

ABSTRACT

Kanjikode land (4 Acre) - dispute with DIC - joint meeting conducted - conducting land survey - sanctioned - Orders issued.

Corporate Office (SBU-G/E)BO (FTD)No.89/2023(DGE/G3/Kanjikode land) **1386**

Thiruvananthapuram, Dated: 27.02.2023

Read: 1. G.O (MS) No.340/92/RD dated 30.07.1992.
2. G.O (Ms)No.82/2018/LSGD dated 11.06.2018.
3. MOM of the joint meeting held on 25.11.2022 among KSEBL, DIC & NIWE.
4. Letter No.DIC/115/2019/ID4 dated 17.01.2023 of the Joint Director, DIC.
5. Note No.DGE/G3/Kanjikode land/168 dated 24.01.2023 of the Director (G-E&HRM) to the Full Time Directors(Agenda 60/1/23).
6. Note No.DGE/G3/Kanjikode land/174 dated 04.02.2023 of the Director (G-E&HRM) to the Full Time Directors(Agenda 18/2/23).

ORDER

The Government of Kerala have assigned 25 hectares of land in Puthussery Central Village, Palghat District to KSEB, free of cost for the establishment of a 220 kV Substation as per G.O. (MS) No.859/88/ID dated 28.12.1988 and later, as per G.O read as 1st above, 25 hectares was also assigned to KSEBL in the same locality for setting up of wind farm. But in the second spell of allocation, only 21.5792 Ha (53.16 acre) instead of the 25 hectars, was actually transferred to KSEB and 9 Nos. of KSEBL owned Wind Electric Generators(WEGs) are operational in this land from 1995 onwards.

Mean while, based on the G.O. read as 2nd above, 11 acres of unused land at Kanjikode was transferred back to District Industries Centre (DIC) on 11.01.2019 with clear boundary markings for the proposed Waste to Energy project (WtE). Even though, it was ordered to transfer 15 acres, only 11 acres were handed over to DIC as there are 9 Nos of operational WEGs, a huge store building, a pump house and 6 Nos of EHT lines crossing over the area. The reason for non transfer of 4 Acres, was also informed to Government of Kerala as well as KSIDC, with detailed sketch of the land. But, even after the intimation from KSEBL, DIC Palakkad allotted 350 cents and 50 cents of land (total 4 Acres) seperately to two different private parties without prior intimation or consent of KSEBL and the Government had ratified the proceedings of the DIC of resuming a total of 15 Acres (11+4) of land at the location. Meanwhile trespassings/dumpings of materials in the 4 acres of land was reported on 23.01.2020, 25.01.2020 & 04.08.2020 and the same was reported to the District Collector, Palakkad and the concerned police station.

In order to protect the best interests of KSEBL, a suit was filed before the Honourable Munsiff court, Palakkad as OS No. 30/2021 based on the legal opinion of LA&DEO and KSEBL had managed to get an injunction order from the Honourable Court restraining trespass and unlawful occupation of the property in possession of KSEBL. Subsequently, based on the written statement of the General Manager, DIC Palakkad, the stay order was vacated and KSEBL could not defend the ownership of the 4 Acre as well as KSEBL installations (a store building where spare parts of WEGs are stored, a pump house) in the said land.

KSEBL being aggrieved by the action of allotting 4 acres of land to a thrid party by DIC and the subsequent ratification of the Government the matter was referred to the High-Power Committee for Settlement of disputes between Government Departments. Subsequently, in the meeting held on 10.11.2022, among Principal Secretary (Power), Principal Secretary (Industries), Director (Industries and commerce) with the Director (Generation-Electrical & HRM) and other officials of KSEBL, it was directed to have a joint site inspection of the Director (Industries & Commerce),

KSEBL& NIWE.

Accordingly, a joint inspection was conducted on 25.11.2022 among KSEBL, DIC & NIWE, at 220kV substation building Kanjikode. After several round of discussions, the participants had a site visit and put up various options to protect the land area where KSEBL installations such as Store room, well & pump house are situated. Also, suggested to identify an equal extent of land to be replaced in lieu of the land where the KSEBL installations are protected, through surveying by KSEBL subject to the approval of KSEBL authorities. Accordingly, MOM read as 3rd above was prepared and finally DIC as per the letter read as 4th above has approved the MOM and requested for further necessary action form KSEBL.

In the above circumstances, it was recommended to approve the proposal evolved in the joint meeting and the suggestions put forward and approved by DIC, vide the MOM. Also, recommended to carry out the survey of the land by KSEBL, for identifying the exact area to be retained/ protected within the 4 Acres of land at Kanjikkode as well as to find out an alternate land for the replacement of the protected land portion where the Store room and pump house are situated. The matter was placed before the Full Time Directors as per notes read as 5th & 6th above.

Having considered the matter in detail, the Full Time Directors meeting held on 17.02.2023 resolved to approve the MOM held on 25.01.2022 among KSEBL, DIC & NIWE in connection with retaining the portion of the land at wind farm Kanjikkode.

Further resolved to carry out survey by KSEBL, for identifying and retaining the exact land area where the KSEBL installations such as Store room and pump house are situated in the 4 Acres of land at wind farm, Kanjikkode and also for locating an alternate land area in lieu of the retained portion also considering the requirement of substation expansion in consultation with the Deputy Chief Engineer, Transmission Circle, Palakkad.

Further resolved to authorise the Deputy Chief Engineer, Generation Circle, Thrissur to carry out the above survey and report the same to the DIC authorities at Palakkad.

Orders are issued accordingly.

**By Order of the
Full Time Directors**

Sd/-

**LEKHA G
Company Secretary**

To:

The Chief Engineer (Generation), Moolamattom.
The Deputy Chief Engineer, Generation Circle, Thrissur.

Copy to: The Financial Adviser/ Chief Internal Auditor/ Company Secretary
The TA to CMD/ D(GE&HRM)/ D(T,SO,P&S)/ D(D,SCM&IT)/ D(GC)/ D(R,S,N,S&W)
The PA to Director (Finance)
The Sr. CA to Secretary (Administration)
Stock File.

Forwarded / By Order



Assistant Executive Engineer