

**Before the  
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION  
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005  
Tel. 022 22163964/65/69  
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Website: [www.merc.gov.in](http://www.merc.gov.in)**

**Date: 18 February, 2022**

**Coram**

**Sanjay Kumar, Chairperson**

**I. M. Bohari, Member**

**Mukesh Khullar, Member**

**Miscellaneous Application No. 159 of 2021 in Case No. 167 of 2020**

**Miscellaneous Application of New Ushanagar Co-operative Housing Society Ltd. Mumbai under Regulations 81 and 92 of the MERC (Conduct of Business) Regulations, 2004 and Section 94 of the Electricity Act 2003 for urgent listing and for seeking interim/ad-interim reliefs in Case No. 167 of 2020.**

New Ushanagar Co-operative Housing Society Limited (NUCHSL) : Petitioner

V/s

Tata Power Company Limited-Transmission(TPC-T) : Respondent No.1

The Commissioner of Police, Mumbai(CP , Mumbai). : Respondent No.2

**Appearance:**

For the Petitioner : Ms. Dipali Sheth (Adv.)  
For the Respondent No.1 : Shri. Venkatesh (Adv.)  
For the Respondent No. 2 : Shri. Ruta Nemlekar (Rep.)

**Daily Order**

Heard the Advocate/ Representative of the Petitioner and Respondents.

1. The Advocate of the Petitioner reiterated its submission from the MA with following additional issues:

- a) Advocate of the Petitioner confirmed that the Petitioner has received the compensation for the land occupied by the base of transmission line Tower installed by TPC-Transmission. The compensation towards land occupied by Right of Way of

transmission line erected by TPC-T is yet to be received.

- b) To a query of the Commission, Advocate of the Petitioner confirmed that it has settled the issue of land title/ownership. The Land Measurement Officer has visited the site for measurement of the land occupied by the transmission line. The representative of CP, Mumbai has written to the Land Measurement Department to issue the demand note for land measurement charges. TPC-T agrees to pay the land measurement charges as informed by Land Measurement Department. However, the Land Measurement Department is yet to provide the demand note.
  - c) The matter is pending since long and hence requested the Commission to direct the CP, Mumbai for determination of the compensation on priority.
2. The Advocate of TPC-T stated that TPC-T is ready to pay the Government fees/charges required for land measurement which would be used for determination of compensation as submitted by Land Measurement Department.
  3. The Representative of the CP, Mumbai stated that the official correspondence has been made with the Land Measurement Department vide its letter dated 17.12.2021 to provide the amount to be paid for survey and measurement of land. However, the reply from the Land Measurement Department is awaited. The representative of the CP Mumbai submitted that it would act on determination of the compensation as required under Maharashtra Electricity Works of Licensees Rules, 2012 (MEWLR 2012) within a week.
  4. The Commission notes that vide its Daily Order dated 9.11.2020 in Case No. 167 of 2020, the Commission has granted 45 days' time to the CP Mumbai for determination of compensation owing to the land measurement issues. However, till date the issues of land measurement are not resolved and the compensation for the Right of Way as per MEWLR 2012 is yet to be determined by CP, Mumbai.
  5. The Commission directs the CP, Mumbai to determine the compensation within a week and submit the report to the Commission within three days thereafter.
  6. The Commission directs TPC-T to pay the Government fee/charges for measurement of land for determination of compensation and extend the necessary co-operation to the CP, Mumbai.

**After receipt of the compliance report from the Respondent No. 2, further directions will be intimated by the Secretariat of the Commission.**

**Sd/-  
(Mukesh Khullar)  
Member**

**Sd/-  
(I. M. Bohari)  
Member**

**Sd/-  
(Sanjay Kumar)  
Chairperson**