

**Case No.54/2007**

**Order No.4**

**20.08.2008:** Mr. K.C. Mohapatra, Chairman, M/s. Project Development Consultants for the petitioner, Mr. S.C. Mohanty, Law Officer, DoE, Mr. Harish Chandra Behera, EIC, W.R. Department and Mr. J.P. Sharma, EIC (Elect), are present. Nobody is present on behalf of CMD, GRIDCO. The application filed by the petitioner for execution of order dated 14.05.2008 of OERC, and the objection filed on behalf of Respondent Nos.1 &4 to the petition filed u/s 142 of the Electricity Act, 2003 by the petitioner and the time petition filed by both the Respondent No.1&4 jointly are taken into record.

2. Heard the parties at length. Mr. K.C. Mahapatra, Chairman, PDC stated that the respondents have not finalized the guidelines and policy for development of small hydro power projects till today as mandated under the provision of section 86 (i)(e) of the Electricity Act, 2003 and as also directed by the Commission to complete the same on or before 30.06.2008. Further, he stated that he has contacted various other states like Uttaranchal, HP, Maharashtra, etc on the above matter in view of the difficulties faced with the existing policy of the DOE in their order No.7500 dated 23.06.2003, and drafted a policy guidelines and submitted for examination. He also stated that he has been following up with respondent No.2 (Department of Water Resources) to communicate the information against the directive of the Commission dated 14.05.2008. But, the W.R. department have not filed the detailed list of D.P.Rs. showing how many proposals are pending with them for how long and reasons thereof. In spite of repeated requests of the petitioner, the respondent is not giving priority on issue of necessary clearance the projects submitted for consideration.
3. Mr. Mohapatra also stated that the Respondent Nos.1 (Department of Energy) & 4 (EIC Elec.-cum-PCEI) have not given priority for clearance of feasibility reports/detailed project reports and approval of designs and drawings etc. to the developers coming for captive consumption.
4. He further stated that Respondent No.4 (EIC Elec.) is not following any particular procedure for placing proposals before the S.T.C. either on seriatum (date wise) as received from the developers. Although two full Circles and one Chief Engineer are working for past five years under Respondent No.4 but not a single feasibility report has been produced. So, he requests the Commission to direct the respondent No.4 to produce at least 10-15 feasibility reports in a year. Alternatively any other institutions like Alternate Hydro Energy, Roorkee or similar institute can be entrusted by the Respondent Nos. 1,2 & 4 to prepare feasibility reports to assist the prospective developers, who are running from pillar to post to collect information in hydrology etc. to prepare feasibility reports.

5. Mr. J.P. Sharma, EIC(Elecy.)-cum-PCEI stated that GRIDCO has done nothing regarding the implementation of the projects and approval of the drawing and design prepared by him and sent to WR department for approval of authentication. If there is shortage of manpower in this department, then it should allow the drawing and design to be prepared by engaging experienced and suitable retired Engineers or the appropriate professionals/institutes.
6. After hearing the parties and perusal of the records, the Commission observed that there are 23 nos. of Mini-micro hydel projects since last 3 years pending for approval from the GOO due to non-cooperation of the W.R. Deptt. and Energy Deptt. and fruitless sitting of STC. EIC (Electricity) stated that the STC meetings are being held regularly according techno-economic clearance but the projects cannot see the light of the day due to non-concurrence of the design by the W.R. Deptt. He further added that, the main difficulties faced relate to approval of drawings. EIC (Water Resources) told that though he is a member of the STC, he is not in a position to approve the design of the projects of PDC due to non-availability of adequate cell/staffs under him. The Commission observed that this type of problem can be easily solved by the W.R. Deptt. if it engages consultants like Retired, Chief Engineers/IIT, Khargpur/Alternate Hydro Energy Centre, Roorkee and such other Consultants on an outsourced basis. The Commission directed EIC (Water Resources) and EIC (Electricity) to submit a calendar of activities so that, the approval of the projects of the PDC are finalized to reach a logical end. The Commission further directed that, the W R Department shall file a detailed list of DPRs, indicating how many proposals are pending with them for how long and reasons thereof. This should be submitted by 29.08.2008 positively. The Energy Deptt. failed to submit the status of the clearances of non-conventional energy projects such as wind, solar etc. As stated by them, it is due to lack of appropriate feed-back from OREDA. The Commission directed Energy Deptt. to file the same by 29.08.2008 positively.
7. The case is posted for hearing on 29.08.2008 at 11 AM regarding question of admission of the petition u/s 142 along with other issues. No further notice will be issued for hearing **on 29.08.2008 at 11 AM.**

Sd/-  
(K.C. Badu)  
Member

Sd/-  
(S.K. Jena)  
Member

Sd/-  
(B.K. Das)  
Chairperson