THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Revision Petition No. 2358 of 2026

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

Hon'ble Shri Griesh Kumar Vaish, Member (Law)

IN THE MATTER OF

Revision Under Rule 3 (3) work of licensee Rule 2006.

AND

IN THE MATTER OF

Ramesh Chandra Singh,
Son of: Late Shobhnath Singh,
Resident of: Mauza Kohasi, Pargana- Katehar,
Tehsil- Sadar, District- Varanasi. **.... Revisionist**

Versus

1. **District Magistrate**

   Collectorate Compound, Katchehry, Varanasi,

   Uttar Pradesh- 221002

2. **Executive Engineer**

   Electricity Transmission Division-I, Varanasi. **... Respondents**

PRESENT:

1. Sh. Anil Kumar Tiwari, Advocate, Revisionist
2. Sh. Ramesh Chandra Singh, Revisionist
3. Sh. Devi Charan, SDO, Sarnath, ETD-I, Varanasi, UPPTCL

ORDER

(DATE OF HEARING: 13.10.2026)

1. The Revisionist has submitted that the instant Revision Petition has been filed against Order dated 25.08.2025 passed by District Magistrate, Varanasi under Rule 3(2) of the Works of Licensees Rules, 2006 in compliance of the order dated 18.11.2020 passed by the Hon'ble High Court in Writ-C No. 11239 of 2020, Ramesh Chandra Singh vs. Union of India & Others, and further in compliance of the order dated 07.07.2025 passed in Contempt Petition (Civil) No. 2733 of 2025, Ramesh Chandra Singh vs. S. Raj Lingam, District Magistrate, Varanasi. The Prayers of the Petition are as follows:

   a) Allow and admit the present Revision Petition;

   b) Quash and set aside the impugned order dated 25.08.2025 passed by Opposite Party No. 1;

   c) Direct Opposite Party No. 2 to pay compensation of ₹ 5,40,35,088/- to the Petitioner in accordance with the latest guidelines issued by the Government of India;

   d) Pass such other and further order(s) as this Hon'ble Commission may deem fit and proper in the facts and circumstances of the present case in the interest of justice.

BRIEF FACTS OF THE REVISION PETITION

2. The Revisionist has submitted before the Commission that in compliance of the order dated 18.11.2020 passed by the Hon'ble High Court in Writ-C No. 11239 of 2020, Ramesh Chandra Singh vs. Union of India & Others, and further in compliance of the order dated 07.07.2025 passed in Contempt Petition (Civil) No. 2733 of 2025, Ramesh Chandra Singh vs. S. Raj Lingam, District Magistrate, Varanasi, the District Magistrate, Varanasi has passed a final order dated 25.08.2025 under Rule 3(2) of the Works of Licensees Rules, 2006. Being aggrieved by the aforesaid final order dated 25.08.2025, the present Revision Petition is being preferred on the following grounds:–

3. The order passed by Opposite Party No. 1 i.e District Magistrate, Varanasi is wholly contrary to law and procedure and in violation of the spirit of the order

dated 07.07.2025 passed by the Hon'ble High Court, without ensuring proper compliance, and is liable to be set aside.

4. The impugned order dated 25.08.2025 was passed in an arbitrary and backdated manner without affording any opportunity of hearing or to adduce evidence, and the Petitioner became aware of it only on 17.09.2025.

5. The Revisionist has further submitted the findings that compensation of ₹ 54,990/- had already been paid on 08.02.2021 is arbitrary and contrary to the findings of the Hon'ble High Court in its order dated 18.11.2020.

6. Opposite Party No. 1 i.e District Magistrate, Varanasi has committed illegality by misapplying the principles in Power Grid Corporation of India Ltd. vs. Ajay Kumar Gupta & Another. Also, it has been erroneously held that the Works of Licensees Rules, 2006 are not applicable, thereby virtually sitting in appeal over the judgment dated 18.11.2020 of the Hon'ble High Court, which is without jurisdiction. Even otherwise, in view of the Guidelines dated 14.06.2025 and Supplementary Guidelines dated 21.03.2025 issued by the Ministry of Power, Government of India, and the judgment by Hon'ble High Court Punjab & Haryana in Vinod & Others vs. Kalpataru Power Transmission Ltd. & Others, the Petitioner is entitled to compensation of ₹ 5,40,35,088/-; however, no opportunity was granted to lead evidence in support.

7. Further, the Revisionist has submitted that Opposite Party No. 1 i.e District Magistrate, Varanasi has concluded that the Petitioner is not entitled to compensation for the green corridor, as such compensation would be contrary to the approved terms and conditions and the guidelines issued by the Government of India, and is therefore improper and impermissible. According to Opposite Party No. 1 i.e District Magistrate, Varanasi, the purpose of the green corridor project was to facilitate the evacuation of renewable energy and to ensure grid connectivity, for which it was implemented. The Petitioner's land is located within a radius of 500 meters from the proposed Ganga Expressway and 200 meters from a paved road, and being situated in an inhabited area, it has significant economic value. Opposite Party No. 2 i.e UPPTCL has further stated that the Petitioner's land is not being acquired; rather, only the right of way over the land is being utilized. The Opposite Party has also alleged that the Revisionist is a resident of the Ganga Expressway area and that the Revisionist's land has not,

in reality, been dispossessed. In such circumstances, payment of compensation of only ₹ 54,990 cannot be considered justified.

8. The amount of ₹ 54,990/- was neither determined in accordance with law nor assessed by the District Magistrate, and the finding that lawful compensation has been paid is arbitrary.

9. In view of the above, the impugned order dated 25.08.2025 is liable to be set aside, failing which the Revisionist shall suffer irreparable loss and injury.

UPPTCL's Reply Dated. 10.07.2026

10. UPPTCL submitted that the case pertains to Shri Ramesh Chandra Singh, son of Late Shobhnath Singh, resident of Village Kohasi, Pargana Katehar, Tehsil Sadar, District Varanasi, whose land is affected by the construction of the 132 kV Sarnath–Cantt LILO (Cholapur) Transmission Line.

11. In compliance with the Order dated 18.11.2020 passed by the Hon'ble High Court in Writ Petition No. 11239 of 2020, compensation was assessed on the basis of the valuation and joint survey report received from the Revenue Department. Accordingly, by letter No. 180585 dated 08.02.2021, UPPTCL paid an amount of ₹ 54,990.00 to Shri Ramesh Chandra Singh. The said payment was considered appropriate by the Hon'ble Court, and the writ petition was subsequently disposed of.

12. In this regard, it was submitted that vide Order No. 707/Director (Works & Projects) dated 23.03.2026 issued by the Director (Works & Projects), UPPTCL, Shakti Bhawan, Lucknow, it has been provided that, for transmission lines to be constructed in future, compensation payable to farmers/landowners shall be determined in accordance with the guidelines of the Ministry of Power, Government of India.

13. The proposal was approved in the 105th meeting of the Board of Directors of UPPTCL held on 29.01.2026. Under the said provisions, compensation shall be calculated on the basis of:

    a) 200% of the area occupied by the tower base (including an additional margin of one metre on all sides), and

    b) 30% of the area falling within the Right of Way (RoW) corridor.

14. It is noteworthy that the aforesaid Order is applicable only to transmission lines that are to be constructed in the future and does not have retrospective effect.

15. In the present case, compensation is governed by the provisions of Government Order No. 2023/24-P-03-2018 dated 06.09.2018 issued by the Principal Secretary, Government of Uttar Pradesh (Energy Section), under which the Revenue Department assessed compensation for the transmission line concerned. The market value of the affected land was determined by the Office of the Deputy Registrar, Varanasi, at the circle rate of ₹ 2,200 per square metre, and accordingly the total valuation was assessed at ₹ 3,88,168.00. At 85% of the assessed value, compensation of ₹ 3,29,942.80 was determined. Out of this amount, the 1/6th share of Shri Ramesh Chandra Singh was calculated as ₹ 54,990.00, and the said amount was paid to him on 08.02.2021.

16. The construction work of the 132 kV Sarnath–Cantt LILO (Cholapur) Transmission Line was completed in December 2020, and the said transmission line was energized on 02.12.2020. The compensation determined in favour of the complainant/landowner was duly paid on 08.02.2021. Subsequently, the Hon'ble High Court passed an order dated 17.04.2026 in Writ Petition No. 12447 of 2026. However, the said order has no bearing on the amount of compensation in the present case.

17. Therefore, in light of the facts stated above, UPPTCL submitted that Shri Ramesh Chandra Singh, son of Late Shobhnath Singh, resident of Village Kohasi, Pargana Katehar, Tehsil Sadar, District Varanasi, has already been paid the compensation payable to him in accordance with the prevailing rules. Accordingly, no liability of any kind remains pending against the Department in respect of the said matter.

District Magistrate, Varanasi Reply Dated. 14.07.2026

18. District Magistrate, Varanasi has submitted its reply on this case in compliance with the Order of the Commission dated. 22.05.2026:

"प्रस्तुत प्रकरण में याचिकाकर्ता श्री रमेश चन्द्र सिंह पुत्र स्व० शोम्भनाथ सिंह, निवासी ग्राम कोहरसी, तहसील सदर, वाराणसी की ओर से ऊर्जा मंत्रालय, भारत सरकार द्वारा निर्गत दिशा निर्देश दिनांक 14.06.2024 एवं पूरक दिशा निर्देश दिनांक 21.03.2025 के क्रम में मुआवजे का निर्धारण किये जाने का अनुरोध किया गया है, जिसके बावत अधोहस्ताक्षरी को आख्या प्रेषित किये जाने हेतु निर्देशित किया गया है।

*तत्क्रम में प्रकरण से सम्बन्धित अभिलेखों का परिशीलन किया गया। पत्रावली पर रक्षित निदेशक (कार्य एवं परियोजना) उ०प्र० पावर ट्रांसमिशन कार्पोरेशन लिमिटेड, के पत्र संख्या–707/निदेशक(कार्य एवं परिय०) दिनांक 23.03.2026, ऊर्जा मंत्रालय, भारत सरकार के दिशा-निर्देशों के अनुरूप अंगीकृत किये जाने के क्रम में विभिन्न परियोजनाओं हेतु आर०ओ०डब्लू० मद में प्राविधानित दरों के पुनरीक्षण के सम्बन्ध निदेशक मण्डल की दिनांक 29.01.2026 को सम्पन्न 105वीं बैठक में किये गये अनुमोदन के आधार पर भुगतान किये जाने का प्रावधान अंकित किया गया है, **जिसमें यह स्पष्ट किया गया है कि यह दरें भविष्य में होने वाले निर्माण / परियोजनाओं पर ही प्रभावी होंगी। जबकि याचिकाकर्ता द्वारा जिस परियोजना के सम्बन्ध में मुआवजे की मांग की जा रही है, वह प्रकरण वर्ष 2020 का है एवं याचिकाकर्ता को दिनांक 08.02.2021 को ही तत्समय प्राविधानित मुआवजे की दर से भुगतान किया जा चुका है, ऐसी स्थिति में वर्तमान समय प्रवत्त मुआवजे की दर, जो आगामी परियोजनाओं पर ही प्रभावी होगी, के आधार पर याचिकाकर्ता को मुआवजे का भुगतान किया जाना विधिनिकुल नहीं होगा।** पत्रावलीत अभिलेखों के अनुसार याचिकाकर्ता को उनके अंश के आधार पर दिनांक 08.02.2021 को किया गया भुगतान विधिनिकुल है।"*

Rejoinder on UPPTCL's Reply Dated. 03.09.2026

19. The Revisionist, Ramesh Chandra Singh, submitted that he is the recorded tenure holder of land bearing Gata No. 184 admeasuring 2.340 hectares situated in Village and hamlet Kohasi, Pargana Katehar, Tehsil Sadar, District Varanasi, which constitutes the principal source of livelihood for him and his family. It was submitted that electricity poles, hangers and 132 KV transmission wires were erected over approximately 2½ bighas of his land, thereby causing substantial hardship and loss.

20. That since adequate compensation was not paid to the revisionist, he approached the Hon'ble High Court of Judicature at Allahabad by filing Writ – C No.11239 of 2020 (Ramesh Chandra Singh Versus Union of India & others) which was disposed of vide order dated 18.11.2020, on the basis of providing/handing over a Cheque No.795673 dated 07.09.2020 amounting to Rs.54,990/-, for laying down electric lines and electricity tower, in accordance with Rules, 2006. The direction was also given to the District Magistrate, Varanasi to make determination under Rule 3(2) of the Rules, 2006. The amount paid by the department towards compensation through the aforesaid cheque shall be adjusted towards the compensation to be determined by the District Magistrate. In case, the petitioner is aggrieved by the adjudication so made by the District Magistrate, he can file a revision before the Appropriate Commission under sub-rule (3) of Rule 3 of the Rules, 2006.

21. It was further submitted that due to non-compliance of the aforesaid Order, the Revisionist filed Contempt Application (Civil) No. 2737 of 2025, which was disposed of on 07.07.2025 with directions to the contemnor S. Raj Lingam, District Magistrate, Varanasi to comply with the High Court's Order. However, instead of complying with the directions, Opposite party No. 1 i.e District Magistrate, Varanasi passed the impugned Order dated 27.08.2025 after obtaining a report from Opposite party No. 2 i.e UPPTCL.

22. The Revisionist also submitted that the matter is squarely covered by the judgment dated 17.04.2026 passed by the Hon'ble High Court of Judicature at Allahabad in Writ-C No. 12447 of 2026 (Bhullan Singh & 3 Ors. v. State of U.P. & 3 Ors.), wherein the impugned order under challenge was quashed. According to the Revisionist, the Hon'ble High Court held that compensation for land falling within the Right of Way of high-tension transmission lines has already been addressed by the Central Government and that the State Government is required to implement the applicable Government Orders in their entirety. The High Court further observed that compensation is required to be paid to landowners over whose land high-tension transmission lines pass and where tower base are erected, in accordance with the relevant Government Orders dated 15.10.2015, 14.06.2024 and 21.03.2025.

23. That the Hon'ble High Court further observed that the respondents herein, cannot be selective in implementing the G.O. issued by the Government of India. As per the G.O. dated 06.09.2018 numbered as Letter No. 2023/24-P-3-2018 issued by the State of U.P., the earlier G.O. dated 15.10.2015 of the Government of India was implemented by the State however, the State very conveniently fails to implement the other G.O. dated 14.06.2024. The State cannot be choosy and selective when it comes to the grant of compensation to the farmers whose land has forcefully been used and the value of the land has been drastically diminished. In this case, the transmission line is not an inter-state line hence, the respondents are directed to grant compensation as per the guidelines issued by the Government of India vide G.O. dated 14.06.2024 passed by the Ministry of Power.

24. In view of the aforesaid facts and legal position, the Revisionist submitted that the averments made in paragraphs 2, 3 and 4 of the counter affidavit filed by Opposite Party No. 2 i.e UPPTCL are misconceived, incorrect and liable to be

denied. The Revisionist maintained that he is entitled to adequate compensation under the Works of Licensees Rules, 2006.

UPPTCL's Reply on the Rejoinder Dated. 12.10.2026

25. The Revisionist, in Writ Petition No. 12447 of 2026 (Bhullan Singh vs. State of Uttar Pradesh) before the Hon'ble High Court of Judicature at Allahabad, has sought payment of compensation in accordance with various orders issued by the Government of India.

26. In this regard, it was submitted that, as already communicated vide this office letter No. 1308 dated 08.07.2026, and in accordance with Order No. 707/Director (Works & Projects) dated 23.03.2026, enhanced rates of land compensation are applicable only to transmission lines constructed after the said date. Further, U.P. Power Transmission Corporation Limited (UPPTCL) does not acquire ownership of land while paying land compensation. The ownership of the land continues to remain with the cultivator/landholder.

27. It was pertinent to mention that the 132 kV Sarnath–Cantt LILO Cholapur Transmission Line passing through the land of Shri Ramesh Chandra Singh, son of Late Shobhnath Singh, resident of Mouza Kohansi, Pargana Katehar, Tehsil Sadar, District Varanasi, was constructed and energized during the year 2019-20. Compensation for the said transmission line had already been paid to the petitioner during the construction of the line in accordance with Office Order No. 2023/24-P-03-2018 dated 06.09.2018.

28. Further, it was also submitted that no order has been issued by UPPTCL for making fresh payment at revised rates in respect of transmission lines constructed prior to 23.03.2026, where compensation has already been paid.

29. Therefore, in light of the above facts, it was submitted that compensation admissible under the prevailing rules has already been paid to Shri Ramesh Chandra Singh, son of Late Shobhnath Singh, resident of Mouza Kohansi, Pargana Katehar, Tehsil Sadar, District Varanasi, and no liability whatsoever remains pending against the department in this regard.

Hearing Dated. 13.10.2026

30. Sh. Anil Kumar Tiwari, Learned Counsel appearing on behalf of the Revisionist, submitted that the Revisionist had challenged the compensation of ₹54,990 paid

by UPPTCL for the construction of the 132 kV Sarnath–Cantt LILO (Cholapur) Transmission Line. The said amount was received under protest and, thereafter, the Revisionist approached the Hon'ble High Court of Judicature at Allahabad. The Hon'ble High Court, vide its order dated 18.11.2020 passed in Writ-C No. 11239 of 2020, directed the District Magistrate, Varanasi to determine the compensation under Rule 3(2) of the Works of Licensees Rules, 2006, after adjusting the amount already paid by UPPTCL. Since the matter was not decided within the stipulated period, the Revisionist initiated contempt proceedings, pursuant to which the District Magistrate was directed to decide the matter within three months. Learned Counsel further submitted that the compensation paid by UPPTCL had been determined on the basis of the Government Order dated 06.09.2018, whereas the Revisionist was entitled to compensation in accordance with the subsequent Guidelines dated 14.06.2024 and Supplementary Guidelines dated 21.03.2025 issued by the Ministry of Power, Government of India. Learned Counsel also relied upon the judgment dated 17.04.2026 passed by the Hon'ble High Court in *Bhullan Singh & 3 Others v. State of U.P. & 3 Others*, wherein, according to the Revisionist, the issue regarding implementation of the Central Government Guidelines had been considered.

31. Sh. Devi Charan, SDO, Sarnath, ETD-I, Varanasi, appearing on behalf of UPPTCL, submitted that the compensation payable to the Revisionist had been assessed in accordance with Government Order No. 2023/24-P-03-2018 dated 06.09.2018.

Commission's View

32. The Commission notes that the present Revision Petition has been filed under Rule 3(3) of the Works of Licensees Rules, 2006 against the Order dated 25.08.2025 passed by the District Magistrate, Varanasi under Rule 3(2) of the said Rules. The said Order was passed pursuant to the directions contained in the Order dated 18.11.2020 of the Hon'ble High Court of Judicature at Allahabad in Writ-C No. 11239 of 2020, Ramesh Chandra Singh v. Union of India & Others, and the subsequent Order dated 07.07.2025 passed in Contempt Application (Civil) No. 2733 of 2025.

33. The Commission observes that the principal grievance of the Revisionist relates to the adequacy of compensation paid for the construction of the 132 kV Sarnath–Cantt LILO (Cholapur) Transmission Line over his land. The Revisionist has

sought setting aside of the Order dated 25.08.2025 passed by the District Magistrate, Varanasi and has claimed compensation amounting to ₹5,40,35,088 in accordance with the Guidelines dated 14.06.2024 and Supplementary Guidelines dated 21.03.2025 issued by the Ministry of Power, Government of India. The relevant extract of the above said Order of Dist. Magistrate, Varanasi, is as below:

"याची ने प्रस्तुत प्रत्यावेदन दिनांक 05.10.2024 के माध्यम से नये भूमि अर्जन कानून के प्राविधानों एवं ऊर्जा विभाग द्वारा निर्गत शासनादेश दिनांक 06.09.2018 के अनुपालन में मुआवजा राशि के निर्धारण का अनुरोध किया है। नया भूमि अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम-2013 याची के प्रकरण में प्रभावी नहीं होगा क्योंकि उत्तर प्रदेश पावर ट्रांसमिशन कारपोरेशन लिमिटेड द्वारा याची की भूमि का अधिग्रहण नहीं किया गया है। भूमि का स्वामित्व आज भी याची का ही है। प्रमुख सचिव, ऊर्जा अनुभाग-3 उ०प्र० शासन द्वारा निर्गत शासनादेश संख्या 2023/चौबीस-पी-3-2013 दिनांक 06.09.2018 के अनुसार उत्तर प्रदेश पावर ट्रांसमिशन कारपोरेशन लिमिटेड के अंतर्गत निर्मित होने वाली 765/400/220/132 केवी० पारेषण लाइनों में लगाये जाने वाले विभिन्न कृषकों / भूस्वामियों को भूमि मुआवजा सम्बन्धी दिये जाने वाले क्षतिपूर्ति को भारत सरकार के ऊर्जा मंत्रालय के निर्देशों के अनुरूप उत्तर प्रदेश पावर ट्रांसमिशन कारपोरेशन लिमिटेड के अंतर्गत निर्माण होने वाली विभिन्न विभव की लाइनों में वर्तमान निर्धारित क्षतिपूर्ति के अतिरिक्त Land Compensation के मद से टावर बेस के नीचे 85 प्रतिशत क्षेत्रफल भूमि की लागत के रूप में अतिरिक्त क्षतिपूर्ति अनुमन्य किये जाने का निर्णय लिया गया है। भूमि क्षतिपूर्ति के मद में क्षतिपूर्ति की लागत की गणना उस क्षेत्र विशेष के जिलाधिकारी द्वारा निर्धारित सर्किल रेट के अनुसार की जायेगी। प्रमुख सचिव, ऊर्जा द्वारा निर्गत शासनादेश के अनुपालन में उत्तर प्रदेश पावर ट्रांसमिशन कारपोरेशन लिमिटेड द्वारा याची की भूमि में टावर के निर्माण से आच्छादित कुल क्षेत्रफल 176.44 वर्गमीटर का प्रतिकर कार्यालय उपनिबन्धक वाराणसी की सर्किल रेट रु० 2200.00 वर्गमीटर के अनुसार रु० 388168.00 मात्र (रु० तीन लाख अठासी हजार एक सौ अड़सठ रुपये मात्र) का 85 प्रतिशत निर्धारित कर याची श्री रमेश चन्द्र सिंह को उनका अंश 1/6 के रु० 54,990.00 मात्र का नियमानुसार भुगतान चेक संख्या 180585 दिनांक 08.02.2021 के माध्यम से किया जा चुका है। अधिशासी अभियन्ता की आख्या से यह भी स्पष्ट है कि उक्त लाइन से किसी प्रकार के भूमिधारक विक्रय का उत्सर्जन नहीं होता है। अतः यह स्पष्ट है कि याची को उनकी भूमि में उत्तर प्रदेश पावर ट्रांसमिशन कारपोरेशन लिमिटेड द्वारा बनाये टावर के निर्माण में आच्छादित क्षेत्रफल के प्रतिकर का नियमानुसार भुगतान किया जा चुका है। किसी अन्य कार्यवाही की आवश्यकता नहीं है।

अतएव उपर्युक्त के दृष्टिगत मा० उच्च न्यायालय, इलाहाबाद द्वारा अवमानना एप्लीकेशन संख्या 2733/2025 में पारित आदेश दिनांक 07.07.2025 के क्रम में रिट याचिका सी संख्या 11239/2020 में पारित आदेश दिनांक 18.11.2020 के अनुपालन में याची श्री रमेश चन्द्र सिंह पुत्र स्व० शोभनाथ निवासी मौजा कोहांसि, परगना कटेहर, तहसील सदर, वाराणसी द्वारा प्रस्तुत प्रत्यावेदन दिनांक 05.10.2024 तदनुसार निरस्त किया जाता है।"

34. The Commission notes that, vide Order dated 18.11.2020, the Hon'ble High Court directed the District Magistrate, Varanasi to determine the compensation payable under Rule 3(2) of the Works of Licensees Rules, 2006. The Hon'ble High Court further provided that the amount already paid by the Department would be adjusted against the compensation determined by the District Magistrate and that, in case the Revisionist remained aggrieved by such determination, he would be at liberty to file a revision before the Appropriate Commission under Rule 3(3) of the said Rules. Therefore, the present proceedings are confined to examining the legality and correctness of the determination made by the District Magistrate under Rule 3(2) of the Works of Licensees Rules, 2006.

35. In light of the submissions made by the parties and upon examination of the material available on record, the Commission finds that the following issues arise for consideration:

    a) Whether the compensation of ₹54,990 paid to the Revisionist was determined in accordance with the policy and framework applicable at the relevant time;

    b) Whether the Guidelines dated 14.06.2024 and Supplementary Guidelines dated 21.03.2025 issued by the Ministry of Power, Government of India, and adopted by UPPTCL vide Order dated 23.03.2026, are applicable retrospectively to the transmission line constructed and energized in the year 2020;

    c) Whether the judgment dated 17.04.2026 passed by the Hon'ble High Court in Writ-C No. 12447 of 2026, Bhullan Singh & 3 Others v. State of U.P. & 3 Others, governs the facts of the present matter.

36. The issues have been deliberated in subsequent paras:

    Issue No. (a): Whether the compensation of ₹54,990 paid to the Revisionist was determined in accordance with the policy and framework applicable at the relevant time?

37. The Commission notes from the documents placed on record that the 132 kV Sarnath–Cantt LILO (Cholapur) Transmission Line was completed and commissioned during the year 2020. The compensation in respect of the said transmission line was assessed under Government Order No. 2023/24-P-03-2018 dated 06.09.2018, which constituted the applicable compensation framework at the relevant time.

38. The Commission further note s that the market value of the affected land was determined by the competent Revenue Authorities at the applicable circle rate of ₹2,200 per square metre. Based thereon, the value of the affected land was assessed at ₹3,88,168 and compensation at 85% thereof was calculated as ₹3,29,942.80. Since the Revisionist held a recorded 1/6th share in the affected land, compensation of ₹54,990 was determined as his proportionate entitlement. **The aforesaid determination and payment of compensation have also been recorded in the Order dated 25.08.2025 passed by the District Magistrate, Varanasi.**

39. The Commission also observes that although the Hon'ble High Court in its order dated 17.04.2026 (Writ Petition No. 12447 of 2026) passed a direction towards adjustment of the amount already paid while considering compensation under Rule 3(2) of the Works of Licensees Rules, 2006, such direction did not create any independent entitlement to compensation beyond what was admissible under the applicable statutory and policy framework prevailing at the relevant time.

40. The Commission further notes that the Revisionist has not placed any material on record demonstrating any arithmetical error in the assessment, incorrect determination of his share in the affected land, or non-payment of any admissible component of compensation under the Government Order dated 06.09.2018. Accordingly, the Commission finds that the compensation of ₹54,990 was assessed in accordance with the framework applicable at the relevant time.

Issue No. (b): Whether the Guidelines dated 14.06.2024 and Supplementary Guidelines dated 21.03.2025, adopted by UPPTCL vide Order dated 23.03.2026, are applicable retrospectively to the transmission line constructed and energized in 2020?

41. The Commission notes that the Ministry of Power, Government of India issued Guidelines dated 14.06.2024 and Supplementary Guidelines dated 21.03.2025 regarding compensation for tower base area and Right of Way corridor, which were adopted by UPPTCL pursuant to its 105th Board Meeting held on 29.01.2026 through Order dated 23.03.2026.

42. The Commission observes that the aforesaid Order expressly provides for application of the revised compensation framework to transmission projects proposed to be undertaken in future. Neither the Guidelines nor the UPPTCL

Order contain any provision indicating retrospective application to transmission lines already constructed and energized or to cases where compensation had already been assessed under the earlier framework.

43. The Commission also takes note of its earlier decision in Petition No. 1131 of 2016 (Ram Preet & Others v. UPPTCL & Others), wherein, while examining the applicability of the Government Order dated 06.09.2018 regarding payment of 85% land compensation for tower base area, it was held vide Order dated 08.03.2019 that the said Government Order operates prospectively and does not confer any entitlement in respect of transmission lines/towers constructed prior to 06.09.2018. The relevant extract of the said Order is reproduced below:

"In view of the above facts the Commission find that the compensation for the land under the tower base shall be @ 85% of the land value as determined by District Magistrate from the date of issue of Govt. Order i.e. 06.09.2018 in addition to the crop compensation and no compensation shall be paid towards diminution of land value in the width of Right of Way (RoW) Corridor due to laying of transmission line. This Govt. Order shall have prospective effect and no retrospective effect. Therefore, no land compensation shall be paid for the transmission lines/towers constructed before 06.09.2018."

44. The Commission notes that, in the above-referred decision, it has been already held that the benefits arising out of the Government Order dated 06.09.2018 were prospective in nature and were not applicable to transmission assets commissioned prior to the issuance of the said Government Order.

45. The Commission observes that neither the Guidelines dated 14.06.2024 and 21.03.2025 nor the UPPTCL Order dated 23.03.2026 contain any provision providing for their retrospective application to transmission lines already constructed and energized. In the present case, the subject transmission line had already been constructed and energized in the year 2020, whereas the revised compensation framework came into effect only in the year 2026. Accordingly, in the absence of any express provision to the contrary, the said framework cannot be applied to the subject transmission line, thus, the Commission holds that the Guidelines dated 14.06.2024, Supplementary Guidelines dated 21.03.2025 and UPPTCL Order dated 23.03.2026 are not applicable to the present case.

Issue No. (c): Whether the judgment dated 17.04.2026 passed in Bhullan Singh & 3 Others v. State of U.P. & 3 Others governs the facts of the present matter?

46. The Commission has considered the reliance placed by the Revisionist on the judgment dated 17.04.2026 passed by the Hon'ble High Court in Writ-C No. 12447 of 2026, *Bhullan Singh & 3 Others v. State of U.P. & 3 Others*.

47. The Commission observes that the material available on record does not establish that the factual circumstances, stage of compensation determination, dates of construction and energization, or the applicable compensation framework involved in the said matter are identical to those in the present proceedings. Therefore, the findings rendered in that case cannot be mechanically applied to the present matter.

48. The Commission further notes that the Revisionist was not a party to the said proceedings and the referred judgement is an Order in Personam not an Order in Rem.

49. Accordingly, the Commission finds that the judgment relied upon by the Revisionist does not establish any entitlement to reassessment of compensation under the subsequently issued Guidelines dated 14.06.2024 and 21.03.2025.

Conclusion

50. In light of the foregoing findings, the Commission finds no legal or factual ground warranting interference with the impugned Order dated 25.08.2025 passed by the District Magistrate, Varanasi.

51. Accordingly, the Revision Petition is dismissed.

(Griesh Kumar Vaish)	(Sanjay Kumar Singh)	(Arvind Kumar)
Member (Law)	**Member**	**Chairman**

Place: Lucknow
Dated: 06.11.2026