

NOTICE

Subject: Petition of M/s. Nagareeka Exports Limited, Complaint against Licensee (MSEDCL) for violation of Section 9.2 of SOP Regulations, 2005 of MERC for change of tariff category and initiate action u/s 142,146 & 149 of Electricity Act 2003.

- **Case No. 188 of 2013**

Nagareeka Exports Ltd. have submitted a Petition under affidavit on 13.12.2013 under Section 142, 146 & 149 of the Electricity Act, 2003 & Regulation No. 9.2 of MERC (Standard of Performance) Regulations 2005 against MSEDCL for change of tariff category and initiate action u/s 142,146 & 149 of Electricity Act 2003.

2. The main prayers of the Petitioner are as under-

1. *Hon'ble Commission may please admit this petition.*
2. **Action as per Section 142 & 146 of EA Act, 2003:** *We appeal to initiate Punishment for contravention of section No. 9.2 of SOP Regulations 2005 of MERC against the erring officials of the respondent. And penalty as defined in the act should be continued till failure to comply with section 9.2 of SOP Regulations 2005 for change of Tariff Category of our Industry.*
3. **Section 149 of EA Act 2003 for offence by companies:** *To take action as per this act against 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.*
4. *To compensate for financial loss incurred with interest at 18% PA due to payment of higher tariff rate applicable for continuous Industry for 5 months period from 01.11.2012 to 25.03.2013.*
5. *Compensation of Rs. 50,000/- towards cost incurred for filing petition which includes MERC's petition filling fee Rs.5,000/- attending hearings, man-hr cost, traveling expenses etc.*
6. *We may be allowed to submit additional submission to this petition as may be required during the proceedings or at later date.*
7. *Pass such further and other orders, as the Commission may deem fit and proper keeping in view the facts and circumstances of the case."*

3. I am directed to communicate that the hearing in the matter will be held further on **Wednesday, 19 March, 2014 at 12.00 hrs** in the office of the Commission at 13th 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 Respondent and the authorised consumer representatives before the scheduled date of hearing.

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 the authorised consumer representatives well in advance.

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

M/s. Nagareeka Exports Limited,
7, Kala Bhavan, 3 Mathew Road,
Mumbai - 400 004.

Petitioner

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Respondent - 1

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Respondent - 2

Cc: Consumer Representatives:

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