

NOTICE

Subject: Petition of Wardha Power company Ltd., under Sections 142 and 146 of the Electricity Act, 2003 for non-compliance of orders/directions given by this Hon'ble Commission in the order dated 28.08.2013 passed in Case No. 117 of 2012.

- Case No. 164 of 2013

Wardha Power Company Ltd., have submitted a Petition under affidavit on 29.10.2013, against the MSEDCL, under Sections 142 and 146 of the Electricity Act, 2003 for non-compliance of orders/directions given by this Hon'ble Commission in the order dated 28.08.2013 passed in Case No.117 of 2012.

The main prayers of the Petitioner are as under-

- “ a) issue appropriate order or directions under Section 142 against the Respondents by imposing penalties for non compliance of the order/ directions dated 28.08.2013 passed by this Hon'ble Commission in Case No.117 of 2012;*
- b) issue appropriate directions under Section 146 against the Respondent No.2, and any other officials of the Respondent No.1, by imposing punishments for non compliance of the order/ directions dated 28.08.2013 passed by this Hon'ble Commission in Case No.117 of 2012;*
- c) quash the invoices raised by the Respondents (Annexure P-5), containing imposition of cross subsidy surcharge.*
- d) direct the Respondents to issue fresh invoices / bills without the levy of cross subsidy surcharge;*
- e) direct that any cross subsidy surcharge can only be imposed at the end of a financial year, by verifying the generation and consumption criteria on an annual basis, as per the directions issued by this Hon'ble Commission in the order dated 28.08.2013 passed in Case No. 117 of 2012;*
- f) pass such other and further order or orders as this Hon'ble Commission deems fit and proper under the facts and circumstances of the present case.*

2. 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, 17 December, 2013 at 12.30 hrs** in the office of the Commission at 13th floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai - 400 005.

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3. The Petitioner is directed to immediately serve a copy of its above mentioned Petition (both in soft and hard versions) to the Respondent and the authorised consumer representatives before the scheduled date of hearing.

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

Sd/-
(R. S. Sonawane)
Dy. Director (Legal)

Wardha Power Company Limited
8-2-293/82/A/431/A,
Road No. 22, Jubilee Hills,
Hyderabad-500 033

Petitioner

The Managing Director
Maharashtra State Electricity Distribution Co. Ltd.,
Prakashgad, 5th floor,
Bandra (East), Mumbai - 400051
E-mail :- md@mahadiscom.in

Respondent No.1

The Chief Engineer (Commercial)
Maharashtra State Electricity Distribution Co. Ltd.,
Prakashgad, 5th floor,
Bandra (East), Mumbai - 400051
E-mail :- cecomm@mahadiscom.in

Respondent No.2

Cc: **Consumer Representatives:**

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

Vidarbha Industries Association,
1st Floor, Udyog Bhavan,
Civil Line, Nagpur 440 001.
E-mail: rkengg@gmail.com

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The General Secretary,
Thane Belapur Industries Association,
Rabale Village, Post Ghansoli,
Plot P-14, MIDC,
Navi Mumbai 400 701
E-mail: tbia@vsnl.com

Mumbai Grahak Panchayat,
Grahak Bhavan,
Sant Dynaneshwar Marg,
Behind Cooper Hospital,
Vile Parle (West), Mumbai 400 056
E-mail: mgpanchayat@yahoo.com

Maharashtra Chamber of Commerce,
Industry & Agriculture,
Oricon House, 6th floor,
12 K. Dubash Marg, Fort, Mumbai - 400 001
(Nashik Branch)
E-mail : maccia.nsk@gmail.com

Cc:

The Managing Director
Maharashtra State Electricity Transmission Co Ltd.,
C-19, E-Block, Prakashganga,
Bandra Kurla Complex,
Bandra (East), Mumbai- 400 051

The Suptd. Engineer (TRC Cell)
Maharashtra State Electricity Distribution Co Ltd.,
Prakashgad, Plot No. G-9,
Anant Khanekar Marg, Bandra (East),
Mumbai 400 051