

**NOTICE**

Subject: Petition of Jindal Poly Films Limited complaint against Licensee ( MSEDCL) for violation of Section 62(6) of Elect. Act 2003 and MERC's order dt. 03.01.2013 for Case Nos.8, 18, 20,33 all of 2012 for non payment of interest on the amount retained for 12 months period by MSEDCL.

- **Case No. 42 of 2014**

Jindal Poly Films Ltd. has submitted a Petition under affidavit on 07.02.2014, under Sections 62(6), 142,146 of E.A. 2003, for seeking actions against MSEDCL for violation of Section 62(6) of Elect. Act 2003 and MERC's order dt. 03.01.2013 for Case Nos. 8,18,20,33 all of 2012 for non payment of interest on the amount retained for 12 months period by MSEDCL.

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

*" 1. PF Incentive including PPD incentive of Rs. 504 lakh retained by MSEDCL for one year period was against MERC's OA regulation 2005. And accordingly Hon. Commission issued order dated 03.01.2013 for case Nos. 8,18,20,33 all of 2012 to refund the PF Incentive & PPD amount from the date of coming in force MSEDCL's impugned Commercial Circular no. 147 & 155. The MSEDCL violated these orders of Hon. Commission by not implementing correctly.*

*2. Violation of Section 62(6) of Electricity Act 2003 by not paying interest on excess tariff amount for PF Incentive & PPD by MSEDCL for 12 months period. PF Incentive & PPD are the part of tariff order approved by Hon. Commission. As per this section our claim for recovery of interest at bank rate say 12% PA on Rs. 504 Lac retained by for 12 months should be settled immediately.*

*3. Initiate appropriate action for non-compliance of Commissions Orders dt. 03.01.2013 and violation of Section 62(6) of Electricity Act 2003 per the provisions u/s 142 & 146 of the same act.*

*4. As per the above act, the MSEDCL may be penalized by way of penalty, which shall not exceed Rs. 1.0 Lac for each contravention and in case of a continuing failure with an additional penalty which may extend to Rs. 6000/- for every day during which the failure continues after contravention of the first such direction.*

*5. Compensation Rs. 50,000/- towards mental agony & cost incurred for filing petition, travelling expenses, TA/DA expenses, man hours cost etc.*

*6. The Hon. Commission may allow us to file additional submission at later date which may require depending upon circumstances during the proceedings of the case.*

*7. The Hon. Commission may allow any other suitable relief as deemed fit on the nature and circumstances of this petition."*

3. 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, 22 April, 2014 at 12.00 hrs** in the office of the Commission at 13<sup>th</sup> 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)

Jindal Poly Films Limited  
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Petitioner

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E-mail :- [senskrural@mahadiscom.in](mailto:senskrural@mahadiscom.in)

Respondent - 1

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Respondent - 2

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Respondent - 3

**Cc: Consumer Representatives:**

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