

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 90 of 2015

Dated: 26 November, 2015

**CORAM: Shri Azeez M. Khan, Member
Shri Deepak Lad, Member**

In the matter of
**Petition under Sections 142, 146, 67(4) (5) of the Electricity Act, 2003 seeking
determination of compensation and Maharashtra Works of Licensees Rules 2012 and
also seeking enhancement of compensation awarded by District Collector, Akola under
Rule 3(3) and 13(2) of Maharashtra Works of Licensees Rules 2012 and challenging the
Order Passed by the District Collector, Akola dated 30 August, 2013.**

Shri Balu Namdevrao BhartilakPetitioner

V/s

1. Maharashtra State Electricity Transmission Co. Ltd. (MSETCL)

2. District Collector, AkolaRespondents

Appearance

For the Petitioner: Adv. Pavan Uttarwar

For the Respondent 1: Adv. K.G.Sakhare

For the Respondent 2: None

Daily Order

Heard the Advocates of the Petitioner and the Respondent.

Advocate of the Petitioner submitted that the District Collector, Akola vide Order dated 30 August, 2013 permitted MSETCL to erect the Transmission Line towers on the Petitioner's land, but did not quantify the compensation of land as per the provisions of Electricity Act,

2003 and Maharashtra Electricity Works of Licensees Rules,2012. Further, Petitioner is entitled for compensation towards loss of crops, trees, land and diminution of value of land.

Advocate of MSETCL submitted that it has already paid an amount of Rs.2,95,929/- towards crop compensation and its contractor M/s Jyoti Structures Ltd. has also paid additional compensation of Rs. 2,79,061/- to the Petitioner . MSETCL has paid Rs.4000/- in advance against the land compensation. MSETCL has submitted a proposal before the District Collector, Akola on 15 July, 2015 for determination of compensation as per Government of Maharashtra's GR dated 1 October, 2010 which is still pending for Order. MSETCL is ready to pay the compensation as determined by the District Collector, Akola.

Advocate of the Petitioner acknowledged the receipt of compensation towards the crop loss and mentioned that the land compensation shall be determined by the District Collector, Akola.

The Commission suggested to MSETCL to bring to the notice of the District Collector, Akola that the provisions of the Indian Telegraph Act 1885 be read with the relevant provisions of the Electricity Act 2003 and Maharashtra Electricity Works of Licensees Rules 2012, which authorises the District Collector to decide the quantum of compensation to be awarded to the affected land owners.

The Case is reserved for Order.

Sd/-
(Deepak Lad)
Member

Sd/-
(Azeez M. Khan)
Member