

No 12/3/2016-Trans
Government of India
Ministry of Power
Shram Shakti Bhawan, Rafi Marg, New Delhi-110 001

Dated, 29th June, 2017

To,
LVSRK Benarji
F-3, Sai Residency, Datta Road,
Gollapudi, Vijayawada Rural
Andhra Pradesh

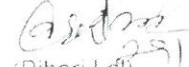
Subject: Information sought under RTI Act, 2005 (Registration Number POWER/R/2017/00216)

Sir,
Please refer to your RTI application received in this Ministry vide Registration No. **POWER/R/2017/00216 dated 07/06/2017** seeking information under RTI Act, 2005. In this context, as regards to the information sought by you through said RTI application, following is stated:

Sl.No.	Information sought on	Reply / Information
1.	Point no.1	Report of the committee is under approval
2.	Point no. 2, 3, 4, 7	The application is transferred to CEA in terms of Section 6(3) of the RTI Act, 2005 for providing requisite information directly to the application under intimation to this Ministry
3.	Point no. 5, 9, 10	The application is transferred to PGCIL in terms of Section 6(3) of the RTI Act, 2005 for providing requisite information directly to the application under intimation to this Ministry
4.	Point no. 6	The application is transferred to Ministry of Environment and Forest in terms of Section 6(3) of the RTI Act, 2005 for providing requisite information directly to the application under intimation to this Ministry
5.	Point no. 8	Information sought is not specific.

2. Shri Irfan Ahmad, Director(Transmission), Ministry of Power, Room No.427, Shram Shakti Bhavan, Rafi Marg, New Delhi -110 001, is Appellate Authority, under the RTI Act, 2005.

Yours faithfully,


(Bihari Lal)

CPIO & Under Secretary (Trans)
Tele-fax: 011-2332 5242

Copy to:

1. The Nodal Officer of RTI and CPIO, CEA, Sewa Bhavan, R.K. Puram, New Delhi – 110 066, with request to provide information on point no. 2,3,4,7 of subject RTI application.
2. The Nodal Officer, RTI and CPIO (Corporate Planning), PGCIL, Gurgram, Haryana, with request to provide information on point no. 5,9,10 of subject RTI application.
3. The Nodal Officer of RTI and CPIO, Ministry of Environment and Forest, Indra Paryavaran Bhavan, Jorbagh Road, Delhi, 110003 with request to provide information on point no.6 of subject RTI application.
4. US(RTI), MoP for information.

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RTI REQUEST DETAILS	
Registration No. : PGCIL/R/2017/80072	Date of Receipt : 29/06/2017
Transferred From : Ministry of Power on 29/06/2017 With Reference Number : POWER/R/2017/00216	
Remarks : transferred	
Type of Receipt : Electronically Transferred from Other Public Authority	Language of Request : English
Name : LVSRK Benarji	Gender : Male
Address : Gollapudi, Vijayawada Rural	
State : Andhra Pradesh	Country : Details not provided
Phone No. : Details not provided	Mobile No. : Details not provided
Email : Details not provided	
Status(Rural/Urban) : Details not provided	Education Status : Details not provided
Letter No. : Details not provided	Letter Date : 02/06/2017
Is Requester Below Poverty Line ? : No	Citizenship Status : Indian
Amount Paid : 10)	Mode of Payment : Postal Order
Does it concern the life or Liberty of a Person ? : No(Normal)	Request Pertains to :
Information Sought : Application attached	
Original RTI Text : Application attached	
<input type="button" value="Print"/> <input type="button" value="Save"/> <input type="button" value="Close"/>	

30/6

30/6

30/6

Amclp/ mclb

ESMD

UNDER RTI, RIGHT TO INFORMATION ACT 2005

DT: 2-6-17

From
L.V. S.R.K. Benarji
F-3 Sai Residency
Datta Road Gollapudi
Vijayawada Andhra
Pradesh (01)
Ph: 949196468

To,
C.P.T.O
Ministry of Power
Government of India
Shram Shakti Bhawan
Raj Marg New Delhi-110001

Sub: Details about ROW compensation for transmission lines in urban areas given by the committee under the chairmanship of Ms .Shalini Prasad ji. And etc.

Reg.

1. Report details given by this committee about the compensation in regard to ROW corridor for transmission lines in urban areas detail report copy. Copy of office memorandum enclosed.
2. Details of Procedure to be followed and approvals to get regarding the land acquisition by the power companies for laying the transmission lines 400 k.v and above 765k.v in India.
3. Does Right to fair compensation and transparency in land acquisition , Rehabilitation and Resettlement (Removal of Difficulties) Order 2015 is applicable to transmission lines in electricity act 2003 give details. Copy of difficulty order enclosed.
4. Latest acts, orders and amendments from MOP regarding compensation of transmission lines and corridor.
5. The PGCIL TAKEN OPINION OF ATTORNEY GENERAL OF INDIA about compensation for tower base area and transmission line ROW CORRIDOR. The legal opinion given by AGI complete report.
6. MOEF clearance are required in rivers crossings and field tower base works for power transmissions lines in India or not. For 765kv
7. MOP amending rules framed under sections 67 of EA act or not. if amending rules plz give me copy
8. MOP vide notification dt. 18.4.2006 notified rules for all licensees for laying of transmissions lines and compensation in India.

US/RTI

179724/07
Admin
etc/ta

Pa

US (Trans.)
7/6/17

9 7. District magistrate of kutch, Gujarat on representation of affected persons ordered POWERGRID to pay addl. Compensation vide its order dt.25.03.10. order copy, proceeding copy. Pa

10 8. OPINION OF ATTORNEY GENERAL OF INDIA. Copy Pa

Please give me the information as soon as possible.

Now I am paying Rs.10 /- postal order on behalf of you. IPO number on
am ready to pay any further amount if needed.

H2 F 915345

Thanking You,

Yours faithfully,

Bhargava

No. 3/4/2016-Trans
Government of India
Ministry of Power
Shram Shakti Bhawan, Rafi Marg, New Delhi- 110001

Dated. 11th August. 2016

OFFICE MEMORANDUM

Subject - Constitution of the Committee for finalization of compensation in regard to Right of Way (RoW) for transmission lines in urban areas.

The undersigned is directed to inform that during a review meeting of critical transmission lines, taken by Secretary (Power), Govt. of India on 19.7.2016, it has *inter alia* been decided to constitute a Committee under the chairmanship of Ms. Shalini Prasad, Additional Secretary, Ministry of Power to analyse the issues relating to RoW for laying of transmission lines in the urban areas of the country and to suggest a methodology for payment of compensation on this account.

2. Accordingly, a Committee is hereby constituted with the following composition -
 - 1 Ms. Shalini Prasad, Additional Secretary, Ministry of Power - Chairperson
 - 2 Smt. Jyoti Arora, Joint Secretary, Ministry of Power
 - 3 Chairperson/ Member (PS), Central Electricity Authority
 - 4 Principal Secretary/ Secretary (Energy), Govt. of Karnataka
 - 5 Principal Secretary/ Secretary (Energy), Govt. of Kerala
 - 6 Principal Secretary/ Secretary (Energy), Govt. of Maharashtra
 - 7 Principal Secretary/ Secretary (Energy), Govt. of UP
 - 8 Principal Secretary/ Secretary (Energy), Govt. of Haryana
 - 9 CMD, PGCIL
 - 10 Chief Engineer, PSPA-I, CEA - Convener & Member Secretary
3. Committee may invite representatives from various power utilities in its meetings, as and when deemed necessary.
4. Terms of Reference (ToR) of the committee include:
 - 1 To review/ analyse existing procedures for compensation and suggest possible modification to address following issues:
 - a) Possible changes in assessment process;
 - b) Procedure for timely release of compensation payment;
 - c) Measures to stop payment to ineligible persons;
 - d) Possibilities of releasing certain percentage in advance to reduce resistance.
 2. To suggest procedure to assess eligibility and subsequent compensation for structure/ hut/ bore well etc. including measure to ensure their shifting/ removal after payment of compensation

Contd...

3. To explore possibility of enlarging scope of survey to include land scheduling for complete RoW width including name of land owners to facilitate payment of diminution of land value compensation to all eligible persons.
 4. To suggest strategy/ mechanism for ensuring compliance/ implementation by State Govt.
 5. To explore possible methodology for direct online payment, say, through Jan Dhan Yojna.
 6. To explore the technological options for reducing the tower footing/ base area/ corridor requirements.
 7. To explore possibility of reduction of transmission corridor width/ selective restricted use of corridor in urban zones by using technical advances/ raising heights of towers/ adequate safety measures/ revisiting clearance requirements especially for 220 kV and 132 kV levels.
5. The Committee shall submit the report within two months.


(Ghanshyam Prasad)
Director (Trans)
Tele: 011- 2371 6674

To.

- 1 Chairperson/ Member (PS), Central Electricity Authority
- 2 Principal Secretary/ Secretary (Energy), Govt. of Karnataka
- 3 Principal Secretary/ Secretary (Energy), Govt. of Kerala
- 4 Principal Secretary/ Secretary (Energy), Govt. of Maharashtra
- 5 Principal Secretary/ Secretary (Energy), Govt. of UP
- 6 Principal Secretary/ Secretary (Energy), Govt. of Haryana
- 7 CMD, PGCIL
- 8 Chief Engineer, PSPA-I, CEA.

Copy to PPS to Secretary(Power)/ SS(BPP)/ AS (SP)/ JS(Trans)/ Director (Trans)/ US (Trans), Ministry of Power.


भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्रधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, शुक्रवार, अगस्त 28, 2015/पाद 6, 1937

No. 1834|

NEW DELHI, FRIDAY, AUGUST 28, 2015/BHADRA 6, 1937

ग्रामीण विकास मंत्रालय

आदेश

नई दिल्ली, 28 अगस्त, 2015

का.आ. 2368(अ).—भूमि अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का 30) (जिसे इसमें इसके पश्चात् भू.अ.पु.उ.प्र.पा.अ. अधिनियम कहा गया है) 1 जनवरी, 2014 से प्रभावी हुआ:

और, भू.अ.पु.उ.प्र.पा.अ. अधिनियम की चौथी अनुसूची में विनिर्दिष्ट अधिनियमितियों के अधीन भूमि अर्जन के मामलों को लागू प्रतिकर के अवधारण, पुनर्वासन और पुनर्व्यवस्थापन से संबंधित अधिनियम के उपबंधों को जारी करने के लिए भू.अ.पु.उ.प्र.पा.अ. अधिनियम की धारा 105 की उप-धारा (3) में उपबंध है, अधिमूचना जारी करने का उपबंध करती है;

और, भू.अ.पु.उ.प्र.पा.अ. अधिनियम की धारा 105 की उप-धारा (3) के अधीन अभिकल्पित अधिमूचना जारी नहीं की गई थी और भू.अ.पु.उ.प्र.पा.अ. (संशोधन) अध्यादेश, 2014 (2014 का 9) 31 दिसम्बर, 2014 को प्रख्यापित किया गया था, जिसके द्वारा, अन्य बातों के साथ-साथ, भू.अ.पु.उ.प्र.पा.अ. अधिनियम की चौथी अनुसूची में विनिर्दिष्ट अधिनियमितियों के अधीन भूमि अर्जन के मामलों को लागू प्रतिकर के अवधारण, पुनर्वासन और पुनर्व्यवस्थापन से संबंधित अधिनियम के उपबंधों को विस्तारित करने के लिए भू.अ.पु.उ.प्र.पा.अ. अधिनियम की धारा 105 का संशोधन किया गया है;

और, भू.अ.पु.उ.प्र.पा.अ. (संशोधन) अध्यादेश, 2015 (2015 का 4) को भू.अ.पु.उ.प्र.पा.अ. (संशोधन) अध्यादेश, 2014 के उपबंधों को निरन्तरता प्रदान करने के लिए 3 अप्रैल, 2015 को प्रख्यापित किया गया था;

और, भू.अ.पु.उ.प्र.पा.अ. (संशोधन) दूसरा अध्यादेश, 2015 (2015 का 5) को भू.अ.पु.उ.प्र.पा.अ. (संशोधन) अध्यादेश, 2015 (2015 का 4) के उपबंधों को निरन्तरता प्रदान करने के लिए 30 मई, 2015 को प्रख्यापित किया गया था;

और, भू.अ.पु.उ.प्र.पा.अ. (संशोधन) अध्यादेश, 2015 (2015 का 4) से संबंधित प्रतिस्थापन विधयेक परीक्षा और रिपोर्ट हेतु सदनों की संयुक्त समिति को निर्दिष्ट किया गया था तथा संयुक्त समिति के पाम लंबित है;

और, संविधान के अनुच्छेद 123 के उपबंधों के अनुसार, भू.अ.पु.उ.प्र.पा.अ. (संशोधन) दूसरा अध्यादेश, 2015 (2015 का 5) 31 अगस्त, 2015 को व्यपगत हो जाएगा जिसके कारण भू-स्वामियों पर प्रतिकूल प्रभाव पड़ सकता है और जिसके परिणामस्वरूप उक्त अध्यादेश के अधीन भू-स्वामियों को ब्याविस्तारित भू.अ.पु.उ.प्र.पा.अ. अधिनियम की चौथी अनुसूची में विनिर्दिष्ट 13 अधिनियमों के अधीन भूमि अर्जन के मामलों में बढ़ाए गए प्रतिकर, पुनर्वासन और पुनर्व्यवस्थापन की प्रसुविधाएँ नहीं मिल सकेंगी;

और, केन्द्रीय सरकार, भू.अ.पु.उ.प्र.पा.अ. अधिनियम के अधीन भू-स्वामियों को उपलब्ध प्रसुविधाओं को ऐसे समान रूप से स्थापित अन्य भू-स्वामियों, जिनकी भूमि अर्जित की गई है, को चौथी अनुसूची में विनिर्दिष्ट 13 अधिनियमितियों के अधीन विस्तारित करना आवश्यक समझती है; और तदनुसार, उपर्युक्त कठिनाइयों को दृष्टि में रखते हुए, केन्द्रीय सरकार ने भू-स्वामियों के हित में उक्त अधिनियमितियों के अधीन भूमि अर्जन के मामलों को लागू किए गए प्रतिकर के अवधारण तथा पुनर्वासन और पुनर्व्यवस्थापन से संबंधित हितकारी उपबंधों को भूमि स्वामियों को फायदाप्रद लागू का दिग्दर्शक करने और भू.अ.पु.उ.प्र.पा.अ. अधिनियम के हितकारी उपबंधों को समान रूप से लागू करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, भूमि अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का 30) की धारा 113 की उप-धारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, पूर्वोक्त कठिनाइयों को दूर करने के लिए निम्नलिखित आदेश करती है, अर्थात्:—

1. (1) इस आदेश का संक्षिप्त नाम भूमि अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार (कठिनाइयों को दूर करना) आदेश, 2015 है;

(2) ये 1 सितम्बर, 2015 को प्रवृत्त होंगे।

2. उक्त अधिनियम की चौथी अनुसूची में विनिर्दिष्ट अधिनियमितियों के अधीन भूमि अर्जन के सभी मामलों में पहली अनुसूची के अनुसरण में प्रतिकर के अवधारण और दूसरी अनुसूची के अनुसरण में पुनर्वासन और पुनर्व्यवस्थापन तथा तीसरी अनुसूची के अनुसरण में अवगारघनात्मक प्रसुविधाओं से संबंधित भूमि अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 के उपबंध लागू होंगे।

[फा. सं. 13011/01/2014-एलआरडी]

के. पी. कृष्णन, अपर सचिव

MINISTRY OF RURAL DEVELOPMENT

ORDER

New Delhi, the 28th August, 2015

S.O. 2368(E).—Whereas, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013) (hereinafter referred to as the RFCTLARR Act) came into effect from 1st January, 2014,

And whereas, sub-section (3) of Section 105 of the RFCTLARR Act provided for issuing of notification to make the provisions of the Act relating to the determination of the compensation, rehabilitation and resettlement applicable to cases of land acquisition under the enactments specified in the Fourth Schedule to the RFCTLARR Act;

And whereas, the notification envisaged under sub-section (3) of Section 105 of the RFCTLARR Act was not issued, and the RFCTLARR (Amendment) Ordinance, 2014 (9 of 2014) was promulgated on 31st December, 2014, thereby, *inter-alia*, amending Section 105 of the RFCTLARR Act to extend the

provisions of the Act relating to the determination of the compensation and rehabilitation and resettlement to cases of land acquisition under the enactments specified in the Fourth Schedule to the RFCTLARR Act.

And whereas, the RFCTLARR (Amendment) Ordinance, 2015 (4 of 2015) was promulgated on 3rd April, 2015 to give continuity to the provisions of the RFCTLARR (Amendment) Ordinance, 2014,

And whereas, the RFCTLARR (Amendment) Second Ordinance, 2015 (5 of 2015) was promulgated on 30th May, 2015 to give continuity to the provisions of the RFCTLARR (Amendment) Ordinance, 2015 (4 of 2015);

And whereas, the replacement Bill relating to the RFCTLARR (Amendment) Ordinance, 2015 (4 of 2015) was referred to the Joint Committee of the Houses for examination and report and the same is pending with the Joint Committee;

As whereas, as per the provisions of article 123 of the Constitution, the RFCTLARR (Amendment) Second Ordinance, 2015 (5 of 2015) shall lapse on the 31st day of August, 2015 and thereby placing the land owners at the disadvantageous position, resulting in denial of benefits of enhanced compensation and rehabilitation and resettlement to the cases of land acquisition under the 13 Acts specified in the Fourth Schedule to the RFCTLARR Act as extended to the land owners under the said Ordinance;

And whereas, the Central Government considers it necessary to extend the benefits available to the land owners under the RFCTLARR Act to similarly placed land owners whose lands are acquired under the 13 enactments specified in the Fourth Schedule; and accordingly the Central Government keeping in view the aforesaid difficulties has decided to extend the beneficial advantage to the land owners and uniformly apply the beneficial provisions of the RFCTLARR Act, relating to the determination of compensation and rehabilitation and resettlement as were made applicable to cases of land acquisition under the said enactments in the interest of the land owners:

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 113 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013), the Central Government hereby makes the following Order to remove the aforesaid difficulties, namely:

1. (1) This Order may be called the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Removal of Difficulties) Order, 2015.

(2) It shall come into force with effect from the 1st day of September, 2015.

2. The provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, relating to the determination of compensation in accordance with the First Schedule, rehabilitation and resettlement in accordance with the Second Schedule and infrastructure amenities in accordance with the Third Schedule shall apply to all cases of land acquisition under the enactments specified in the Fourth Schedule to the said Act.

[F. No. 13011/01/2014-LRD]

K. P. KRISHNAN, Addl. Secy.