

**NOTICE**

Subject: Petition of Sou. Arunabai Shivsing Pardeshi Non compliance of provisions of Electricity Act & regulation while laying down transmission line and non payment of compensation for the same and in view of liberty granted to the Petitioner in MERC Case No.11 of 2012.

- **Case No. 60 of 2013**

2. Sou. Arunabai Shivsing Pardeshi have submitted a Petition under affidavit on 29.04.2013, for seeking relief from Respondent's alleged Non compliance of provisions of Electricity Act & regulation while laying down transmission line and non payment of compensation for the same and in view of liberty granted to the Petitioner in MERC Case No.11 of 2012. The main prayers of the Petitioner are as under-

*“ a) That it be declared the tower No.18 erected and installed by respondents in the land Gut No.101 of village Mahuli, Tq. Gangapur, Dist Aurangabad as illegal Installation as it is installed without following due procedure of the law.*

*b) That the respondents be also further ordered and directed to remove / demolish the said tower No. 18 at their own costs and risks within specified period.*

*c) That the respondents be directed and ordered to pay the compensation amount of Rs.10,00,000/- (Rupees ten lakhs only) with penal interest of 18% to the petitioner for the losses incurred since so many years and mental harassment caused from the date of installation of tower i.e. December 2010.*

*d) The land used for the tower has not only finished the commercial potential of the said property but also agricultural productivity forever and in view thereof the petitioner prays that the monthly rent of Rs.30,000/- may be allowed to the petitioner till the tower remains in field. The petitioner also prays this amount may be paid to the petitioner from the date of installation of the tower i.e. from December 2010.*

*e) While erecting the installation of the Tower No. 18 the well of the petitioner has been damaged and destroyed and is dilapidated. It is also dangerous to install tower near a well, it being high tension line. It may lead to any accident. Considering the losses MSETCL should pay Rs.90,000/- as compensation with 18% interest from the date of installation of Tower i.e. December 2010 for Damage of well.*

- f) *Forcefully entering in petitioners land on 10.06.2011 with huge machinery with hundreds of workers and spoiled the land status. The illegal action of MSETCL also spoiled our image in the society, an amount of Rs.80,000/- may be granted as a onetime penalty.*
- g) *That the respondents be penalized for non compliance of regulations and provisions of law u/s 142 and 149 of the Electricity Act,2003 for the wrongs and illegal acts committed by them while installing and erecting of the tower in the land Gut No.101 of village mahuli, Tq. Gangapur, Dist. Aurangabad knowingly and intentionally.*
- h) *That the petition may be allowed with costs of Rs.45,000/- (Forty five thousand ) to the petitioner as she has incurred the legal fees expanses toward making application to MERC (2times) & District Magistrate Aurangabad.*
- i) *The Petitioner may be allowed additional penal compensation u/sec 67(5) of the EA, 2003 and approach towards affected persons.*
- j) *The Punitive cost may be levied to the MSETCL for their conduct.*

3. I am directed to communicate that the Hearing in the above matter will be held in the presence of the authorized consumer representatives on **Tuesday 28 May, 2013 at 12.30 hrs** in the office of the Commission at 13<sup>th</sup> Floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai 400 005.

4. The Petitioner is directed to immediately serve a copy of its above mentioned Petition (both in soft and hard versions) to the authorized consumer representatives.

5. The Respondent is directed to submit its say on affidavit, if any, on the above mentioned Petition with a copy to the Petitioner and authorised consumer representatives.

(R. S. Sonawane)  
Dy. Director (Legal)

Sou. Arunabai Shivsing Pardeshi  
R/o Manjari, Tq. Gangapur  
Dist. Aurangabad

Petitioner

Executive Engineer,  
E.H.V. Construction Sub - Division No II  
M.S.E.T.C.L, "Matruchhaya," Ground floor,  
Mill Corner, Khadkeshwar Road,  
Aurangabad - 431 001

Respondent - 1

Deputy Executive Engineer,  
E.H.V. Construction Sub - Division No II  
M.S.E.T.C.L, "Matruchhaya," Ground floor,  
Mill Corner, Khadkeshwar Road,  
Aurangabad - 431 001

Respondent - 2

The Manager,  
K.E.C. International Company Ltd.,  
Near Mhsoba Temple, Mhsoba nagar,  
Harsul, Aurangabad - 431 008

Respondent - 3

Office of the District Collector,  
Aurangabad

Respondent - 4

**Consumer Representatives:**

Cc:

Prayas (Energy Group)  
Amrita Clinic, Athvale Corner,  
Lakdipool-karve Road Junction,  
Deccan Gymkhana, Karve Road,  
Pune 411 004.  
E-mail: [peg@prayaspune.org](mailto:peg@prayaspune.org)

Cc: Mumbai Grahak Panchayat,  
Grahak Bhavan,  
Sant Dynaneshwar Marg,  
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