

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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CASE Nos. 63 to 72 of 2017

Dated: 18 July, 2017

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

10 Cases filed by Petitioners from Mangalwedha Tehsil, Dist. Solapur as per Section 67 (4) of Electricity Act, 2003 and Rule 3 (3) of the Maharashtra Electricity Works of Licensee Rules, 2012 seeking review of Sub-Divisional Magistrate Mangalwedha's Orders dated 27.2.2017 and compensation for erecting Transmission Line and Towers on their lands by MSETCL

(Case Nos. 63 to 72 of 2017)

- 1) Shri Dattatray Dnyanoba Jasud and two others (Case No. 63 of 2017).
- 2) Shri Satish Dagdu Shinde (Case No. 64 of 2017).
- 3) Shri Satish Bhavarlal Marda (Case No. 65 of 2017).
- 4) Shri Santosh Pandurang Yadav and Shri Vishwajeet Santosh Yadav (Case No. 66 of 2017).
- 5) Shri Abhiman Eknath Nikam (Case No. 67 of 2017).
- 6) Shri Nandakumar Sopan Jadhav (Case No. 68 of 2017).
- 7) Ms. Bebi Mohan Teli and three others (Case No. 69 of 2017).
- 8) Ms. Tejswini Gajanan Tad and four others (Case No. 70 of 2017).
- 9) Shri Youraj Mahadev Sakhare (Case No. 71 of 2017).
- 10) Shri Tatyia alias Pandurang Maruti Dattu (Case No. 72 of 2017).

... Petitioners

V/s

- 1) The District Magistrate, Solapur
- 2) The Sub Divisional Magistrate, Mangalwedha , District Solapur
- 3) The Executive Engineer, Maharashtra State Electricity Transmission Co. Ltd. (MSETCL), Solapur.

... Respondents

Appearance

For the Petitioners

....Shri Ravindra Pachunkar (Adv.)

For the Respondent No.1 & 2

.... None

For the Respondent No. 3

..... Shri Dhananjay Deshmukh (Adv.)

..... Shri Abhijeet Joshi (Adv.)

Daily Order

Heard the Advocates of the Petitioners and the Respondent No. 3. No one appeared on behalf of Respondents No.1 & 2.

1) Advocate of MSETCL stated that :

- a) Revision Applications are filed by the Petitioners as per provisions of the Maharashtra Electricity Works of Licences Rules (MEWLR), 2012. The prayer No. 1 is for payment of compensation as per provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 which is beyond the jurisdiction of the Commission. Neither the Electricity Act, 2003 nor the Indian Telegraph Act, 1885 have provisions for payment of rent as prayed by the Petitioners. Hence, the review Applications deserve to be dismissed.
- b) MSETCL has paid the crop / land compensation towards damage caused at the time of foundation work of the Towers through cheques to some of the Petitioners. Some of them have accepted and encashed the cheques and some have not accepted the compensation offered by MSETCL.
- c) To a query of the Commission regarding the status of foundation work and notices served to the affected land owners, MSETCL stated that total Towers' foundation work is not completed. MSETCL will issue notices to the affected land owners for the entire Line and obtain acknowledgements. Compensation will be paid to affected land owners before completion of the work.
- d) MSETCL does not acquire land for erection of Towers or laying of Transmission Lines. As per Government Resolution dated 1.11.2010, MSETCL has paid the compensation to the affected farmers, which is an additional benefit to them.

2) On request of the Petitioners' Advocate (who arrived late at the hearing) the Commission granted two weeks time to file their Rejoinder with a copy to the Respondents.

Next date of hearing will be informed by the Secretariat of the Commission.

Sd/-
(Deepak Lad)
Member

Sd/-
(Azeez M. Khan)
Member