



ASSAM ELECTRICITY REGULATORY COMMISSION

FILE NO. AERC. 610/2017

Petition No.:04/2017

ORDER SHEET

05.05.2017

Before the Assam Electricity Regulatory Commission
ASEB Campus, Dwarandhar,
G. S. Road, Sixth Mile, Guwahati – 781 022.

Sri Dasarath Basumatary S/O – Sri Madan Basumatary, Udalguri.....**Petitioner**
Power Grid Corporation of India Ltd (PGCIL) represented by DGM..... **Respondent-1**
Sri C Borkotoki, DGM, PGCIL Collegiate High School,
Mazgaon Barua Chuburi, Dist- Sonitpur, Assam, Pin- 784001.....**Respondent-2**
Deputy Commissioner, Udalguri.....**Respondent-3**

Date of Hearing: 05.05.2017

Representative for Petitioner:

Mr. Dasarath Basumatary
Mr. Dhiraj Kr. Medhi, Advocate
Mr. Hirambo Kr Roy, Advocate
Ms. Rongjali Basumatary, Advocate

Representative for Respondent 1:

Mr. Debajit Chakrabartty, Manager, PGCIL.
Mr. Kamal Kr Boro, Sr Engineer, PGCIL.
Mr. Sankar Pandey, Jr Engineer, PGCIL.

Representative for Respondent 3:

Mr. Bhaskar jyoti Manta, ADC,Udalguri.

In the matter of

Hearing dated 05.05.2017 on the Misc Petition No. 04 of 2017 filed by Shri Dasarath Basumatary regarding dispute on nonpayment of compensation under section 67(3) of the Electricity Act 2003 while carrying out the work of tower erection and stringing of +800 KV HVDC power line from Biswanath Chariali to Agra by Power Grid Corporation of India Ltd.

CORAM

Shri Naba Kr. Das Chairperson
Shri Subhash Ch. Das, Member

ORDER

1. A Hearing was held on 05th May, 2017, on the Petition No. 04 of 2017 filed by filed by Shri Dasarath Basumatary regarding dispute on non-payment of adequate compensation under section 67(3) of the Electricity Act 2003 while carrying out the work of tower erection and stringing of +800 KV HVDC power line from Biswanath Chariali to Agra by Power Grid Corporation of India Ltd. for the damages caused to the property of the petitioner.
2. During the hearing the counsel of petitioner submitted that the PGCIL paid Rs. 3, 37,118/- (Rupees three lakh thirty seven thousand one hundred eighteen only) on 05/05/2014 as compensation towards the surface damage of the land. Also the counsel submitted that, though they had received a Notice from PGCIL on 11/09/2015

regarding compensation to the Petitioner for cutting of trees and plants (Rubber trees) as per the value fixed by Assam Revenue Department. But PGCIL did not pay any further compensation to the petitioner till date.

3. On query by the Commission, about PGCIL's basis of assessment of compensation amount Rs.3,37,118/- already paid to the petitioner , PGCIL mentioned that the compensation on surface damage for cutting of Rubber trees was done by them based on the rate fixed by Rubber Board, Govt. of India.
4. Also, as per Commission's query regarding the period of construction of the said line, PGCIL submitted that the construction of the +800 KV HVDC line from Biswanath Chariali to Agra was started during the FY 2010-11.
5. On query to Respondent No. 3, by the Commission regarding comments on the Petition, ADC, Udalguri submitted that the matters related to Land etc. falls under the jurisdiction of the Bodoland Territorial Council , BTC, Assam.

After hearing the Petitioner & Respondents ,the Commission ordered as follows :

1. The Commission directed the Respondent 1 & 2 for submission of views & comments on the Petition on or before 22/05/2017.
2. The Commission further directed the Respondent 1 for submission of detailed break-up and basis of compensation already paid to the petitioner on or before 22/05/2017.
3. The Commission directed the Respondent 3 for submission its report in the present case along with its views & comments on the Petition on or before 22/05/2017.
4. On the basis of submission of Respondent No 3, the Commission hereby makes the Secretary, Revenue of BTC, Assam as one of the Respondents in this case. Notice to be issued also to the Secretary, Revenue, BTC directing him to file comments on the Petition.
5. The Petitioner & Respondents will make submissions in the formats prescribed in the AERC Regulations and will provide copies of their submissions to the opposite parties.

The next date of Hearing is schedule on 30th May, 2017 at 11 AM.

Sd/-
(Subhash Ch. Das)
Member
AERC

Sd/-
(Naba Kumar Das)
Chairperson
AERC