IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 09TH DAY OF DECEMBER 2020 / 18TH AGRAHAYANA, 1942

WP(C).No.23697 OF 2019(J)

PETITIONER/S:

1 MANI RAO, AGED 59 YEARS, S/O.SAMIEL NADAR, RESIDING AT M.S.BHAVAN, PLAVILA, KAZHIVOOR P.O, NEYYATTINKARA TALUK, THIRUVANANTHAPURAM DISTRICT, PIN- 695526.

2 CHANDRAN, AGED 67 YEARS, S/O.GOPALAN, RESIDENT OF MANKOOTTATHIL VEEDU, THENKAVILA KOTTUKAL P.O., THIRUVANANTHAPURAM DISTRICT, PIN- 695526, MOBILE NO.9048033265.

3 VARGHESE, AGED 52 YEARS, S/O.PONNAYYAN NADAR, RESIDING AT PLAVILA MELE PUTHEN VEEDU, KAZHUVOOR P.O., THIRUVANANTHAPURAM DISTRICT, PIN- 695526, MOBILE NO.8943483724.

4 SAJILA, AGED 47 YEARS, W/O.VARGHESE, RESIDING AT PLAVILA MELE PUTHEN VEEDU, KAZHUVOOR P.O., THIRUVANANTHAPURAM DISTRICT, PIN- 695526, MOBILE NO.8943483724.

5 RAMACHANDRAN, AGED 60 YEARS, S/O.KUTTAN NADAR @ KRISHNAN NADAR, RESIDING AT PLAVILA ARAPPURA PUTHEN VEEDU, KAZHIVOOR P.O., PIN- 695526, THIRUVANANTHAPURAM DISTRICT, MOBILE NO.9447756234.

BY ADVS.
SMT.JOHN NELLIMALA SARAI
SRI.ISAC T.PAUL
SMT.JAMEELA PRAKASAM

RESPONDENT/S:

1 UNION OF INDIA, MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, GOVERNMENT OF INDIA, PARIVAHAN BHAVAN, 1 PARLIAMENT STREET, NEW DELHI, PIN- 110001, REPRESENTED BY ITS SECRETARY.

2 THE SPECIAL DEPUTY COLLECTOR AND COMPETENT AUTHORITY, LAND ACQUISITION, NATIONAL HIGHWAY, KAZHAKKUTTOM-KARODE BYPASS PROJECT, THIRUVANANTHAPURAM DISTRICT, PIN-695582.

3 THE ARBITRATOR, NATIONAL HIGHWAY, KAZHAKKUTTOM-KARODE BYPASS PROJECT, THIRUVANANTHAPURAM DISTRICT, PIN- 695582.

4 THE NATIONAL HIGHWAYS AUTHORITY OF INDIA, G 5 AND 6, SECTOR-10, DWARKA, NEW DELHI- 110075, REPRESENTED BY ITS CHAIRMAN.

ADDL.R5 THE PROJECT DIRECTOR, NATIONAL HIGHWAY, PROJECT IMPLEMENTATION UNIT, THIRUVANANTHAPURAM.

(SUO MOTU IMPLEADED AS PER ORDER DATED 12-08-2020).

R1 BY SMT.I. SHEELA DEVI, CGC
R2-3 BY SRI.RANJITH THAMPAN, ADDL.ADVOCATE GENERAL
R4 BY ADV. DR.K.P.SATHEESAN (SR.)
R4 BY ADV. SRI.K.SUDHINKUMAR

BY SENIOR GOVERNMENT PLEADER, SRI.Y JAFARKHAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02.12.2020, ALONG WITH WP(C).23711/2019(L), WP(C).27676/2019(H), WP(C).30121/2019(M), WP(C).3752/2020(T), THE COURT ON 9.12.2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 09TH DAY OF DECEMBER 2020 / 18TH AGRAHAYANA, 1942

WP(C).No.23711 OF 2019(L)

PETITIONER/S:

1 BHARATHY, AGED 90 YEARS, D/O.BHAVANI, KIZHAKKETHAIKKOTTATHIL VEEDU, THENKAVILA, KOTTUKAL P.O., THIRUVANANTHAPURAM DISTRICT, PIN-695 501, MOB. NO.7736532460.

2 SASIDHARAN, S/O.SREEDHARAPANIKKER, USHA BHAVAN, MOOLAKKARA, KOTTUKAL P.O., THIRUVANANTHAPURAM DISTRICT, PIN-695 501, MOBILE NO.9446247411.

3 RAJENDRAN, S/O.SREEDHARAPANIKKER, KIZHAKKETHAIKKOTTATHIL VEEDU, THENKAVILA, KOTTUKAL P.O., THIRUVANANTHAPURAM DISTRICT, PIN-695 501, MOB.NO.7736532460.

4 PRASANNAN, S/O.SREEDHARAPANIKKER, VITHARUTHANVILAVEEDU, THENKAVILA, KOTTUKAL P.O., THIRUVANANTHAPURAM DISTRICT, PIN-695 501, MOB.NO.7736532460.

5 ASOKAN, S/O.SREEDHARAPANIKKER, A.P.SADANAM, THENKAVILA, KOTTUKAL P.O., THIRUVANANTHAPURAM DISTRICT, PIN-695 501, MOBILE NO.97446141131.

BY ADVS.
SMT.JOHN NELLIMALA SARAI
SRI.ISAC T.PAUL
SMT.JAMEELA PRAKASAM

RESPONDENT/S:

1 UNION OF INDIA, MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, GOVERNMENT OF INDIA, PARIVAHAN BHAVAN, 1 PARLIAMENT STREET, NEW DELHI, PIN-110 001, REPRESENTED BY ITS SECRETARY.

2 THE SPECIAL DEPUTY COLLECTOR AND COMPETENT AUTHORITY, LAND ACQUISITION, NATIONAL HIGHWAY, KIZHAKKUTTOM-KARODE BYPASS PROJECT, 3RD FLOOR, COLLECTORATE, KUDAPPANAKKUNNU P.O., THIRUVANANTHAPURAM DISTRICT-695 043.

3 THE ARBITRATOR AND DISTRICT COLLECTOR, NATIONAL HIGHWAY, KAZHAKKUTTOM-KARODE BYPASS PROJECT, 2ND FLOOR, COLLECTORAT, KUDAPPANAKKUNNU P.O., THIRUVANANTHAPURAM DISTRICT-695 043.

4 THE NATIONAL HIGHWAYS AUTHORITY OF INDIA, G 5 AND 6, SECTOR 10, DWARAKA, NEW DELHI-110 075, REPRESENTED BY ITS CHAIRMAN.

ADDL.R5 THE PROJECT DIRECTOR, NATIONAL HIGHWAY, PROJECT IMPLEMENTATION UNIT, THIRUVANANTHAPURAM.

(ADDITIONAL R5 IS SUO MOTU IMPLEADED AS PER ORDER DATED 12-08-2020 IN WP(C)NO.23711/2019

R1 BY SMT.I.SHEELA DEVI, CGC
R2-3 BY SRI.RANJITH THAMPAN, ADDL.ADVOCATE GENERAL
R4 BY ADV. SRI.P.RAHUL
R4 BY ADV. SRI.JOSE JOSEPH (CHEMPLAYIL)

BY SENIOR GOVERNMENT PLEADER, SRI.Y JAFARKHAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02.12.2020, ALONG WITH WP(C).23697/2019(J), WP(C).27676/2019(H), WP(C).30121/2019(M), WP(C).3752/2020(T), THE COURT ON 09.12.2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 09TH DAY OF DECEMBER 2020 / 18TH AGRAHAYANA, 1942

WP(C).No.27676 OF 2019(H)

PETITIONER/S:

1 MOHANAKUMAR, AGED 60 YEARS, S/O.PONNU PANIKKER, RESIDENT OF MAVILAKADAYARAVEEDU, VENGAPPOTTA, KAZHIVOOR P.O, THIRUVANANTHAPURAM, PIN-695 040, MOBILE NO.8129583031

2 K. SURENDRAN, AGED 67 YEARS, S/O. KOCHUKUNJU, MAVILAKADAYARAVEEDU, VENGAPPOTTA, KAZHIVOOR P.O, THIRUVANANTHAPURAM, PIN-695 040, MOBILE NO.8589890809

3 PRADEEP, AGED 39 YEARS, S/O. SREERANGAN, PULIYADICHANVILAVEEDU, KAZHIVOOR P.O, THIRUVANANTHAPURAM DISTRICT, PIN-695526, MOBILE NO.9846884371

4 JAYASREE, AGED 37 YEARS, W/O. PRADEEP, PULIYADICHANVILAVEEDU, KAZHIVOOR P.O, THIRUVANANTHAPURAM, PIN-695 526, MOBILE NO. 9846884371.

5 BALAKRISHNAN, AGED 93 YEARS, CHARUVILA, KAZHIVOOR P.O, THIRUVANANTHAPURAM, PIN-695 526, MOBILE NO. 9388273746.

6 SARASAMMA, AGED 86 YEARS, W/O. BALAKRISHNAN, CHARUVILA, KAZHIVOOR P.O, THIRUVANANTHAPURAM, PIN-695 526, MOBILE NO. 9388273746

BY ADVS.
SMT.JOHN NELLIMALA SARAI
SRI.ISAC T.PAUL
SMT.JAMEELA PRAKASAM

RESPONDENT/S:

1 UNION OF INDIA, MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, GOVERNMENT OF INDIA, PARIVAHAN BHAVAN, 1 PARLIAMENT STREET, NEW DELHI, PIN-110 001, REPRESENTED BY ITS SECRETARY.

2 THE SPECIAL DEPUTY COLLECTOR AND COMPETENT AUTHORITY, LAND ACQUISITION, NATIONAL HIGHWAY, KAZHAKKUTTOM-KARODE BYPASS PROJECT, 3RD FLOOR, CIVIL STATION BUILDING, CIVIL STATION ROAD, KUDAPANNAKUNNU, THIRUVANANTHAPURAM-695 043.

3 THE ARBITRATOR AND DISTRICT COLLECTOR, THIRUVANANTHAPURAM, NATIONAL HIGHWAY, KAZHAKKUTTOM-KARODE BYPASS PROJECT, THIRUVANANTHAPURAM DISTRICT, 2ND FLOOR, CIVIL STATION BUILDING, CIVIL STATION ROAD, KUDAPPANNAKUNNU, THIRUVANANTHAPURAM-695 043

4 THE NATIONAL HIGHWAYS AUTHORITY OF INDIA, G 5 AND 6, SECTOR-10, DWARAKA, NEW DELHI-110075, REPRESENTED BY ITS CHAIRMAN.

ADDL.R5 THE PROJECT DIRECTOR, NATIONAL HIGHWAY, PROJECT IMPLEMENTATION UNIT, THIRUVANANTHAPURAM.

(IS SUO MOTU IMPLEADED AS PER ORDER DATED 12-08-2020.)

R1 BY ADV. SRI.P.R.AJITHKUMAR

R2-3 BY SRI.RANJITH THAMPAN, ADDL.ADVOCATE GENERAL
R4 BY ADV. DR.K.P.SATHEESAN (SR.)
R4 BY ADV.SRI.K.SUDHINKUMAR

BY SENIOR GOVERNMENT PLEADER, SRI.Y JAFARKHAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02.12.2020, ALONG WITH WP(C).23697/2019(J), WP(C).23711/2019(L), WP(C).30121/2019(M) AND WP(C).3752/2020(T), THE COURT ON 09.12.2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 09TH DAY OF DECEMBER 2020 / 18TH AGRAHAYANA, 1942

WP(C).No.30121 OF 2019(M)

PETITIONER/S:

1 SURENDRAN, AGED 62 YEARS, S/O.VISWANATHAN, RESIDING AT S.S.BHAVAN, MARAPPALAM, KAZHUVOOR P.O., KOTTUKAL VILLAGE, NEYYATTINKARA TALUK, THIRUVANANTHAPURAM DISTRICT, PIN-695526.

2 SANTHAKUMARI, AGED 52 YEARS,W/O.SURENDRAN, RESIDING AT S.S.BHAVAN, MARAPPALAM, KAZHUVOOR P.O., KOTTUKAL VILLAGE, NEYYATTINKARA TALUK, THIRUVANANTHAPURAM DISTRICT, PIN-695526.

3 VASANTHY, AGED 64 YEARS, D/O.SARADA, RESIDING AT T.C.NO.14/1716, SOORYA, RAGAM LANE, KANNAMMOOLA, THIRUVANANTHAPURAM DISTRICT, PIN-695501.

4 BALAKRISHNAN, AGED 55 YEARS, S/O.SUKUMARAN, RESIDING AT THANNININNA KUZHIVILA VEEDU, VENGAPPOTTA, KAZHIVOOR P.O., THIRUVANANTHAPURAM DISTRICT, PIN-695526.

5 PRASANNAKUMARI, AGED 53 YEARS, W/O.BALAKRISHNAN, RESIDING AT THANNININNA KUZHIVILA VEEDU, VENGAPPOTTA, KAZHIVOOR P.O., THIRUVANANTHAPURAM DISTRICT, PIN-695526.

6 LILLY BAI, AGED 66 YEARS, W/O.LATE LEKSHMANAN NADAR, AJI MANDIRAM, KALLUMALA, KAZHIVOOR P.O., THIRUVANANTHAPURAM DISTRICT, PIN-695526.

7 AJI K.L., AGED 46 YEARS, S/O.LATE LEKSHMANAN NADAR, AJI MANDIRAM, KALLUMALA, KAZHIVOOR P.O., THIRUVANANTHAPURAM DISTRICT, PIN-695526.

8 SHAJI K.L., AGED 45 YEARS, S/O.LATE LEKSHMANAN NADAR, SHIBIN NIVAS, KALLUMALA, KAZHIVOOR P.O., THIRUVANANTHAPURAM DISTRICT, PIN-695526.

9 SHIBU K.L., AGED 43 YEARS, S/O.LATE LEKSHMANAN NADAR, AJI MANDIRAM, KALLUMALA, KAZHIVOOR P.O., THIRUVANANTHAPURAM DISTRICT, PIN-695526.

BY ADVS.
SMT.JOHN NELLIMALA SARAI
SRI.ISAC T.PAUL
SMT.JAMEELA PRAKASAM

RESPONDENT/S:

1 UNION OF INDIA, MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, GOVERNMENT OF INDIA, PARIVAHAN BHAVAN, 1 PARILAMENT STREET, NEW DELHI, PIN-110001, REPRESENTED BY ITS SECRETARY.

2 THE SPECIAL DEPUTY COLLECTOR AND COMPETENT AUTHORITY, LAND ACQUISITION, NATIONAL HIGHWAY, KAZHAKKUTTOM-KARODE BYPASS PROJECT, 3RD FLOOR, CIVIL STATION BUILDING, CIVIL STATION ROAD, KUDAPANNAKUNNU, THIRUVANANTHAPURAM-695043.

3 THE ARBITRATOR AND DISTRICT COLLECTOR, THIRUVANANTHAPURAM, NATIONAL HIGHWAY, KAZHAKKUTTOM-KARODE BYPASS PROJECT, THIRUVANANTHAPURAM DISTRICT, 2ND FLOOR, CIVIL STATION BUILDING, CIVIL STATION ROAD, KUDAPANNAKUNNU, THIRUVANANTHAPURAM-695043.

4 THE NATIONAL HIGHWAYS AUTHORITY OF INDIA, G 5 AND 6, SECTOR-10, DWARKA, NEW DELHI-110075, REPRESENTED BY ITS CHAIRMAN.

ADDL.R5 THE PROJECT DIRECTOR, NATIONAL HIGHWAY, PROJECT IMPLEMENTATION UNIT, THIRUVANANTHAPURAM.

(IS SUO MOTU IMPLEADED AS ADDITIONAL R5 AS PER ORDERS DATED 12-08-2020 IN W.P.(C) NO. 30121/2019)

R1 BY SMT.I. SHEELA DEVI, CGC
BY SENIOR GOVERNMENT PLEADER, SRI.Y.JAFARKHAN
R4 BY ADV. SRI.K.A.SALIL NARAYANAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02.12.2020, ALONG WITH WP(C).23697/2019(J), WP(C).23711/2019(L), WP(C).27676/2019(H), WP(C).3752/2020(T), THE COURT ON 09.12.2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 09TH DAY OF DECEMBER 2020 / 18TH AGRAHAYANA, 1942

WP(C).No.3752 OF 2020(T)

PETITIONER/S:

1 SOBHANAKUMARI, AGED 62 YEARS, D/O.SARASWATHY AMMA, RESIDING AT MELEPUTHENVEEDU, THAMALAM, THIRUVANANTHAPURAM DISTRICT, PIN-695 012, MOBILE NO.9567460784.

2 RENUKA.S., AGED 42 YEARS, D/O.SAROJAM, RESIDING AT NO.907, 9TH STREET, SHANKAR NAGAR, NEERAMANKARA, KAIMANOM P.O., NEMOM TALUK, THIRUVANANTHAPURAM DISTRICT, PIN-695 040.

3 SHRI.RAMASWAMY.A., AGED 42 YEARS, S/O. K.R.ANANTHAPADMANABHAN, RESIDING AT NO.907, 9TH STREET, SHANKAR NAGAR, NEERAMANKARA, KAIMANOM P.O., NEMOM TALUK, THIRUVANANTHAPURAM DISTRICT, PIN-695 040, MOBILE NO.9482845010.

4 SMT.G.R.BINDU, AGED 51 YEARS, D/O. RADHAMMA, BINDU BHAVAN, PUNNAKKULAM , KOTTUKAL P.O., THIRUVANANTHAPURAM DISTRICT, PIN-695 501, MOBILE -9539205158.

BY ADVS.
SMT.JOHN NELLIMALA SARAI
SRI.ISAC T.PAUL
SMT.JAMEELA PRAKASAM

RESPONDENT/S:

1 UNION OF INDIA, MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, GOVERNMENT OF INDIA, PARIVAHAN BHAVAN, I PARLIAMENT STREET, NEW DELHI, PIN-110 001, REPRESENTED BY ITS SECRETARY

2 THE SPECIAL DEPUTY COLLECTOR AND COMPETENT AUTHORITY, LAND ACQUISITION, NATIONAL HIGHWAY, KAZHAKKUTTOM-KARODE BYPASS PROJECT, 3RD FLOOR, CIVIL STATION BUILDING, CIVIL STATION ROAD, KUDAPANAKUNNU, THIRUVANANTHAPURAM-695 043.

3 THE ARBITRATOR AND DISTRICT COLLECTOR, THIRUVANANTHAPURAM, NATIONAL HIGHWAY, KAZHAKKUTTOM-KARODE BYPASS PROJECT, THIRUVANANTHAPURAM DISTRICT, 2ND FLOOR, CIVIL STATION BUILDING, CIVIL STATION ROAD, KUDAPPANAKUNNU, THIRUVANANTHAPURAM-695 043.

4 THE NATIONAL HIGHWAYS AUTHORITY OF INDIA, G 5 AND 6, SECTOR-10, DWARAKA, NEW DELHI-110 075, REPRESENTED BY ITS CHAIRMAN

ADDL.R5 THE PROJECT DIRECTOR, NATIONAL HIGHWAY PROJECT IMPLEMENTATION UNIT, THIRUVANANTHAPURAM.

(ADDL.R5 IS SUO MOTU IMPLEADED AS PER ORDER DATED 12.08.2020 IN W.P.(C) 3752/20.)

R2-3 BY SENIOR GOVERNMENT PLEADER, SRI.Y.JAFARKHAN
R2-3 BY SRI.RANJITH THAMPAN, ADDL. ADVOCATE GENERAL
R4 BY ADV. SRI.MATHEWS K.PHILIP
R1 BY SMT.I. SHEELA DEVI, CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02.12.2020, ALONG WITH WP(C).23697/2019(J), WP(C).23711/2019(L), WP(C).27676/2019(H) AND WP(C).30121/2019(M), THE COURT ON 09.12.2020 DELIVERED THE FOLLOWING:

A.MUHAMED MUSTAQUE, J.

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W.P.(C).Nos.23697/2019, 23711/2019, 27676/2019, 30121/2019 & 3752/2020

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Dated this the 9th day of December, 2020

J U D G M E N T

These writ petitions relate to the claim for redetermination of compensation of the land acquired from the petitioners in the light of the Government of India guidelines issued on 28/12/2017. By the aforesaid guidelines, the Government of India gave directions for disbursal of compensation amount for the land acquired under the National Highways Act, 1956.

2. Before adverting to the nature of the claims of the writ petitioners, it is necessary to advert to the history of land acquisition claims for the acquisition of land for national highways and also the reasons for issuing guidelines. The National Highways Act, 1956 was originally enacted to declare certain highways as
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national highways. However, a requirement was felt for speedy acquisition of the land for the development of national highways. Accordingly, amendments were brought into the National Highways Act, in regard to acquisition for the national highways in the year, 1997. The power given to the competent authority to determine compensation is on broad parameters as provided under Section 3-G(5). Unlike authority under the Land Acquisition Act, 1894, the law does not place any restriction on the competent authority in awarding compensation. The Land Acquisition Act, 1894, was repealed by the enactment of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as the "Act 30 of 2013"). Act 30 of 2013 provides a comprehensive scheme for involuntary acquisition of land. Act 30 of 2013 provides a scheme for compensation, rehabilitation and settlement. The Parliament, therefore, left it to the choice of the

Central Government to apply the provisions of Act 30 of 2013 in respect of other enactments regulating land acquisition. Section 105 of Act 30 of 2013, directed the Central Government to decide the application of provisions relating to the determination of compensation and rehabilitation to acquisition under other enactments within one year from the date of commencement of Act 30 of 2013. Act 30 of 2013 came into force with effect from 1/1/2014. The Central Government did not act within one year. However, resting on its power conferred under Section 113 to remove difficulties by giving effect to the provisions of Act 30 of 2013, issued an order w.e.f. 1/9/2015 extending the application for compensation and rehabilitation envisaged under Act 30 of 2013 to other enactments, including the National Highways Act. Thus, with effect from 1/9/2015, the compensation payable under the National Highways Act will have to be determined in accordance with Act 30 of 2013. Similarly, any claim for rehabilitation and resettlement

also will have to be determined in accordance with Act 30 of 2013.

3. If the Central Government acted within the time as provided under Section 105, the awardees under the National Highways Act between 1/1/2014 and before 31/12/2014 would have been entitled for the benefits of the provisions of Act 30 of 2013. Perhaps, noting the delay on the part of the Central Government, these grievances were redressed by the Central Government by issuing the aforenoted guidelines dated 28/12/2017. The guidelines gave an opportunity to landowners whose lands were acquired pursuant to the notification issued prior to 31/12/2014, to raise a claim for compensation in accordance with Act 30 of 2013. It is appropriate to refer to the relevant provisions under the guidelines.

(a) All cases of Land acquisition where the Awards had not been announced under Section 3G of the NH Act till 31.12.2014 or where such awards had been announced but compensation had not been paid in respect of majority of the land holdings under acquisition as on 31.12.2014, the compensation would be payable in accordance with the First Schedule of the RFCTLARR Act, 2013.

(b) In cases, where the land acquisition process was initiated and award of compensation under Section 3G had also been announced before 01.01.2015 but the full amount of Award had not been deposited by the acquiring agency with the CALA, the compensation amount would be liable to be determined in accordance with the First Schedule w.e.f.01.01.2015;

(c) In cases, where the process of acquisition of land stood completed (i.e. Award under Section 3G announced by CALA, amount deposited by the acquiring agency with the CALA, and compensation paid to the landowners in respect of majority of the land under acquisition) as on or before 31.12.2014, the process would be deemed to have been completed and settled. Such cases would not be re-opened.

The writ petitions relate to the claim for compensation based on the afore-noted guidelines. The notifications for acquiring the land belonging to the petitioners were issued in the years 2012 and 2013.

4. On analysis and consideration of the clauses as above, it can be seen that the following claims can be accommodated under the guidelines for redetermination of compensation in accordance with the provisions under Act 30 of 2013.

i. The first type of claim: cases where no awards have been announced under Section 3-G of National Highways Act as on 31/12/2014.

ii. The second type of claim: cases in which awards have been pronounced but compensation had not been paid in respect of the majority of the landholdings under acquisition as on 31/12/2014. This claim essentially rests on non-payment of compensation to majority of the landholdings before 31/12/2014. In this type of claim, even if compensation was fully paid to an individual beneficiary, the awardee will be entitled to re-open the case, if the compensation was not paid in respect of the majority of the landholdings. This category claim of an individual rests on the claim of class.

iii. The third type of claim: cases related to claims where an award has been passed prior to 1/1/2015 but full amount has not been deposited by the National Highways Authority to the competent authority. This is a type of case where an individual will be able to raise a claim if the

National Highways Authority fails to deposit the compensation amount with the competent authority.

5. In order to understand the claim of each of the petitioners, it is necessary to reproduce the table of statement furnished by the competent authority pursuant to the direction of this Court.

Sl.No.	Name	Award No.	Date of Award
1	Sobhanakumari	LAC No. 151/13	04.06.2014
2	Renuka S.	LAC No. 12/13	21.04.2014
3.	Ramaswamy A.	LAC No. 12/13	21.04.2014
4.	G.R. Bindu	LAC No. 175/13 LAC No. 176/13	04.06.2014
5.	Mani Rao	LAC No. 375/13	01.10.2014
6.	Chandran	LAC No. 283/13	04.06.2014
7.	Varghese	LAC No. 392/13 LAC No. 392/13 B	23.03.2015
8.	Sajila	LAC No. 392/13 LAC No. 392/13 B	05.01.2015
9.	Ramachandran	LAC No. 382/13	04.09.2014
10	Mohanakumar	LAC No. 315/13 LAC No. 313/13	30.08.2014
11.	K. Surendran	LAC No. 314/13	04.08.2014
12.	Pradeep	LAC No. 336/13	04.08.2014
13.	Jayasree	LAC No. 336/13	04.08.2014

14.	Balakrishnan	LAC No. 350/13	04.08.2014
15.	Sarasamma	LAC No. 350/13	04.08.2014
16.	Bharathy	LAC No.255/13 & LAC No. 252/13	27.06.2014
17.	Sasidharan	LAC No. 251/13	27.06.2014
18.	Rajendran	LAC No. 252/13	27.06.2014
19.	Prasannan	LAC No. 253/13	27.06.2014
20.	Asokan	LAC No. 254/13	27.06.2014
21.	Surendran	LAC No. 306/13	21.03.2015
22.	Santhakumari	LAC No. 306/13	21.03.2015
23.	Vasanthy	LAC No. 335/13, 355/13 & 356/13	16.08.2014
24.	Balakrishnan	LAC No. 316/13	01.09.2014
25.	Prasannakumari	LAC No. 316/13	01.09.2014
26.	Lilli Bai	LAC No. 416/13	27.09.2014
27.	Aji K.L	LAC No. 416/13	27.09.2014
28.	Shaji K.L	LAC No. 416/13	27.09.2014
29.	Shibu K.L	LAC No. 416/13	27.09.2014

There may not be any difficulty to hold that the petitioners, namely, Varghese, Sajila, K.Surendran and

Santhakumari, noted against Sl.Nos.7, 8, 21 and 22 of the above table, are entitled to reopen the claim for compensation and to redetermine it in accordance with Act 30 of 2013 in the light of the fact that the awards in respect of their holdings were announced only after 1/1/2015. In the guidelines, it is stated at 4.6(iii) that claims in accordance with Act 30 of 2013 would apply with effect from 1/1/2015. The case of persons for the claim of compensation squarely falls under the first type of claim. However, their right to claim is subject to the decision based on the objection raised by the learned Assistant Solicitor General and learned Standing Counsel for the National Highways Authority. In regard to the other writ petitioners, whose claim comes under the second type of claim, would depend upon the decision on dispute whether compensation had been paid in respect of the majority of landholdings or not.

6. Before considering the claim for reopening made by the petitioners, I shall advert to the objections

raised as to the right of the petitioners to approach this Court seeking for redetermination of compensation. According to the learned Assistant Solicitor General and learned Standing Counsel for the National Highways, the petitioners cannot approach this Court under Article 226 bypassing statutory remedy provided under Section 3-G(5) of the National Highways Act. It was also argued that the petitioners have already invoked arbitration and therefore, they cannot raise a parallel claim under Article 226 of the Constitution. It is appropriate to refer to Section 3-G(5), which reads as follows:

> If the amount determined by the competent authority under sub-section (1) or sub-section (2) is not acceptable to either of the parties, the amount shall, on an application by either of the parties, be determined by the arbitrator to be appointed by the Central Government.

It is to be noted that many of the petitioners have already invoked the arbitration remedy. It appears that some of them have also moved an application under Section 34 of the Arbitration and Conciliation Act, 1996, to set aside the award. Therefore, the point that

has to be considered is, whether there is any bar for the petitioners, seeking reopening of the claim in the light of the guidelines and also moving this Court under Article 226 of the Constitution.

7. The Central Government issued the guidelines, in fact, to reopen the claims for redetermination in accordance with the guidelines in a limited way. These guidelines were issued on 28/12/2017. But for the guidelines and order of the Central Government issued under Act 30 of 2013, the petitioners could not have claimed this redetermination. These claims were made admissible only subsequent to the passing of the awards. The very object of the guidelines is to reopen the claims in a restricted manner as provided under the guidelines. Further, this is a matter which cannot be raised through an arbitration. In the arbitration, a new claim, which came into existence based on the rights conferred subsequent to the award, cannot be decided. The scope of arbitration is limited. The arbitration,

as contemplated under the National Highways Act, is based on the determination of compensation by the competent authority under Section 3-G. That claim only pertains to the calculation of compensation in accordance with the National Highways Act. Therefore, the Arbitrator cannot entertain any other claim, other than that is provided under the National Highways Act. On the other hand, a redetermination of compensation demanded by the petitioners is in accordance with the order of the Central Government under Act 30 of 2013 and guidelines issued by the Central Government on 28/12/2017. Therefore, the objections raised by the learned Assistant Solicitor General and learned Standing Counsel for National Highways are legally untenable.

8. The next point is whether the landholders in respect of their holdings where awards were passed prior to 31/12/2014 are entitled to reopen their claim for redetermination.

9. There are 1769 beneficiaries involved in land acquisition and, 1769 land acquisition cases were registered under the notification. According to the competent authority, compensation amount deposited by the Project Director(NH) would only satisfy the claim of 779 land acquisition cases.

10. The learned Assistant Solicitor General and learned Standing Counsel submitted that the total cost of the project was 460 crores and an amount of Rs.278,60,59,078/- was deposited with the competent authority on 31/12/2014. Therefore, it was argued that the amount deposited would satisfy the majority of the holdings. According to the learned Assistant Solicitor General and learned Standing Counsel, the landholdings referred under the guidelines have to be understood with reference to the extent of the land involved and not with reference to the individual beneficiaries who are entitled for compensation. It is further submitted that there may be cases, where there would be more than one

claimant, in respect of one holdings, like landowner and tenant. Therefore, landholdings have to be construed with reference to the land involved. According to this calculation, it is submitted that more than 60% of the project cost was deposited on 31/12/2014.

11. In the statement filed by the competent authority it is stated that the total extent of the land involved is 70.96 hectares and it is further stated that the amount deposited would only satisfy the claim of 34.15 hectares of landholdings.

12. If the calculation of landholdings has to be made as contended by the learned Assistant Solicitor General and learned Standing Counsel, it seems that the deposited amount was not sufficient to hold that it would satisfy the claim of majority of the holdings.

13. The main objection raised by the learned Assistant Solicitor General and learned Standing Counsel for the National Highways was that, the claim cannot be reopened if the National Highways Authority had

deposited compensation amount commensurating with majority of the landholdings. According to them, 'landholdings' means “extent of the land involved in an acquisition”. Therefore, it was argued that compensation amount deposited would cover 60% of the land involved in the acquisition and the amount deposited would satisfy the claim.

14. This Court has to accord interpretation to the expression 'majority landholdings' with reference to the guidelines and National Highways Act. The second type of claims are based on non-payment of compensation in respect of the majority of the landholdings under acquisition as on 21/12/2014. In its simplest meaning, the guidelines are clear and it refers to claim for re-opening, if the majority compensation amount has not been paid to the beneficiaries of the landholdings under acquisition. Mere deposit of the compensation amount with the competent authority is not sufficient. There must be payment of compensation to the beneficiaries.

If there was no actual payment of compensation to beneficiaries, such claims cannot be resisted, contending that compensation amount was deposited with the competent authority to satisfy the claim of majority landholdings. Here, in this case, there are around 1769 beneficiaries. The compensation amount deposited would only satisfy claim of 779 beneficiaries. The 'beneficiaries' have to be understood as referred under the National Highways Act. The statutory provisions under the National Highways Act recognize the right of compensation claimed by any persons interested in the land. As seen from Section 3-G of the National Highways Act, even persons having right of user or right of easement would be entitled for claim of compensation. Therefore, persons interested have to be understood as the beneficiaries. The beneficiaries of landholdings are referred in the second type of claims. Therefore, all types of persons, whose rights are recognised under the National Highways Act would fall within the meaning

of 'beneficiaries'. The disbursal of compensation under Section 3-E of the National Highways Act is only after determining the compensation amount by the competent authority under Section 3-G. On issuance of notice in writing as contemplated under Section 3-E to the persons interested, it can be said that compensation amount has been paid to the beneficiaries. Admittedly, compensation amount was deposited only on 31/12/2014. No notice was issued as contemplated under Section 3-E to the beneficiaries. Even if there was no actual payment, it must be shown that notice was issued to the beneficiaries before 31/12/2014 as referred under Section 3-E. Therefore, it is clear that no compensation amount was paid even to satisfy the claim of minority beneficiaries.

In fact, the second type of claims in the guidelines are in tune with the proviso to Section 24(2) of Act 30 of 2013. It may be appropriate to reproduce Section 24(2) which reads as follows:

Notwithstanding anything contained in sub-section (1), in case of land acquisition proceedings initiated under the Land Acquisition Act, 1894 (1 of 1894), where an award under the said section 11 has been made five years or more prior to the commencement of this Act but the physical possession of the land has not been taken or the compensation has not been paid the said proceedings shall be deemed to have lapsed and the appropriate Government, if it so chooses, shall initiate the proceedings of such land acquisition afresh in accordance with the provisions of this Act:

Provided that where an award has been made and compensation in respect of a majority of land holdings has not been deposited in the account of the beneficiaries, then, all beneficiaries specified in the notification for acquisition under section 4 of the said Land Acquisition Act, shall be entitled to compensation in accordance with the provisions of this Act.

The proviso to Section 24(2) states that where compensation has not been paid in respect of a majority of landholdings as per awards passed under the Land Acquisition Act, 1894, all the beneficiaries of the notification would be entitled for redetermination of the compensation in accordance with the provisions under Act 30 of 2013. The emphasis is on the beneficiaries under the award to calculate whether the compensation has been paid in respect of majority of holdings or not. The Apex Court in **Indore Development Authority v.**

Manoharlal and others Etc. [AIR 2020 SC 1496] at paragraphs 112 and 113 held as follows:

> *112. Section 24(2) of the Act of 2013 is, in our opinion, a penal provision - to punish the acquiring authority for its lethargy in not taking physical possession nor paying the compensation after making the award five years or more before the commencement of the Act of 2013 in pending proceedings, providing that they would lapse. The expression where an award has been made, then the proceedings shall continue used in Section 24(1)(b) under the provisions of the Act of 1894 means that proceedings were pending in praesenti as on the date of enforcement of the Act of 2013 are not concluded proceedings, and in that context, an exception has been carved out in section 24(2).*
>
> *113. Even if possession has been taken, despite which payment has not been made nor deposited, (for the majority of the land-holdings), then all beneficiaries holding land on the date of notification under Section 4 of the Act of 1894, are to be paid compensation under the provisions of the Act of 2013. Section 24 of the Act of 2013 frowns upon indolence and stupor of the authorities. The expression "possession of the land has not been taken" or "compensation has not been paid" indicates a failure on the part of the authorities to take the necessary steps for five years or more in a pending proceeding under Section 24(1)(b). Section 24(2) starts with a non-obstante clause overriding what is contained in Section 24(1). Thus, Section 24(2) has to be read as an exception to Section 24(1)(b). Similarly, the proviso has to be read as a proviso to Section 24(2) for the several reasons to be discussed hereafter. Parliament enacted a beneficial provision in case authorities delayed in taking of the possession for more than five years nor paid compensation, meaning thereby acquisition has not been completed. Section 24(2) clearly contemplates inaction on the part of the authorities not as a result of the dilatory tactics and conduct of the landowners or other interested persons.*

15. Therefore, it is crystal clear that the determination of payment of majority of landholdings is with reference to beneficiaries under the award and is not based on the extent of the land involved.

16. In the result, these writ petitions are allowed. The competent authority is directed to reopen the cases of the petitioners and redetermine the compensation in accordance with the guidelines dated 28/12/2017 within a period of three months. Needful shall be done after hearing the petitioners and the National Highways Authority. No costs.

Sd/-

A.MUHAMED MUSTAQUE

JUDGE

ms

APPENDIX OF WP(C) 23697/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 01.10.2014.**
EXHIBIT P2	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 22.08.2014.**
EXHIBIT P3	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 18.09.2014.**
EXHIBIT P4	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 05.01.2015.**
EXHIBIT P5	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 27.06.2015.**
EXHIBIT P6	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 05.01.2015.**
EXHIBIT P7	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 23.03.2015.**
EXHIBIT P8	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 04.09.2014.**
EXHIBIT P9	**TRUE PHOTOCOPY OF THE AWARD NO.AA 11/2016 DATED 19.07.2017 PASSED BY THE 3RD RESPONDENT IN THE 1ST PETITIONER'S CASE.**
EXHIBIT P10	**TRUE PHOTOCOPY OF THE AWARD NO.AA 12/2016 DATED 16.08.2017 PASSED BY THE 3RD RESPONDENT IN THE 2ND PETITIONER'S CASE.**
EXHIBIT P11	**TRUE PHOTOCOPY OF THE AWARD NO.AA 13/2016 DATED 16.08.2017 PASSED BY THE 3RD RESPONDENT IN THE 2ND PETITIONER'S CASE.**
EXHIBIT P12	**TRUE PHOTOCOPY OF THE AWARD NO.AA 114/2015 DATED 28.06.2017 PASSED BY THE 3RD RESPONDENT IN THE 3RD PETITIONER'S CASE.**

EXHIBIT P13	TRUE PHOTOCOPY OF THE AWARD NO.AA 155/2015 DATED 19.07.2017 PASSED BY THE 3RD RESPONDENT IN THE 3RD PETITIONER'S CASE.
EXHIBIT P14	TRUE PHOTOCOPY OF THE AWARD NO.AA 115/2015 DATED 28.06.2017 PASSED BY THE 3RD RESPONDENT IN THE 3RD AND 4TH PETITIONER'S CASE.
EXHIBIT P15	TRUE PHOTOCOPY OF THE AWARD NO.AA 117/2015 DATED 19.07.2017 PASSED BY THE 3RD RESPONDENT IN THE 3RD AND 4TH PETITIONER'S CASE.
EXHIBIT P16	TRUE PHOTOCOPY OF THE AWARD NO.AA 79/2016 DATED 16.08.2017 PASSED BY THE 3RD RESPONDENT IN THE 5TH PETITIONER'S CASE.
EXHIBIT P17	TRUE PHOTOCOPY OF THE COMPREHENSIVE GUIDELINES DATED 28.12.2017 ISSUED BY THE 1ST RESPONDENT ON LAND ACQUISITION UNDER THE NATIONAL HIGHWAYS ACT, 1956.
EXHIBIT P18	TRUE PHOTOCOPY OF THE RTI APPLICATION DATED 03.01.2019.
EXHIBIT P19	TRUE PHOTOCOPY OF THE REPLY LETTER DATED 04.02.2019.
EXHIBIT P20	TRUE PHOTOCOPY OF THE LETTER FROM THE PROJECT DIRECTOR OF NHAI TO THE SPECIAL PRIVATE SECRETARY TO THE MINISTER FOR PUBLIC WORKS AND ROADS, GOVERNMENT OF KERALA, DATED 18.05.2017.
EXHIBIT P21	TRUE COPY OF EMAIL DATED 31/05/2019 SENT BY THE 1ST RESPONDENT'S REGIONAL OFFICER TO THE ACGSC IN WPC.NO.36998/2017 SHARING INFORMATION RECEIVED FROM THE ADDITIONAL 5TH RESPONDENT, THE PROEJECT DIRECTOR, NHAI, THIRUVANANTHAPURAM.
EXHIBIT P22	TRUE COPY OF RTI APPLICATION DATED 19/11/2020 ADDRESSED TO THE PIO, REGIONAL OFFICE NHAI, THIRUVANANTHAPURAM.

EXHIBIT P23	**A TRUE COPY OF REPLY TO RTI APPLICATION FROM CPIO, RO-KERALA NHAI VIDE LETTER NO.11117/RO-KERALA/RTI/1148 DATED 19/11/2020 ENCLOSING CERTIFIED COPY OF LETTER NO.NHAI/PIU-TVM/404/2019/598 DATED 31/05/2019 ISSUED BY THE 5TH RESPONDENT PROJECT DIRECTOR, PIU-TVM TO THE REGIONAL OFFICER, RO-KERALA, NHAI THIRUVANANTHAPURAM.**

RESPONDENTS EXHIBITS:NIL.

//TRUE COPY//

P.A.TO JUDGE

APPENDIX OF WP(C)NO.23711/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 27.06.2014.**
EXHIBIT P2	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 27.06.2014.**
EXHIBIT P3	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 27.06.2014.**
EXHIBIT P4	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 27.06.2014.**
EXHIBIT P5	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 27.06.2014.**
EXHIBIT P6	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 3RD RESPONDENT DATED 28.06.2017.**
EXHIBIT P7	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 3RD RESPONDENT DATED 31.05.2017.**
EXHIBIT P8	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 3RD RESPONDENT DATED 31.05.2017.**
EXHIBIT P9	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 3RD RESPONDENT DATED 31.05.2017.**
EXHIBIT P10	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 3RD RESPONDENT DATED 31.05.2017.**
EXHIBIT P11	**TRUE PHOTOCOPY OF THE COMPREHENSIVE GUIDELINES DATED 28.12.2017 ISSUED BY THE 1ST RESPONDENT ON LAND ACQUISITION UNDER THE NATIONAL HIGHWAYS ACT, 1956.**
EXHIBIT P12	**TRUE PHOTOCOPY OF THE RTI APPLICATION DATED 03.01.2019.**
EXHIBIT P13	**TRUE PHOTOCOPY OF THE REPLY DATED 04.02.2019.**

EXHIBIT P14	**TRUE PHOTOCOPY OF THE LETTER FROM THE PROJECT DIRECTOR OF NHAI TO THE SPECIAL PRIVATE SECRETARY TO THE MINISTER FOR PUBLIC WORKS AND ROADS, GOVERNMENT OF KERALA DATED 18.05.2017.**
EXHIBIT P15	**TRUE COPY OF EMAIL DATED 31/05/2019 SENT BY THE 1ST RESPONDENT'S REGIONAL OFFICER TO THE ACGSC IN WPC.NO.36998/2017 SHARING INFORMATION RECEIVED FROM THE ADDITIONAL 5TH RESPONDENT, THE PROJECT DIRECTOR, NHAI, THIRUVANANTHAPURAM.**
EXHIBIT P16	**TRUE COPY OF RTI APPLICATION DATED 19/11/2020 ADDRESSED TO THE PIO, REGIONAL OFFICE NHAI, THIRUVANANTHAPURAM.**
EXHIBIT P17	**REPLY TO RTI APPLICATION FROM CPIO, RO-KERALA NHAI VIDE LETTER NO.11117/RO-KERALA/RTI/1148 DATED 19/11/2020 ENCLOSING CERTIFIED COPY OF LETTER NO.NHAI/PIU-TVM/404/2019/598 DATED 31/05/2019 ISSUED BY THE 5TH RESPONDENT PROJECT DIRECTOR, PIU-TVM TO THE REGIONAL OFFICER, RO-KERALA, NHAI, THIRUVANANTHAPURAM.**

RESPONDENTS EXHIBITS:NIL.

//TRUE COPY//

P.S. TO JUDGE

APPENDIX OF WP(C)NO.27676/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE PHOTOCOPY OF THE AWARD LAC 313/134315/13 ISSUED BY THE 2ND RESPONDENT DATED 04.08.2014.**
EXHIBIT P2	**TRUE PHOTOCOPY OF THE AWARD LAC 314/13 ISSUED BY THE 2ND RESPONDENT DATED 04.O8.2014**
EXHIBIT P3	**TRUE PHOTOCOPY OF THE AWARD LAC 336/13 ISSUED BY THE 2ND RESPONDENT DATED 04.08.2014.**
EXHIBIT P4	**TRUE PHOTOCOPY OF THE AWARD LAC 350/13 ISSUED BY THE 2ND RESPONDENT DATED 04.08.2014**
EXHIBIT P5	**TRUE PHOTOCOPY OF THE AWARD A.A. NO. 34/13 ISSUED BY THE 3RD RESPONDENT DATED 19.07.2017.**
EXHIBIT P6	**TRUE PHOTOCOPY OF THE AWARD A.A. 49/15 ISSUED BY THE 3RD RESPONDENT DATED 19.07.2017.**
EXHIBIT P7	**TRUE PHOTOCOPY OF THE AWARD A.A. 35/15 ISSUED BY THE 3RD RESPONDENT DATED 19.07.2017.**
EXHIBIT P8	**TRUE PHOTOCOPY OF THE AWARD A.A. 17/15 ISSUED BY THE 3RD RESPONDENT DATED 19.07.2017.**
EXHIBIT P9	**TRUE PHOTOCOPY OF THE COMPREHENSIVE GUIDELINES DATED 28.12.2017 ISSUED BY THE 1ST RESPONDENT ON LAND ACQUISITION.**
EXHIBIT P10	**TRUE PHOTOCOPY OF THE RTI APPLICATION DATED 03.01.2019.**
EXHIBIT P11	**TRUE PHOTOCOPY OF THE REPLY LETTER DATED 04.02.2019.**
EXHIBIT P12	**TRUE PHOTOCOPY OF THE LETTER FROM THE PROJECT DIRECTOR OF NHAI TO THE SPECIAL PRIVATE SECRETARY TO THE MINISTER FOR PUBLIC WORKS AND ROADS, GOVERNMENT OF KERALA, DATED 18.05.2017.**

EXHIBIT P13	**TRUE COPY OF EMAIL DATED 31/05/2019 SENT BY THE 1ST RESPONDENT'S REGIONAL OFFICER TO THE ACGSC IN WPC.NO.36998/2017 SHARING INFORMATION RECEIVED FROM THE ADDITIONAL 5TH RESPONDENT, THE PROJECT DIRECTOR, NHAI, THIRUVANANTHAPURAM.**
EXHIBIT P14	**TRUE COPY OF RTI APPLICATION DATED 19/11/2020 ADDRESSED TO THE PIO, REGIONAL OFFICE NHAI, THIRUVANANTHAPURAM.**
EXHIBIT P15	**REPLY TO RTI APPLICATION FROM CPIO, RO-KERALA NHAI VIDE LETTER NO.11117/RO-KERALA.RTI/1148 DATED 19/11/2020 ENCLOSING CERTIFIED COPY OF LETTER NO.NHAI/PIU-TVM/404/2019/598 DATED 31/05/2019 ISSUED BY THE 5TH RESPONDENT PROJECT DIRECTOR, PIU-TVM TO THE REGIONAL OFFICERM RO-KERALA, NHAI, THIRUVANANTHAPURAM.**

RESPONDENTS EXHIBITS:NIL.

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P.S. TO JUDGE

APPENDIX OF WP(C)NO.30121/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 21.03.2015.
EXHIBIT P2	TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 16.08.2014.
EXHIBIT P3	TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 04.09.2014.
EXHIBIT P4	TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT DATED 27.09.2014.
EXHIBIT P5	TRUE PHOTOCOPY OF THE AWARD NO.AA 59/2016 DATED 16.08.2017 PASSED BY THE 3RD RESPONDENT IN THE 1ST AND 2ND PETITIONER'S CASE.
EXHIBIT P6	TRUE PHOTOCOPY OF THE AWARD NO.AA 41/2015 DATED 19.07.2017 PASSED BY THE 3RD RESPONDENT IN THE 3RD PETITIONER'S CASE.
EXHIBIT P7	TRUE PHOTOCOPY OF THE AWARD NO.AA 40/2015 DATED 19.07.2017 PASSED BY THE 3RD RESPONDENT IN THE 4TH AND 5TH PETITIONER'S CASE.
EXHIBIT P8	TRUE PHOTOCOPY OF THE AWARD NO.AA 105/2015 DATED 19.07.2017 PASSED BY THE 3RD RESPONDENT IN THE 6TH 7TH 8TH AND 9TH PETITIONER'S CASE.
EXHIBIT P9	TRUE PHOTOCOPY OF THE COMPREHENSIVE GUIDELINES DATED 28.12.2017 ISSUED BY THE 1ST RESPONDENT ON LAND ACQUISITION UNDER THE NATIONAL HIGHWAYS ACT, 1956.
EXHIBIT P10	TRUE PHOTOCOPY OF THE RTI APPLICATION DATED 03.01.2019.
EXHIBIT P11	TRUE PHOTOCOPY OF THE REPLY LETTER DATED 04.02.2019.

EXHIBIT P12	**TRUE PHOTOCOPY OF THE LETTER FROM THE PROJECT DIRECTOR OF NHAI TO THE SPECIAL PRIVATE SECRETARY TO THE MINISTER FOR PUBLIC WORKS AND ROADS, GOVERNMENT OF KERALA, DATED 18.05.2017.**
EXHIBIT P13	**TRUE COPY OF EMAIL DATED 31/05/2019 SENT BY THE 1ST RESPONDENT'S REGIONAL OFFICER TO THE ACGSC IN WPC.NO.36998/2017 SHARING INFORMATION RECEIVED FROM THE ADDITIONAL 5TH RESPONDENT, THE PROJECT DIRECTOR, NHAI, THIRUVANANTHAPURAM.**
EXHIBIT P14	**TRUE COPY OF RTI APPLICATION DATED 19/11/2020 ADDRESSED TO THE PIO, REGIONAL OFFICE NHAI, THIRUVANANTHAPURAM.**
EXHIBIT P15	**REPLY TO RTI APPLICATION FROM CPIO, RO-KERALA NHAI VIDE LETTER NO.11117/RO-KERALA.RTI/1148 DATED 19/11/2020 ENCLOSING CERTIFIED COPY OF LETTER NO.NHAI/PIU-TVM/404/2019/598 DATED 31/05/2019 ISSUED BY THE 5TH RESPONDENT PROJECT DIRECTOR, PIU-TVM TO THE REGIONAL OFFICERM RO-KERALA, NHAI, THIRUVANANTHAPURAM.**

RESPONDENTS EXHIBITS:NIL.

//TRUE COPY//

P.S. TO JUDGE

APPENDIX OF WP(C)NO.3752/2020

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT IN THE 1ST PETITIONER'S CASE DATED 04.06.2014.**
EXHIBIT P2	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT IN THE 2ND AND 3RD PETITIONER'S CASE DATED 21.04.2014.**
EXHIBIT P3	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 2ND RESPONDENT IN THE 4TH PETITIONER'S CASE DATED 04.06.2014.**
EXHIBIT P4	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 3RD RESPONDENT IN THE 1ST PETITIONER'S CASE DATED 14.06.2017.**
EXHIBIT P5	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 3RD RESPONDENT IN THE 2ND ND 3RD PETITIONER'S CASE DATED 19.07.2017.**
EXHIBIT P6	**TRUE PHOTOCOPY OF THE AWARD ISSUED BY THE 3RD RESPONDENT IN THE 4TH PETITIONER'S CASE DATED 19.07.2017.**
EXHIBIT P7	**TRUE PHOTOCOPY OF THE REPRESENTATION FILES BY THE 1ST PETITIONER DATED 12.11.2018 BEFORE THE 3RD RESPONDENT.**
EXHIBIT P8	**TRUE PHOTOCOPY OF THE JOINT REPRESENTATION FILED BY THE 2ND AND 3RD PETITIONERS DATED 16.10.2018 BEFORE THE 3RD RESPONDENT.**
EXHIBIT P9	**TRUE PHOTOCOPY OF THE REPRESENTATION FILED BY THE 4TH PETITIONER ON 15.10.2018 BEFORE THE 3RD RESPONDENT.**
EXHIBIT P10	**TRUE PHOTOCOPY OF THE COMMON JUDGMENT DATED 03.12.2018 BY WHICH THE HON'BLE HIGH COURT DISMISSED THE PETITIONERS WRIT PETITIONS.**

EXHIBIT P11	TRUE PHOTOCOPY OF THE COMPREHENSIVE GUIDELINES DATED 28.12.2017 ISSUED BY THE 1ST RESPONDENT ON LAND ACQUISITION UNDER THE NATIONAL HIGHWAYS ACT, 1956.
EXHIBIT P12	TRUE PHOTOCOPY OF THE RTI APPLICATION DATED 03.01.2019.
EXHIBIT P13	TRUE PHOTOCOPY OF THE REPLY LETTER DATED 04.02.2019.
EXHIBIT P14	TRUE PHOTOCOPY OF THE LETTER FROM THE PROJECT DIRECTOR OF NHAI TO THE SPECIAL PRIVATE SECRETARY TO THE MINISTER OF PUBLIC WORKS AND ROADS, GOVERNMENT OF KERALA,DATED 18.05.2017.
EXHIBIT P15	TRUE PHOTOCOPY OF THE LEGAL NOTICE SENT ON BEHALF OF THE 1ST PETITIONER TO THE 4TH RESPONDENT.
EXHIBIT P16	TRUE PHOTOCOPY OF THE LEGAL NOTICES SENT ON BEHALF OF THE 2ND AND 3RD PETITIONERS TO THE 4TH RESPONDENT.
EXHIBIT P17	TRUE PHOTOCOPY OF THE LEGAL NOTICE SENT ON BEHALF OF THE 4TH PETITIONER TO THE 4TH RESPONDENT.
EXHIBIT P18	TRUE PHOTOCOPY OF THE REPLY PROVIDED TO THE 3RD PETITIONER ON REPRESENTATION MADE BY HIM TO THE 4TH RESPONDENT.
EXHIBIT P19	TRUE PHOTOCOPY OF PARAGRAPH 3.13. OF CHAPTER 3 OF THE MANUAL OF GUIDELINES ON LAND ACQUISITION FOR NATIONAL HIGHWAYS UNDER THE NATIONAL HIGHWAYS ACT, 1956 BROUGHT OUT BY THE 1ST RESPONDENT IN DECEMBER 2018.
EXHIBIT P20	NIL.

EXHIBITS 21 AND 22 PRODUCED IN I.A.NO.2 OF 2020

EXHIBIT P21	TRUE COPY OF RTI APPLICATION DATED 19/11/2020 ADDRESSED TO THE PIO, REGIONAL OFFICE NHAI, THIRUVANANTHAPURAM.

EXHIBIT P22	**REPLY TO RTI APPLICATION FROM CPIO, RO-KERALA NHAI VIDE LETTER NO.11117/RO-KERALA.RTI/1148 DATED 19/11/2020 ENCLOSING CERTIFIED COPY OF LETTER NO.NHAI/PIU-TVM/404/2019/598 DATED 31/05/2019 ISSUED BY THE 5TH RESPONDENT PROJECT DIRECTOR, PIU-TVM TO THE REGIONAL OFFICERM RO-KERALA, NHAI, THIRUVANANTHAPURAM.**

RESPONDENTS EXHIBITS:NIL.

//TRUE COPY//

P.S. TO JUDGE