

**Before the  
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION  
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005  
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**Case No. 128 of 2016**

**Dated: 1 December, 2016**

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

**In the matter of  
Petition of Nidar Utilities Panvel LLP for taking on record its deemed Distribution Licensee status for the Multi Services SEZ being developed by Persipina Developers Pvt. Ltd. at Panvel, Maharashtra, and for issuing Specific Conditions of Distribution Licence**

Nidar Utilities Panvel LLP (NUP)	:	Petitioner
Ixora Constructions Pvt. Ltd. (ICPL)	:	Impleaded Party
Representatives of the Petitioner	:	Ms. Vaidehi Naik (Adv.) Shri Anirban Guha (Rep.)
Representative of the Impleaded Party	:	Shri Shyam Dhanuka (Rep.)

**Daily Order**

Heard the Representatives of the Petitioner.

Representatives of the Petitioner re-iterated the submissions in the Petition and stated that:

- i. Sunny Vista Realtors Pvt. Ltd. (SVRPL) was a Developer for sector-specific SEZ for services (Multi-Services SEZ) at Panvel and Ixora Constructions Pvt. Ltd. (ICPL) was a Co-Developer for this SEZ. The Commission has taken on record the Deemed Distribution Licensee status of ICPL vide its Order dated 24 May 2010 in Case No. 142 of 2008.
- ii. The SEZ project has now been acquired by Persipina Developers Pvt. Ltd. (PDPL) pursuant to the e-auction by the Financial Institutions /Banks under the provisions of the SARFAESI Act, 2002. Ministry of Commerce and Industry, Government of India has approved the change of ownership to PDPL on 1 July, 2015
- iii. Nidar Utilities Panvel LLP (NUP) is a Co-Developer of the SEZ pursuant to the

Agreement dated 10 August, 2015, entered into between PDPL and NUP. The Ministry of Commerce and Industry, Government of India has approved NUP as a Co-Developer of the SEZ on 9 September, 2016.

- iv. In accordance with the amendment to Section 14 of the Electricity Act, 2003, NUP is a Deemed Distribution Licensee for the SEZ. Accordingly, the Commission is requested to take on record its Deemed Distribution Licensee status and issue the Specific Conditions of Distribution Licence applicable to it. The Petitioner proposes term of Licence as 25 years w.e.f. 9 September, 2016, i.e. the date of its approval as Co-Developer by the Government of India.
- v. NUP has approached the Ministry of Commerce and Industry, Government of India seeking rectification of the typographical error in the area mentioned in the approval letter dated 9 September, 2016.
- vi. The prayer to approve the provisional Tariff equivalent to MSEDCL's Tariff for its area of supply is not being pursued for the time being.

To a query of the Commission, NUP stated that there is no particular reason behind PDPL not approaching the Commission for the Deemed Distribution Licensee status. NUP would submit a No Objection letter from PDPL within a week.

NUP further stated that, although presently the construction work is in final stage, there is no concrete plan for commencement of the Distribution Business activities. However, it would submit the Business Plan shortly.

**The Case is reserved for Order.**

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

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