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In this Revision Petition, the only issue raised by the petitioners and argued by the learned Counsel representing them is that compensation has not been awarded in respect of RoW corridor. A perusal of the impugned order reveals that the premises on which the RoW compensation was denied were that (i) no provisions are made in the Land Acquisition Act 2013 as well as by the State Government in the year 2015-16 for payment of compensation; and (ii) that G.O.Rt.No.83, dt.20-06-2017 providing for payment of compensation for corridor area was issued on 20-06-2017 i.e., much prior to the laying of the transmission line in question. In our opinion, both the above reasons suffer from patent error. The Land Acquisition Act 2013 is a statutory enactment which does not deal with any particular purpose of acquisition of land. Though the procedure prescribed under the said Act is not being followed while transmission lines are laid over private lands, in view of the constitutional right of the owner of the property conferred by Article 300-A of the Constitution of India, such owner is entitled to the same compensation on the analogy of the Land Acquisition Act 2013. As discussed supra, unfettered discretion has been conferred on the District Magistrate to fix appropriate compensation by the existing Rules. In our opinion, there cannot be a better criterion than what is provided under the Land Acquisition Act 2013 for award of just and reasonable compensation. The philosophy under the said Act is to pay just and reasonable compensation to all the owners who are deprived of the land and/or its user. In recognition of the land owners' right to be compensated even for corridor area for diminution of its value, the Committee constituted by the Power Ministers of the

country made recommendations considering which the State Government issued G.O.Rt.No.83, dt.20-06-2017. In the Commission's view, G.O.Rt.No.83, dt.20-06-2017 only recognised a pre-existing right in every land owner to receive just and proper compensation. Therefore, whenever compensation is determined post G.O.Rt.No.83, dt.20-06-2017, every land owner whose claim was not finally settled by the date of coming into force of the said G.O., is entitled to the benefit under the said G.O. irrespective of whether the property was taken over prior to or after the issue of the same. Though the compensation was initially determined by order dated 13-05-2015 of respondent No.1, the same was set-aside by this Commission and the matter was remanded for fresh consideration by respondent No.1. Therefore, when a do novo determination is being made, respondent No.1 is bound to consider the guidelines contained in G.O.Rt.No.83, dt.20-06-2017.

There is another angle from which the issue could be perceived. In its Judgment in **Kerala State Electricity Board Vs. Livisha (1-supra)**, rendered as far back as the year 2007, the Hon'ble Supreme Court held that one of the relevant factors for determination of compensation is whether the owner of the land in a given situation may lose his substantial right to use the property for the purpose for which the same was meant to be used. This clearly shows that the concept of diminution in value on account of laying the transmission line was judicially well recognised much before the land was utilised in the instant case and G.O.Rt.No.83, dt.20-06-2017 was issued.

For the foregoing reasons, the order of respondent No.1 to the extent it has denied compensation to the corridor area is set-aside. Respondent No.1 is directed

to pass a fresh order determining the compensation for the corridor area within one month from the date of receipt of this order. Respondent No.2 shall pay such compensation within one month thereafter.

In the result, all the Revision Petitions are partly allowed to the extent indicated above.

Sd/-  
**Thakur Rama Singh**  
Member

Sd/-  
**Justice C.V. Nagarjuna Reddy**  
Chairman

Sd/-  
**P. Rajagopal Reddy**  
Member

