

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION Nos.37391 & 37578 of 2018

COMMON ORDER:

Since the cause of action in these two writ petitions is one and the same, both are heard together and disposed of by way of this common order.

When the matter is taken up for hearing, learned Standing counsel for respondents placed on record, the parawise remarks sent by the respondents.

Paragraph 5 of the parawise remarks reads as under:

“It is respectfully submitted that the contention of the petitioner regarding passing of Order without proper adjudication and enquiry have passed Order on 30.11.2017 is not correct. It is true that the petitioner filed objection requesting for the payment of the land compensation at a rate of RS.50,00,000/- per acre as per the market value accordingly it is not considerable as it is not L.A under RFCTLARR Act 2013 it is respectfully submitted that as per the provisions of the Petroleum & Minerals Pipelines Act 1962 (50 of 1962-amendment 2011) Only right of use (ROU) is acquired for laying of Pipelines. The farmers can continue to cultivate the land as usual without any problems. Hence, this will not affect the status of the agricultural land. Indian Oil Corporation Limited, a Government of India Undertaking will unearth top fertile soil and bottom soil as different piles for restoring the land back to its original form without affecting the fertility of the soil. The Land Compensation will paid as per Section 10 of the Petroleum & Minerals Pipelines Act 1962 and full compensation will be paid only for the Fruit yielding Trees/other Trees and other Structures under the Right to Fair Compensation and Transparency Rehabilitation and Resettlement Act 2013. Hence, the request of the Petitioner cannot be considered.”

By placing on record, the above said parawise remarks, writ petition stands disposed of with a further direction to respondent authorities to follow the mandatory requirements of law including Section 10 of the Petroleum & Minerals Pipelines Act, 1962. There shall be no order as to costs.

Miscellaneous Petitions pending consideration, if any, in these
Writ Petitions shall stand closed.

JUSTICE A.V.SESHA SAI

Date :13.12.2018
dv

