



सूचना
का अधिकार

पावर ग्रिड कोर्पोरेशन ऑफ इंडिया लिमिटेड
Power Grid Corporation of India Limited
सूचना का अधिकार अभिनियम 2005 के अंतर्गत केन्द्रीय लोक सूचना अधिकारी
Central Public Information Officer under the RTI Act, 2005
केन्द्रीय कार्यालय, 'सौदामिनी', प्लॉट नं.2, सेक्टर-29, गुडगांव, हरियाणा-122007
Corporate Centre, 'Saudamini', Plot No. 2, Sector-29, Gurgaon, Haryana-122007



PGCIL/R/2019/80060

Dated : 3 June, 2019

P Sridevi,
D.No. 11-22/2, Opp-CCC cable office, Danavai Peta, Rajahmundry,

Sub: Information under Right to Information Act, 2005.

Sir/Madam,

This has reference to your RTI request dated 27 May, 2019 for providing information under RTI Act, 2005.

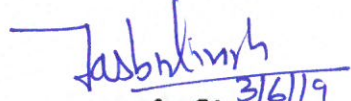
The desired information is attached at Annexure-I.

First Appeal, if any, against the reply of CPIO may be made to the first appellate Authority within 30 days of the receipt of the reply of CPIO. Details of Appellate Authority at Corporate Centre, Gurgaon, under RTI Act, 2005 is as below:

Shri Sanjeev Singh,
Executive Director (CMG) & Appellate Authority
Corporate Centre, Power Grid Corporation of India Limited
"Saudamini", Plot No. 2, Sector-29, Gurgaon – 122007, Haryana.
Email ID: sanjeev@powergridindia.com
Phone No. 0124-2571962

Thanking you,

भवदीय,


(जसबीर सिंह) 3/6/19

वरिष्ठ महाप्रबंधक (के. आ.) एवं के.नो.सू.अधिकारी

Email ID: cpio.cc@powergrid.co.in

Reply to RTI Query of P Srivedi is as given below:

Query:

1. A Sample copy of procedure/ rule of law/ Guidelines/ that construction companies should follow for/ while using private persons land in RoW/ corridor from the date of approved alignment for selected land for using for corridor?

Reply:

- Power Grid Corporation of India Limited (POWERGRID) is a Government of India enterprise and also designated as "Central Transmission Utility" (CTU) of the country by Ministry of Power (MoP) under section 38 of the Electricity Act, 2003. Being a CTU, it is also a "Deemed Transmission Licensee" under section 14 of the said Act. POWERGRID has been vested with the powers of Telegraph Authority vide MoP's Gazette Notification dated 24.12.03 under section 164 of the Electricity Act, 2003 ('A'). Section 10 (b) of Indian Telegraph Act 1885 prohibits acquisition of any rights other than that of use only in the property under, over, along, across in or upon which the telegraph authority places any telegraph line or Post. The Electricity Act 2003 is available on following link:
https://powermin.nic.in/sites/default/files/uploads/The%20Electricity%20Act_2003.pdf
2. A copy of "approach the land owner step by step order/ procedure/hierarchy" from the date of approval of route alignment for use of private individual land selected for corridor.

Reply:

- As explained above, since POWERGRID vested with the powers of Telegraph Authority vide MoP's Gazette Notification dated 24.12.03 under section 164 of the Electricity Act, 2003, prior consent of land owners for placing tower on the land is not required. As per applicable law, land for transmission line i.e. for tower and corridor are not acquired and ownership of land remains with the owner and is allowed to continue cultivation after construction. As per the provisions of Electricity Act, 2003 and Indian Telegraph Act, 1885, only the damages (without acquisition of subject land) accrued to person while placing the tower and line are to be compensated after due assessment by local revenue authorities.
- After the detailed survey and finalization of route alignment and tower spotting, a notice under Indian Telegraph Act is served to the landowners informing that the proposed transmission line is being routed through the property of the individual concerned. The notice shall contain the particulars of the land, ownership details and the details of the trees/crops likely to be damaged during the course of the construction of the proposed transmission line and acknowledgement received from land owner. A copy of said notice is further marked to the Revenue Officer, who has been authorized by the State Govt. for the purpose of assessment/valuation. Based on the extent of actual damages, the compensation is assessed and finalized by concerned revenue officials and same is paid by POWERGRID mostly online or through Demand Draft/Cheques. The same process is applied again during erection and stringing, if damages are caused during these activities.

- For assessing the value of timber yielding trees, help of forest officials is taken and for fruit bearing trees, help of Horticulture department is taken.
3. A copy of rights of private land owners applicable within the construction companies while used his land for the row corridor etc.

Reply:

- POWERGRID¹ has been vested with the powers of Telegraph Authority vide MoP's Gazette Notification dated 24.12.03 under section 164 of the Electricity Act, 2003. The provision under section 10 (d) of "Indian Telegraph Act, 1885" provides for full compensation for all the damages without acquisition of subject land while placing the tower and lines after due assessment by revenue authorities.
 - In case the affected person has any issue, he/she can approach DC/DM under Section 16(1) of the Indian Telegraph Act, 1885 for amicable solution. In case affected person's grievance is not resolved and he/ she is aggrieved regarding insufficiency or unreasonability of compensation, the Indian Telegraph Act under section 16(3) provides either of the disputing parties may approach the District Judge within whose jurisdiction the property is situated whose order will be final and binding.
4. Whom the authority, the land owner has to approach to complain for violation of any of above point no. 1 & 2 by the construction companies while/ for using private land.

Reply:

- Same as reply of query no. 3.

Or

5. The remedy shown by the authorities/ if not provided/ available above points 1,2,3 &4.

- Same as reply of query no. 3.

In addition to above, considering the effect on land value due to laying of transmission line and restriction imposed to maintain safe electrical clearance, Ministry of Power, after detailed deliberations with States, issued guidelines for payment of compensation towards damages in regard to Right of Way for transmission lines which provides payment of 85% of land value for tower base area and 15% of land value towards diminution of land value in the width of Right of Way (RoW) corridor in addition to normal tree and crop compensation on 15th Oct.'2015. As per point No. 4 of the said guidelines, the guidelines are to be adopted by the respective States/ UTs and appropriate direction/ order have to be issued for its implementation. As per the

¹ The licensee which are not provided telegraph authority power under Section 164 of Electricity Act, 2006 will be governed by the "Works of Licensee Rules, 2006" notified by MoP on 18th April 2006 available on: (https://powermin.nic.in/sites/default/files/uploads/Works_of_licensees.pdf).

information available till date, only 14 states viz. Andhra Pradesh, Gujarat, Chhattisgarh, Kerala, Karnataka, Madhya Pradesh, Maharashtra, Assam, Odisha, Tamil Nadu, Jharkhand, Sikkim, Manipur & Uttar Pradesh have adopted MoP guidelines. The MoP guideline is available on following link:

[http://powermin.nic.in/sites/default/files/uploads/Guidelines for payment of compensation towards damages in regard.pdf](http://powermin.nic.in/sites/default/files/uploads/Guidelines%20for%20payment%20of%20compensation%20towards%20damages%20in%20regard.pdf)

MINISTRY OF POWER

ORDER

New Delhi, the 24th December, 2003

S.O. 1463(E).—Whereas Power Grid Corporation of India Limited, having its registered office at B-9, Qutab Institutional Area, Katwaria Sarai, New Delhi (hereinafter referred to as 'the POWERGRID') is a Government Company registered under the Companies Act, 1956 and a licensee engaged in the business of inter-State transmission of electricity, under the Electricity Act, 2003;

And, whereas Powergrid is required to establish transmission system and to undertake transmission of electricity through inter-State transmission system;

And, whereas for placing and maintaining of electric lines or electrical plant under, over, along or across, posts in or upon any immovable property for the transmission of electricity or for the purpose of telephonic or telegraphic communications necessary for proper coordination of works, the vesting and exercise of the powers of the Telegraph Authority under Part-III of the Indian Telegraph Act, 1885 (8 of 1885) with respect to the placing of the telegraph lines and posts established or maintained or to be so established or maintained are required to be conferred on the Powergrid;

Now, therefore, in exercise of the powers conferred by Section 164 of the Electricity Act, 2003 the Powergrid is hereby authorized to exercise all the powers vested in the Telegraph Authority under Part III of the Indian Telegraph Act, 1885, in respect of the electrical lines and electrical plant established or maintained, or to be so established or maintained for the transmission of electricity or for the purpose of telephonic or telegraphic communication necessary for the proper coordination of the works.

The above authorization is subject to compliance by the Powergrid to the requirements of the provisions of the Electricity Act, 2003 and the rules made thereunder.

[No. 23/73/2003-R&R]

AJAY SHANKAR, Jt. Secy.

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 1148]
No. 1148]

नई दिल्ली, बुधवार, दिसम्बर 24, 2003/पौष 3, 1925
NEW DELHI, WEDNESDAY, DECEMBER 24, 2003/PAUSA 3, 1925

विद्युत मंत्रालय

आदेश

नई दिल्ली, 24 दिसम्बर, 2003

का.आ. 1463(अ).—जहाँ पावरग्रिड कारपोरेशन ऑफ इंडिया लिमिटेड, जिनका पंजीकृत कार्यालय बी-9, कुतुब इम्प्टीद्यूशनल एरिया, कटवारिया सराय, नई दिल्ली (अब से "पावरग्रिड" नाम से संदर्भित) है, कंपनी अधिनियम, 1956 के अंतर्गत पंजीकृत एक सरकारी कंपनी है और विद्युत अधिनियम, 2003 के अंतर्गत अंतरराज्यीय पारेषण कार्य के लिए लाइसेंसि है।

और, जहाँ पावरग्रिड द्वारा अंतरराज्यीय पारेषण प्रणाली के जरिए पारेषण प्रणाली स्थापित करना तथा विद्युत पारेषण का कार्य करना अपेक्षित है।

और, जहाँ विद्युत पारेषण या कार्यों के समुचित समन्वयन के लिए आवश्यक दूरभाषीय या तार संबंधी सम्प्रेषण के उद्देश्य से किसी अचल संपत्ति में या पर ग्राउंड के नीचे, ऊपर, पास में या इसके पार विद्युत तार या विद्युत संयंत्र स्थापित करने और इनका अनुरक्षण करने के लिए भारतीय तार अधिनियम, 1885 (1885 का 8) के भाग-3 के अंतर्गत तार लाइनों को बिछाने या स्थापित अथवा अनुरक्षित पोस्ट या इस प्रकार स्थापित अथवा अनुरक्षित तार लाइनों एवं पोस्टों के संबंध में पावरग्रिड को शक्तियाँ प्रदान करने एवं पावरग्रिड द्वारा इनका प्रयोग किया जाना अपेक्षित है।

अतः, अब विद्युत अधिनियम, 2003 की धारा 164 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पावरग्रिड को एतद्द्वारा विद्युत पारेषण के लिए तथा कार्यों के समुचित समन्वयन के लिए आवश्यक दूरभाषीय या तार संबंधी सम्प्रेषण के उद्देश्य से बिछाई गयी या अनुरक्षित अथवा बिछाई जाने या अनुरक्षित की जाने वाली विद्युत लाइनों एवं विद्युत संयंत्र के संबंध में भारतीय तार अधिनियम, 1885 के भाग-3 के अंतर्गत तार प्राधिकरण को प्रदत्त एवं इसमें निहित शक्तियों का प्रयोग करने हेतु प्राधिकृत किया जाता है।

पावरग्रिड को उपर्युक्त शक्ति का प्रत्यायोजन इसके द्वारा विद्युत अधिनियम, 2003 के प्रावधानों एवं इसके अंतर्गत बनाए गए नियमों का अनुपालन करने की शर्त पर दिया गया है।

[सं. 23/73/2003-आर एंड आर]

अजय शंकर, संयुक्त सचिव