

NOTICE

Subject: Petition of Linde India Limited, complaint against Licensee (MSEDCL) for violation of Section 38 & 42 of Elect. Act 2003 and O. A . Regulation 2005 by not providing non discriminatory open access for availing power through Indian Energy Exchange (IEX).

- **Case No. 01 of 2014**

Linde India Limited have submitted a Petition under affidavit on 23.12.2013, under Sections 38, 42(2),142,146 & 149 of E.A. 2003 & Regulation No. 3.1of MERC (Distribution Open Access) Regulation,2005 for seeking penal actions, for non-compliance of orders or directions given in this act against the erring officials of the respondent for not providing permission for availing open access through IEX and for not adhering time limit to process application, required by law. Petitioner also alleged that he has been discriminated by MSEDCL.

The main prayers of the Petitioner are as under-

“1. Action as per Section 142 and 146 of EA Act, 2003: We appeal to initiate Punishment for non-compliance of orders or directions given in this act against the erring officials of the respondent. And penalty as defined in the act should be continued till failure to comply with Section 38 & 42 of EA Act 2003 for allowing non discriminatory open access.

2. Section 149 of EA Act 2003 for offence by companies: To take action as per this act against the company, every person who at the time the offence was committed was in charge of and was responsible to the company for the conduct of the business of the company.”

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 **Thursday, 13 February, 2014 at 11.30 hrs** in the office of the Commission at 13th floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai 400 005

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)

Linde India Limited,
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Petitioner

Chief Engineers (Commercial)
Maharashtra State Electricity Distribution Co. Ltd.,
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Bandra (East), Mumbai - 400051
E-mail :- cecomm@mahadiscom.in

Respondent

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

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