of India, would be sent by MoP to CEA for uploading on the NSWS portal.

Annexure-I

Checklist

S. No.	Name of Document	Remarks
1	**Application**	Application should be on Company letterhead, List of documents submitted and Signed by Authorized Signatory
2	**Public Notice in Newspaper**	As per Public notice format attached. Public Notice should be published in at least 2 nos. of daily local Newspapers, 1 no. in Hindi Newspaper and 1 no. in English Newspaper which are widely circulated in the area from which Transmission line is passing through.
a	Hindi	
b	English	
c	Other or Regional Language	
3	**The Gazette of India Publication**	As per Public notice format attached
4	**Proof of Authorization of Signature**	Should be on letterhead of Company
5	**Affidavit for No Objection Certificate & Affidavit for True Translation of the publication in Newspaper and the Gazette**	As per attached sample format. Clearly stating that No objection has been received within 60days from date of Public notice publication or if Objection are received then Objection list with action taken.
6	**Angle Schedule (All routes)**	As per attached format
7	**Topo Sheet on Survey of India Map**	Should include: • Survey of India Mark • Coordinates in degree • All routes with clearly visible Angle points • Villages within minimum 2 km from Line/ affected villages • Scale of 1:50,000 etc.
8	**Approval under section 68 of Electricity Act, 2003**	A copy of approval granted u/s 68 should be attached.

9	**Comparison Statement of all routes**	• Should include: • Environmental Impact (Forest Area, Wildlife Sanctuary etc.) • No. of Transmission line crossing • Airport Area • Historical Cultural Monuments • Defence Area • Tribal Area • Populated area • Likely RoW etc.
10	**Justification statement of Selected Route**	Should be on letterhead of Company
11	**CERC Transmission License**	Required for ISTS Transmission lines. However, CERC license is not required in case of Generating company dedicated transmission line connecting to ISTS substation
12	**Payment Undertaking**	As per attached format
13	**Undertaking regarding GIB**	As per attached format (Required if passing Transmission project is passing through Rajasthan or Gujarat)
14	**KML file of Route alignment**	Attach in other document on NSWS portal
15	**Checking the Route with PM Gati Shakti Portal**	Applicant should finalize Transmission line route alignment with the help of **PM Gati Shakti Portal** to optimize the route in-line with other Infrastructure projects in the country before submitting the application on NSWS portal and a confirmation in this regard may be submitted.
16	**Any other document (if applicable)**	

Format for publication of the transmission scheme in local dailyNewspapersand Gazette inviting observations /representation from public

Public Notice

..... (Name of the company) having its registered office at (..... address) intends to apply /has applied to the Government of India to confer upon him all the powers under Section 164 of the Electricity Act, 2003 for the placing of electric lines or electrical plant for the transmission of electricity or for the purpose of telephonic or telegraphic communications necessary for the proper coordination of works which telegraph authority possess under the Indian Telegraph Act, 1885 with respect to the placing of telegraph lines and posts for the purpose of a telegraph established or maintained, by the Government or to be so established or maintained and will undertake the survey, construction, installation, inspection, erection and other works to be followed by commissioning, operation, maintenance and other works for the following transmission schemes.

..... Name of the transmission scheme .....

..... Works covered under the scheme .....

The transmission lines covered under the scheme will pass through, over, around, and between the following villages, towns and cities

.... Name of the villages ... Tehsil..... District

1.....

2.....

Copy of the route alignment is available in the office of the undersigned. Notice is hereby given to the general public to make observation/ representation on the proposed transmission system within two months from the date of publication of this notice before .. (date) to the office of the undersigned in writing. For further particulars and clarifications please contact :

Name
Designation
Office Address
Email Address
Email Address Phone
No. /Fax No.
(of the contact person designated by the Agency)

Format for acknowledgement of receipt of copies of documents

This is to acknowledge that (..... Name of the company...) having its registered office at (.....Address.....) has submitted copies of the following documents to Central Electricity Authority in respect of (.....

Details of the transmission scheme .....)

(a) Newspaper publications of the scheme.
(b) Maps showing the details of selected route alignment of the transmission lines.
(c) Justification of the selection of the route alignment.

A copy of the route alignment duly stamped is returned herewith to the ..... (Transmission Company) in token of having received the same.

(Name and designation of the receiving Officer)

Dated:

Copy to:

Under Secretary (PG)
Ministry of Power
ShramShakti Bhawan

608861/2023/POWER GRID SECTION

TRANSMISSION DEVELOPER NAME
NAME OF LINE
SCHEDULE OF ANGLE POINTS (Route 1/2/3)

Sr No	Angle Point No.	Angle of Deviation (in degree) with Left/Right direction	Type of Tower	Section Length (m)	Cumulative Length (m)	GPS Co-ordinates (in degree)		Details of Village					Crossing Details
						Latitude	Longitude	Village Name in Toposheet	Village Name in Gazette	Village Name in Newspaper	Tehsil	District	National/ State Highway Transmission line crossing Railway crossing Forest/ WL sanctuary River crossing Etc
			Total Route Length (km)										

Sample Format for Affidavit

25-17/2/2023-POWER GRID(MoP)

608861/2023/POWER GRID SECTION

INDIA NON JUDICIAL

Government of Uttarakhand

e-Stamp

सत्यमेव जयते

Certificate No.	:	IN-UK530246964608 23T
Certificate Issued Date	:	08-Nov-2021 05:14 PM
Account Reference	:	NONACC (SV)/ uk1280804/ PUROLA/ UK-UT
Unique Doc. Reference	:	SUBIN-UKUK1280804103133718 24504T
Purchased by	:	SANJAY KUMAR SINGH
Description of Document	:	Article 19 Certificate or other Document
Property Description	:	AFFIDAVIT
Consideration Price (Rs.)	:	0 (Zero)
First Party	:	SANJAY KUMAR SINGH
Second Party	:	NA
Stamp Duty Paid By	:	SANJAY KUMAR SINGH
Stamp Duty Amount(Rs.)	:	100 (One Hundred only)

NOTARIAL Ravindra Singh Rawat Advocate & Notary Reg. No. 08 (13) 2020 Govt. of Uttarakhand

सुनील कुमार
स्टाम्प वैण्डर
तहसील पुरोला

FOR SAMPLE ONLY

Please write or type below this line

AFFIDAVIT

I, Sanjay Kumar Singh son of Sh. Sukarm Pal Singh Resident of Nikunj Bhawan, 3rd Floor, Village Bainol, Post Office Mori, Tehsil Mori district Uttarkashi-249128 (UK) aged 54 Years being the authorized Signatory of "**SJVN Limited**" having project site office at SJVN Limited, 60 MW Naitwar Mori Hydro Electric Project, Vidyut Bhawan, Village- Bainol, PO- Mori, Distt. -Uttarkashi-249128, Uttarakhand and registered Corporate Office at Corporate Headquarter, Shakti Sadan, Shanan, Shimla-171006 (HP), India, do hereby solemnly affirm and state under:

Chief General Manager-HOP
SJVN LIMITED
Naitwar-Mori HEP
Bainol, Tehsil-Mori, Uttarkashi,
Uttarakhand - 249128

Statutory Alert:
1. The authenticity of this Stamp certificate should be verified at 'www.shcilestamp.com' or using e-Stamp Mobile App of Stock Holding. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please inform the Competent Authority.

SJVN Limited has published a public notice for the transmission scheme named "Transmission System for evacuation of Power from 60 MW Naitwar Mori Hydro Electric Project of SJVN Limited" with following details.

The details of transmission scheme and Publication details are as under:

1. Details of Transmission Scheme.
   a. **Name of the transmission scheme:** - Transmission System for evacuation of Power from 60 MW Naitwar Mori Hydro Electric Project of SJVN Limited.

      - Naitwar Mori HEP switchyard (in Uttarakhand) - Pooling station near Snail (in Himachal Pradesh) 220 kV Double Circuit Line with Zebra Conductor (Length-40 km approx.).

   b. **Scope/Works covered under the scheme:** - Construction of 220 kV Double Circuit Transmission Line from switchyard of 60 MW Naitwar Mori HEP at Bainol to Pooling station near Snail.

2. Publication Details

a. Gazette of India

Gazette of India	Language	Language in Public Notice Published	Date of Publication	Edition in which published
Weekly Gazette No.36	Hindi & English	Hindi & English	04.09.2021	Part-IV

b. Newspapers

Uttarakhand State

Name of Newspaper	Language of Newspaper	Language in Public Notice Published	Date of Publication	Edition in which published
Rashtriya Sahara	Hindi	Hindi	27.07.2021	Dehradun
Dainik Jagran	Hindi	Hindi	27.07.2021	Dehradun
Hindustan Times	English	English	27.07.2021	New Delhi/ Uttarakhand

NOTARY Ravindra Singh Rawat Advocate & Notary Reg. No. 08 (10) 2020 Govt. of Uttarakhand

FOR SAMPLE ONLY

Chief General Manager-HOP
SJVN LIMITED
Naitwar-Mori HEP
Bainol, Tehsil-Mori, Uttarkashi,
Uttarakhand - 249128

ii. Himachal Pradesh

Name of Newspaper	Language of Newspaper	Language in Public Notice Published	Date of Publication	Edition in which published
Himachal Dastak	Hindi	Hindi	27.07.2021	Shimla
Dainik Bhaskar	Hindi	Hindi	27.07.2021	Shimla
The Times of India	English	English	27.07.2021	Chandigarh, Mohali, Panchkula, Patiala, Ambala,

I hereby declare that,we have not received any objection, observation/representation withintwo months from the date of Publication in the official gazette of Government of India (No. 36, Part-IV, New Delhi, Saturday, September 04-September 10, 2021) and from the date of publication in the Newspaper Publication as mentioned above.

It is certified that the content of the publication in Hindi languages is the true translation of the publication in English language in the local newspaper publication dated 27.07.2021and in official gazette of Government of India (No.36, Part-IV, New Delhi, Saturday, September 04-September 10, 2021). The names of village are same in both Hindi & English Language publication of the public notice.

It is also declared that the transmission lines covered under the above transmission scheme willpass only through, over, around and between the villages mentioned in the Gazette publication and Newspaper publication.

NOTARY
Ravindra Singh Rawat
Advocate & Notary
Reg. No. 08 (13) 2020
Govt. of Uttarakhand

Sanjay Kumar Singh

Chief General Manager-HO
SJVN LIMITED
Neitwar-Mori HEP
Bainol, Tehsil-Mori, Uttarkashi,
Uttarakhand - 249128

Authorization Signatory

FOR SAMPLE ONLY

(to be submitted on official letter head)

Undertaking regarding Payment

I, ……(name)…… s/o …… , resident of ……, being the authorized signatory of ……(name of company).....having its registered address at …… do here by solemnly state and undertake as under:

1)The total amount that would be incurred in publication of notification in Gazette of India pertaining to authorization under Section 164 of the Electricity Act, 2003 to ….(name of company)….. for construction of ……..(name of the overhead transmission line)……, shall be reimbursed by M/s …(name of company)…. to Ministry of Power(MoP), if required.

Place: Signature:

Date: Name of the authorized personal:

Designation of the authorized person:

(to be submitted on official letter head)

(to be submitted on official letter head)

Undertaking regarding GIB

I, ……*(name)*…… s/o …… , resident of ……, being the authorized signatory of ……*(name of company)*…..having its registered address at …… do here by solemnly state and undertake as under:

We have applied to Ministry of Power(MoP)for Prior approval of Govt. of India under section 68(1) of Electricity Act, 2003 for construction of the following dedicated overhead line(s) under the transmission scheme …..*(name of the scheme)*….. :

…..*Name of the overhead line(s)*…..

1.The route of the above overhead line would not fall in the GIB potential zone (or priority zone) marked in the map which is part of the order of the Hon'ble Supreme Court order dated 19.04.2021, in the petition No.838 of 2019 regarding GIB (Great Indian Bustard) case.

2.

(i) The route of above overhead line (*or some portion of the route of above overhead line*) would fall in the GIB potential zone (or priority zone) marked in the map which is part of the order of the Hon'ble Supreme Court order dated 19.04.2021, in the petition No.838 of 2019 regarding GIB (Great Indian Bustard) case.

(ii) We hereby undertake to comply with the directions of the Hon'ble Supreme Court, with regard to undergrounding of the above overhead transmission line and / or fixing of bird diverters, as the case may be as per the Hon'ble Supreme Court Order dated 19.04.2021 and the directions of the technical committee constituted by the Hon'ble Supreme Court in this regard and we will intimate to MoP accordingly.

(Strike off the para, which are not applicable)

Place: Signature:

Date: Name of the authorized personal:
Designation of the authorized person: