

**NOTICE**

Subject: Petition of Indian Wind Power Association against non-compliance by MSEDCL of the Order dated August 20, 2014 in Case No. 72 of 2014 of the Hon'ble Commission read with the relevant provisions of the Electricity Act, 2003.

- **Case No. 179 of 2014**

Indian Wind Power Association has submitted a Petition under affidavit on 09.10.2014, under Sections 129, 142 and 149 of the Electricity Act, 2003, for non-compliance by MSEDCL of the Order dated August 20, 2014 in Case No. 72 of 2014 of the Hon'ble Commission read with the relevant provisions of the Electricity Act, 2003.

The main prayers of the Petitioner are as under-

*"a) This Hon'ble Commission be pleased to direct Respondent No. 1 to forthwith comply with the Orders dated August 20,2014 and to forthwith grant permissions to the members of the Petitioners;*

*b) This Hon'ble Commission be pleased to order the Respondent No.1 to issue Petitioner within 7 days the open access approvals, the credit notes and energy Injection reports to enable the members of the Petitioner to apply for RECs;*

*c) This Hon'ble Commission be pleased to order and enforce the Respondent No.1 to compensate the members of the Petitioner who made their respective applications for grant of open access approvals in F.Y. 2014-15 on account of the inordinate delay which led to the inability of the members to receive the wind power generation proceeds in a timely manner due to such delays;*

*d) This Hon'ble Commission be pleased to order the Respondent No.1 to compensate for the loss of REC's by members of the Petitioner on account of the members being forced to lose the benefits of RECs on account of inordinate delays on the part of the Respondent No.1 to issue open access approvals and further the issuance of credit notes and energy injection reports;*

*e) This Hon'ble Commission be pleased to initiate proceedings against the Respondent No.1 and its officers under provisions of the Electricity Act including sections 129 and 142 of the Electricity Act, for wilful disobedience and for securing compliance of the Orders passed by the Hon'ble Commission;*

*f) This Hon'ble Commission be pleased to refer the matter to the Hon'ble High Court for initiation of contempt proceedings against the Respondents' directors and officers;*

*g) This Hon'ble Commission be pleased to order Interim and Ad-interim reliefs in terms of prayers a) to d) above;*

*h) This Hon'ble Commission be pleased to award cost for these proceedings against Respondent No.1 and in favour of the Petitioner.*

*i) This Hon'ble Commission be pleased to pass such other orders, as this Hon'ble Commission may deem fit."*

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, 23 December, 2014 at 11.30 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)

M/s. Indian Wind Power Association  
(Maharashtra state council)  
Empire House 214,  
Dr.D.N.Road,  
Ent A.K.Nayak Marg,  
Fort, Mumbai 400 001.  
E-mail : [contact@eternitylegal.com](mailto:contact@eternitylegal.com) / [dipali@eternitylegal.com](mailto:dipali@eternitylegal.com)

Petitioner

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

Respondent No.1

General Manager,  
Maharashtra Energy Development Agency (MEDA)  
MHADA Commercial Complex,  
2nd Floor, Opp. Tridal Nagar,  
Yerwada, Pune - 411 006.  
E-mail:- [dg@mahaurja.com](mailto:dg@mahaurja.com)

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](mailto:peg@prayaspune.org)

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

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

Vidarbha Industries Association,  
1<sup>st</sup> Floor, Udyog Bhavan,  
Civil Line, Nagpur - 440 001.  
E-mail: [rkengg@gmail.com](mailto:rkengg@gmail.com)