

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

**Date: 20.05.2022**

**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

The City Land Measurement Officer : Impleaded Respondent No.3

**Appearance:**

For the Petitioner : Ms. Dipali Sheth (Adv.)

For the Respondent No.1 : Shri. Venkatesh (Adv.)

For the Respondent No. 2 : Shri. Anil Jaykar (Rep.)

For the Respondent No. 3 : Dr. Sunil Raut

## Daily Order

Heard the Advocate/ Representative of the Petitioner and Respondents.

1. The Advocate of the Petitioner stated that :
  - a) 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 (ROW) of Transmission Line erected by TPC-T is to be determined by the CP Mumbai.
  - b) Land Measurement report of the disputed land occupied by ROW of Transmission Line is submitted by the Land Measurement Office. The area of the affected land is 1182 sq.mtr. Hence, the CP Mumbai to determine the compensation amount as per the GoM's (Industry, Energy & Labour Department) Resolution dated 31.5.2017.
  - c) After determination of compensation by the CP Mumbai, TPC-T shall make the payment on priority.
2. The Advocate of TPC-T stated that it has received the Land Measurement report on 19.5.2022 i.e a day before the hearing and sought time for verification of the measurement provided by the Land Measurement Officer, as TPC-T has to pay the Compensation.
3. The Representative of the CP, Mumbai stated that it has received the report on Land Measurement from Land Measurement Officer. He sought fifteen days' time to obtain the ready Reckoner rate from GoM's Department of Registration & Stamps and to issue the compensation Order.
4. After hearing the parties, the Commission directs as follows:
  - a) The Commission grants three days' time to TPC-T for verification of the land measurement and fifteen days' time to the CP Mumbai thereafter, to issue the Compensation Order with copies to the parties.
  - b) TPC-T to make the payment of compensation to the Petitioner as determined by the CP Mumbai within fifteen days from the date of CP Mumbai Order.
  - c) The Petitioner after receipt of the Compensation, within a week shall file the compliance memo to the Commission with copies to the parties.
5. **Methodology for determination of Compensation to be adopted by the CP Mumbai.**
  - 5.1 The GoM (Industry, Energy & Labour Department) Resolution dated 31.05.2017, for determination of compensation towards affected land due to erection of EHV Transmission Line and Towers provides as follows:

- a) The compensation for the area of the land affected by the erection of EHV Transmission Line Towers shall be determined at double the Ready Reckoner rate;
- b) The compensation for the land occupied by ROW of Transmission Line shall be 15 % of the Ready Reckoner rate;**

5.2 In the present case, the affected area of the land occupied by ROW of Transmission Line is 1182 sq.mtr.

The amount of compensation Rs.= Area of land occupied by ROW of Transmission Line X Ready Reckoner Rate X 15 %

The amount of compensation Rs. = 1182 sq.mtr. X Ready Reckoner Rate X 15 %.

**Next date of hearing will be communicated by the Secretariat of the Commission if required.**

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

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

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