

No.12/3/2018-Trans.  
Government of India  
Ministry of Power  
Shram Shakti Bhawan, Rafi Marg, New Delhi-110 001

Dated: 01.02.2018

To,

Shri G. K. G. Pillai  
189, Friends Colony  
Katol Road, Nagpur-440013  
Mob : 09423628436

Sub : Information sought by Shri G. K. G. Pillai under RTI Act, 2005 reg.

Sir,

Please refer to your RTI Application dated 12.01.2018 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 to 16     | The certified copies of the requisite information are enclosed.  |
| 2.      | Point no. 17          | Information sought is not specific.  |
| 3.      | Point no. 18 and 19   | The information does not pertain to Ministry of Power, Government of India.  |
| 4.      | Point no. 20 to 22    | The application is transferred to CEA in terms of Section 6(3) of the RTI Act, 2005 for providing requisite information directly to the applicant under intimation to this Ministry.   |
| 5.      | Point no. 23 to 26    | The application is transferred to PGCIL in terms of Section 6(3) of the RTI Act, 2005 for providing requisite information directly to the applicant under intimation to this Ministry. |

2. Shri Dhiraj Kumar Srivastava, Director(Transmission), Ministry of Power, Room No.220, Shram Shakti Bhavan, Rafi Marg, New Delhi -110 001, is Appellate Authority, under the RTI Act. 2005.

Yours faithfully,

*Bihari Lal*  
(Bihari Lal)

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

*2/8/2*

*DCM(CA)*

*2/9/2*

*→ to (K3M)*

Rs. 10 - appl<sup>n</sup> fees  
 Amt. received - Rs. 100

Balance for info = Rs. 90

To  
 The Under Secretary(PG)/ Public Information Officer,  
 Ministry of Power, Govt. of India,  
 Shram Shakti Bhawan, Room No.64,  
 NEW DELHI-110001

Respected Sir/Madam,

Sub:- Information under U/S.6(1) of RTI Ac,2005  
 -----

The undersigned is one of the multi-crops, irrigated agricultural land owners - Kh.No.79 & 80 - of Turagondi Village, Hingna Taluk, Distt., Nagpur, Maharashtra State in the Metro Region of Nagpur, wherein the land has multiple uses viz. residential, commercial and industrial - of minimum value of Rs.1.00 crore per acre, affected by the drawing of 765 KVA DC transmission line of M/S. Power Grid-Warora Transmission Ltd. over our aforesaid lands, wherein alternative govt. rocky-barren lands, in sufficient quantities, are available for realignment. A Xerox copy of our appeal dated 9.12.20017 addressed to Hon'ble Chairman, PGCIL, New Delhi is enclosed herewith. I would request you to please provide me, the certified copies of the following documents & information, under section 6(1) of RTI Act, 2005 :-

| <u>Sl.No.</u> | <u>Documents</u>   | <u>No. of Page(s)</u> |
|---------------|--|-----------------------|
| 1.            | Letter No.3/7/2015-Trans dtd.15 <sup>th</sup> Oct. of Jt. Secy, Ministry of Power, GOI, New Delhi <i>Total 2 pages</i>   | 2                     |
| 2.            | Annex-I: Report of the Committee for payment of Compensation in ROW transmission signed by Chairman of the committee, former Special Secretary, Ministry of Power and other participants <i>7 Total Page</i>                         | 7                     |
| 3.            | Letter No.3/7/2015-Trans, Govt. of India, Ministry of Power dtd. 15 <sup>th</sup> April,2015 of Jt. Secretary(Trans),MOP (Annex-I)   | 1                     |
| 4.            | Letter No.3/7/2015-Trans dtd.30 <sup>th</sup> April,2015 of Shri S. Venkateshwarlu, Under Secretary, MOP - Annex   | 1                     |
| 5.            | Minutes of the meeting taken by Sri R.N. Choubey, Hon'ble Special Secretary, MOP on 20.04.2015 regarding finalization of compensation in regard to Right of Way (ROW) for Transmission line <i>7 -&gt; 8 including the attendees</i> | 7                     |

US (RTI)  
 E 2159652070/Admiv  
 15/11/18.  
US (POT)

*Relates to Trans Dept. pl. put up. within time limit 17/11/18  
 SO (P/S)*

Contd.....P/2  
*18/11/18*  
 P/S Desk  
 Trans Dept my  
 further m.c. *kindly see in original*  
 A.P.K.  
US (Trans)  
 20/11/18  
 Lohar  
 JOLPw

|     |   |   |
|-----|---|---|
| 6.  | Issues aggravating the problem P/21 & 22  | 2 |
| 7.  | Recent Developments – order of Hon'ble Distt. Magistrate, Renga Reddy – P/24  | 1 |
| 8.  | Proposal of Power Grid P/25   | 1 |
| 9.  | Provisions of Electricity Act,2003 Part-III P/27  | 1 |
| 10. | Provisions of EA,2003 – Part-VIII Sec.67 & 68 P/36  | 1 |
| 11. | Issues aggravating the problems P/38  | 1 |
| 12. | Various Court Directives/Judgments P/39   | 1 |
| 13. | Recent Developments P/40  | 1 |
| 14. | Recent Development & opinion of AG of India P/41  | 1 |
| 15. | Notification of Govt. of India P/44   | 1 |
| 16. | Electricity Act Para 1-3 of the report Annex-2 P/46   | 1 |
| 17. | Transmission Scheme Published in official Gazette of Maharashtra State or in Central GOI of inter State Schemes u/s 164 of EA,2003  | 2 |
| 18. | Publication of the transmission line made in the 2 local News Papers of Nagpur  | 2 |
| 19. | News Paper Publications of the Scheme of Nagpur   | 1 |
| 20. | Authenticated maps showing the details of the selected Route alignment of the transmissions lines   | 3 |
| 21. | Justification of the route alignment  | 2 |
| 22. | Is there any statutory provision under Indian Electricity Act, 2003 that the entire alignment of the towers & conductors should be laid in straight lines only (180 degrees parallel to the land), through the entire route, without any realignment & is it so sacrosanct in implementation of the final alignment ? A copy of the said provisions may please be provided. |   |
| 23. | Is there any realignment in the 765 KVA Gadwara-Warora Transmission line of PGCIL in 180 degrees parallel to the land from Gadwara to Warora ? If so, the no. of realignments & the reasons there of ?  |   |

Row  
Guidelines  
32 po  
Collection

Plz ask specific information

not pertains to P.1

CEA

PGCIL

PGCIL  
24. If there is any realignment in the in the 765 KVA transmission line in the Gadwara-Warora portion - why it cannot be implemented in the portion of Bhujari, Shirpur, Mohagaon(BK) & Turagondi villages of Nagpur Metro Region, where the market land price is Rs.1.00 crore per acre & and as to why the transmission line cannot be realigned through the sufficient govt.'s rocky-barren land available there. ?

PGCIL  
25. The kind/respected legal opinion of the Hon'ble Attorney General to Govt. of India on the definition of damages and possibilities of payments of compensation towards corridor becomes laws applicable to GOI, its departments & all Govt. Public Sector Industries, in general - Is the kind advice of Hon'ble AG is not applicable to PGCIL ?

PGCIL  
26. The anticipated Profit Before Tax (PBT), PAT & the provisions made for CSR for the financial year 2017-18 of PGCIL may please be provided . If not available, the audited PBT, PAT & the provisions for CSR for the year 2016-17 of PGCIL may please be provided.

The above information along with certified copy of the above documents may please be forwarded on a A-4 paper, at an early date, for which documents fee of Rs.2/- per paper & u/s.6(i) of RTI Act,2005 - Rs.10/- for information, totaling to Rs.100/- is being paid by a Bank Draft bearing No. dtd. .1.2018 drawn on SBI, Friends Colony, Katol Road, Nagpur in favour of Accounts Officer/ PIO,MOP, New Delhi is enclosed herewith.

Nagpur

12.1.2018

Thanking you,

Yours faithfully,

  
(G.K.G.Pillai)

189, Friends Colony  
Katol Road, Nagpur-440013  
Mob: No.09423628436

To  
Hon'ble Chairman,  
Power Grid Corporation of India Ltd.,  
B-9, Qutab Institute Area, Katwaria Sarai,  
NEW DELHI-110016

Respected Sir,

**Sub:- Guidelines for payment of compensation towards damages  
in regards to area below tower and Right of Way for  
transmission lines**

-----

1. Further to our appeal dated October, 3, 2017 to your kind-self regarding the power transmission line of M/S.Power Grid Warora Transmission Ltd. in Turagondi, Mohagaon, Shirpur & Bhujari, Hingna & Kalmeshwar Tahsil, Nagpur, we have received few letters from Chief Manager, Power Grid Warora Transmission Ltd., Wardha, latest vide No.TBCB/PWTL/TLC/4236 dated 11.11.2017 for payment of compensation for towards lands under Transmission Tower and also to Right of Way for transmission payable for rural areas, which is *not commensurate with the damages & as such not at all acceptable* to us, since the above locations are under Nagpur Metro Region, where the agricultural lands have multiple uses viz., residential, commercial, industrial etc. with high land cost/value realizable after development.
2. In this connection, we would humbly like to draw your kind attention to the minutes of the meeting conducted by Shri R.N.Choubey, Special Secretary, Ministry of Power (MOP) on 20.04.2015 regarding finalization of compensation in regard to Right of Ways(ROW) for transmission line and also the kind valued legal opinion of hon'ble Attorney General, Govt. of India, circuiated vide No.3/7/2015-Trans dtd.15<sup>th</sup> October,2015 by Hon'ble Jt. Secretary(Trans), Govt. of india, Ministry of Power, New Delhi.
3. We would also like to draw your kind attention to Para-1 of the minutes that Hon'ble Director(Proj), PGCIL explained the difficulties faced by Power Grid in more or less in all States regarding adequacy of compensation and severe resistance posed by the land owners/farmers, which is affecting implementation/commissioning of

Contd..P/2

many important lines in Maharashtra. He expressed that the provisions of the said Act provides that damages have to be compensated, but there is no specific procedure or definition of damages. This ambiguity have been interpreted differently by various hon'ble Courts and Hon'ble DMs/DCs, who have ordered compensation for tower base as well as diminishing land value for corridor. Such orders of different hon'ble DMs/DCs are also in variance from each other and the difference in compensation cost also varies greatly.

5. He further stated that due to above referred reasons, Power Grid has approached Hon'ble Attorney General of India(AG) for his kind opinion on the definition of damages and possibility of payment of compensation towards corridor:-

Hon'ble A.G. opined as follows:-

" In my view, it is logical to hold underneath the legs of the tower (permanently fixed to the earth) is permanently lost by the owner. Even though those pieces of land are not required for acquisition and the ownership remains with the owners, yet all incidence of the ownership, enjoyment and free use of those pieces of land becomes severally restricted. In such case, compensation ought to be near as present value of the land. The compensation of land under the corridor is entirely different. Such land is conveniently useable for agriculture. However, there would be of course diminution of land value due to placing of line over it with certain restriction on land use as brought out in para-9 (in case of agricultural land, it may have restriction for placing tall trees, pump house and future prospectus in corridor area. In case of residential area and commercial plot, there will be severe restriction to meet safety guidelines) and also any future prospectus for usage - other than agriculture. The usage of such land cost may vary depending upon its location in urban or rural area. The compensation for such diminution in land value for the line of corridor is also payable to the land owners, quantum of which should commensurate to the damages depending upon the types/location of the land and its intended/recorded land use \*\*.

Contd...P/3

**\*\* In case of residential/industrial area, there is severe restrictions on usage for safety of human life & electrical clearances, hence compensation need to be commensurate with the damages.**

**\*\* I am also of the considered view that due to case specific, nature of valuation of compensation, State has vested such powers with District Authorities. However, the Authorities have to take a balance view considering intended purpose and reasons above".**

6. As per the Indian Electricity Rules, 1956, transmission lines require a clear corridor of 48 meters, (24 meters on either side) from the centre of transmission lines. The 765 KV DC transmission lines of the Power Grid Warora - Gadwara Transmission Ltd., either depending upon the contour/topography of the adjoining lands or deliberately planned through the middle of the agricultural land, in a zigzag manner, by which 80% of the land utility will be lost, virtually the remaining 20% of the land, at four corners, is of no use to us & the compensation offered is paltry & in ultra contravention of Section 10(d) of the Indian Telegraph Act, which is not at all acceptable to us.
7. We would also like to draw your kind attention to Clause No.5 of RFCTLARR Act, 2013 under title "compensation" that the Act provides compensation of four times the market price in rural areas and twice the market price in urban areas. This includes a solatium of 100% of the compensation. Further, it is also pertinent to draw your kind attention to Chapter-III of LARR Bill, 2011, which amply states that "any land under agricultural cultivation - especially multi-cropped irrigated land is acquired only as a last resort.
8. In view of the above kind legal opinion of Hon'ble Attorney General of India & the statement facts therein, as stated by Director(Projects), PGCIL, and circulated vide No3/7/2015-Trans dated 15<sup>th</sup> October, 2015 by Hon'ble Joint Secretary(Trans), Govt. of India, New Delhi, (which is already available with your good offices), we will not be allowed to develop our agricultural land into residential colonies or other commercial projects, if the overhead transmission line of PGCIL is permitted through our lands, which are, otherwise,

permitted to be developed for residential or commercial projects under the Nagpur Metropolitan Area Development Plan 2012-2032 approved under Development Control Regulations, u/s 26 of the Maharashtra Regional and Town Planning Act, 1966 & our ultimate loss is not less than Rs. 7.50 crores or more, in each case, depending upon the location & area of the land. It is requested that appropriate/adequate compensation, as per para-7 above, be paid to the land owners of these lands located in Turagondi, Mohgaon, Shirpur & Bhujari villages in Hingna & Kalmeshwar Taluk of the Nagpur Metro Region, since the market value of the land in Turagondi is Rs.30.00 lakhs/acre & in Mohagaon, Shirpur & Bhujari Villages varies from Rs.70.00 - Rs.80.00 lakhs per acre.

Unfortunately, we the land owners of these villages are in a precarious condition like the proverbial say "between the devil & sea", left with no other alternative, other than to approach honorable Court of Law, if adequate compensations are not received. Your kind-self is requested to advise the Chief Manager/GM of Power Grid Warora Transmission Ltd., Wardha to process for acquiring sufficient govt. land already available at the same location accordingly.

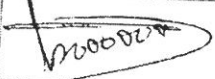
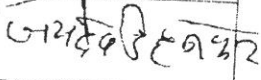
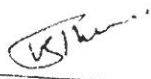
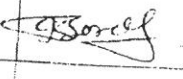

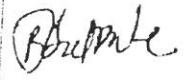
Nagpur:  
December,9,2017

With kind regards,

Yours faithfully,

| Sl.No. | Name of land owner & Khasra No.                                  | Signature |
|--------|--|-----------|
| 1.     | G.K. Gopala Krishna Pillai<br>Kh. no. 79, Turagondi (Kh. no. 79) |           |
| 2.     | श्री सुधीर रामराव सुर्वे<br>हिंगना - शिरपुर - दारुवाडी - 4611    |           |
| 3.     | श्री सुधीर रामराव सुर्वे<br>हिंगना - शिरपुर - दारुवाडी - 4611    |           |
| 4.     | श्री सुधीर रामराव सुर्वे<br>हिंगना - शिरपुर - दारुवाडी - 4611    |           |
| 5.     | श्री सुधीर रामराव सुर्वे<br>हिंगना - शिरपुर - दारुवाडी - 4611    |           |
| 6.     | श्री सुधीर रामराव सुर्वे<br>हिंगना - शिरपुर - दारुवाडी - 4611    |           |



| Sl.No | Name of Land owner & Kh. No.                                     | signature   |
|-------|--|---|
| 7.    | श्री० विनायकराव धोके को धन ३५<br>मौजा - मुयारी, खसरा नं. ७७/१ अ. |    |
| 8.    | श्री० जयदेव नथुभा डेन ३५<br>मौजा - मुयारी, खसरा नं. ६५           |    |
| 9     | श्री० कण्ठ संपत सोरा<br>मौजा - मोहगाव खुद खसरा नं. २४/१          | R.S. Tonge  |
| 10    | श्री० कण्ठ संपत सोरा<br>मौजा - मोहगाव खुद खसरा नं. ३३            | R.S. Tonge  |
| 11    | श्री० शेषराव राजाराम सोरा<br>मौजा - मोहगाव खुद खसरा नं. ५६       | R.S. Tonge  |
| 12    | श्री० लक्ष्मणराव तिलक सुख ३५<br>मौजा - मोहगाव खुद खसरा नं. २९/२  |    |
| 13    | श्री० सचिन कण्ठजी सरदे<br>मौजा - मोहगाव खुद खसरा नं. २४/१        |    |
| 14    | श्री० नानुबाई कापुरावजी देशभुजा<br>मौजा - मोहगाव खुद खसरा नं. ४४ |   |
| 15    | श्री० छेवी धनराज मंडके<br>मौजा - मोहगाव खुद खसरा नं. ४९          | धनराज मंडके   |
| 16.   | श्री० रमेश दीपतराव खातबूते<br>मौजा - कुंगोवा खसरा नं. ११४        |  |

Copy for kind information to :-

1. Project Manager/Chief Manager, Power Grid Transmission Ltd., Plot No.3, 1<sup>st</sup> Floor, Vijya Bank Complex, Gopuri Square, Nagpur Road, Wardha for kind information.
2. Hon'ble Distt. Collector, Govt. of Maharashtra, Nagpur for kind information.

3. **Respected Shri Devendra Fadnavisji, Hon. Chief Minister, Govt. of Maharashtra, Mumbai-400001 for kind information with a prayer to kindly consider our request, since your kindself is our last ray of hope & can only be bale out of this crisis.**
4. **Respected Shri Samir Megheji/Dr.Ashish Deshmukhji, Hon'ble MLAs, Hingna/Kalmeshwar with a request to kindly take up this issue with all concerned authorities and also in the forthcoming Assembly Session at Nagpur from 11<sup>th</sup> December, 2017 onwards to find out a reasonable solution. Alternatively, govt. surplus lands at Kh.Nos.93,94,96,97 acquired for Turagondi Dam & adjoining govt.'s rocky - barren land at Kh.Nos.79, 74,60,64,56 at Turagondi Village touching NH-6 Nagpur - Amravati Road and Kh.Nos.79,74,60,64,56 & 45 of Mohagaon BK are easily available in sufficient quantum. If the transmission lines are realigned through these surplus govt.'s land, the miseries of the farmers can be mitigated adequately.**

ESMD → CSK

2018/581