

**Immediate**

No. 11/4/2007-PG  
Government of India  
Ministry of Power

....  
New Delhi, the 13<sup>th</sup> April, 2010

**Subject : Modified procedure for obtaining the authorization under Section 164 of the Electricity Act, 2003 from the Ministry of Power.**

As approved by Joint Secretary (Transmission), the modified procedure for obtaining the authorization under Section 164 of the Electricity Act in respect of the Inter-State Transmission Lines or for a dedicated line directly connected to inter-State transmission system is enclosed herewith, for placing the same on the website of the Ministry of Power.



(KV Gopala Rao)

Under Secretary to the Government of India  
Telefax : 23730264

Incharge,  
NIC Cell,  
Ministry of Power  
Shram Shakti Bhawan,  
New delhi.

Encl :

1. Procedure for obtaining authorization U/s 164 of the Electricity Act, 2003
2. Format for publication of the transmission scheme in local daily newspapers inviting observations /representation from public
3. Format for acknowledgement of receipt of copies of documents

**Procedure for obtaining authorization U/s 164 of the Electricity Act, 2003 in respect of inter-state transmission line or for a dedicated line directly connected to inter-state transmission system.**

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.

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”

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 inter-state transmission scheme to be published in Government of India Gazette 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.

- b) The licensee/ applicant will submit to the Central Electricity Authority the following documents :
- (i) Newspaper publications of Scheme.
  - (ii) Authenticated maps showing the details of selected route alignment of the transmission lines.
  - (iii) Justification of the selection of the route alignment. CEA will issue an acknowledgment in the prescribed format for receipt of copies of documents which the licensee will attach along with the application to the Ministry.

Any transmission licensee or generating company in the case of a dedicated transmission line directly connected to inter-state transmission system are required to follow the above procedure for seeking approval under Section 164 of the Electricity Act, 2003

The proposal duly complied with in all respects may be sent to :

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

**Format for publication of the transmission scheme in local daily newspapers 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)  
(not below the rank of Assistant Director, CEA)

Dated :