

R. Vinod Reddy

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To
The Chairman and Managing Director,
TSTRANSCO, Vidyut Soudha,
Hyderabad.

Sir,

Sub: Writ Appeals to be filed against the orders in Writ Petitions bearing
WP. No. 13164 of 2019, 16669 of 2019 and 16670 of 2019.

The Writ Petitions have been filed for Writ of Mandamus to declare the high handed action of the Respondents in laying the High Tension wires and Construction of Towers without making payment of compensation under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act 2013 as illegal, arbitrary and violative of Article 14, 21, 300A of Constitution of India.

The Honorable High Court by order dated 03-12-2019 in WP. No. 13164 of 2019 has directed the Respondent Authority ie. TSTRANSCO to determine the compensation in respect of the land of the petitioners under the provisions of the RFCTLARR Act of 2013, keeping in view the guidelines of the Central Government dated 15-10-2015 and also the advise rendered by the Telangana State Regulatory Commission to the State Government under section 86 (2) of the Electricity Act 2003.

The Honorable High Court has passed the same orders in WP. No. 16669 of 2019 and 16670 of 2019 on 06-02-2020.



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The TSERC has issued proceedings bearing LR. No. L-37/1/JD (L)/ 2 D. No. -1 dated 02-01-2018 addressed to the Special Chief Secretary, Energy Department, Government of Telangana to arrive at the compensation under the RFCTLARR Act 2013. The Said proceedings do not disclose that notice has been issued to TSTRANSCO and whether any objections have been filed and taken into consideration before issuing the proceedings.

It is advised that a review petition or an application may be filed before the TSERC to modify the said proceedings dated 02-01-2018 as the Electricity Act 2003 and the Indian Telegraph Act only stipulate that the compensation to the extent of the crop loss suffered during the laying of lines and erection of towers should be paid to the land owners.

The issue involved in the Writ Petitions shall have serious financial repercussions and also the orders in the Writ petitions are contrary to the earlier judgments of this Honorable High Court and Supreme Court of India and against the Provisions of the Electricity Act 2003 and the Indian Telegraph Act.

It is therefore advised that the services of the learned Advocate General/ Additional Advocate General may be engaged in the Writ Appeals to be filed against the orders in the Writ Petition bearing WP. No. 13164 of 2019, 16669 of 2019 and 16670 of 2019.


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