

**Before the  
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION  
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005  
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**CASE No. 131 of 2017**

**Dated: 14 November, 2017**

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

**The Petition filed by Maharashtra State Electricity Transmission Co.Ltd. for Revision of District Collector, Parbhani's Order dated 29.03.2017.**

**(Case No. 131 of 2017)**

1) Maharashtra State Electricity Transmission Co.Ltd.

... Petitioner

V/s

1) Shri Chandar Nagoji Kasture and 16 others

... Respondents

**Appearance**

For the Petitioner

...Shri Dhananjay Deshmukh (Adv.)

...Shri Ravindra Kakade (Rep.)

For the Respondents

.... Shri Pawan Uttarwar (Adv.)

**Daily Order**

Heard the Advocate of the Petitioner and the Respondents.

- 1) The Commission informed the parties that the Case will be heard by a two Member Bench.
- 2) Advocate of MSETCL stated that :
  - a) The disputed 400 kV Chandrapur – Parli Single Circuit Line and 400 kV Double Circuit Line have been constructed in the year 1986 and 1991 respectively. MSETCL had paid the compensation to the erstwhile owners of the land as per applicable laws at that time.

- b) The Respondents have claimed the compensation for the lines erected in the years 1986 and 1991 after a gap of more than 25 years which is not tenable.
  - c) He referred to the Commission's Order dated 1.3.2017 in Case Nos. 63 and 64 of 2015 which involves similar issues.
  - d) He also referred to the District Collector's Order dated 29.3.2017 and pointed out that the year of construction of these Lines has not been considered for the determination of compensation in the Order. Hence, the Order is not a reasoned Order and should be set aside.
- 3) Advocate of the Respondents stated that :
- a) Though the disputed Transmission Lines are constructed in the year 1986 and 1991, the Towers occupy the land for life time. The loss to the land owners is continuous in nature and hence appropriate compensation needs to be paid as per the prevailing rules and regulations at current market rates.
  - b) The District Collector is empowered to grant full compensation to the affected farmers due to Transmission works. The Respondents did not receive any land compensation at the time of erection of Towers.
  - c) To a query of the Commission for the delay of several years in claiming the compensation for Towers erected in 1986 and 1991, the Advocate of the Respondents stated that the claim towards the compensation is not barred by the law of limitation and that there is ongoing diminution of value.
  - d) The Commission directed the Advocate of the Respondents to file its Reply, if any within a week.
- 4) The Commission observed that neither MSETCL nor the Respondents pointed out years of construction of Transmission Lines (1986 and 1991) before the District Collector, nor did the Collector refer to it.
- 5) The Commission also asked the Respondents whether the owners formally objected to erection of towers/Line at the time of their being laid, to which the Advocate of the Respondents did not revert.

**The Case is reserved for Order.**

**Sd/-  
(Deepak Lad)  
Member**

**Sd/-  
(Azeez M. Khan)  
Member**