

NOTICE

Subject: Petition filed by The Seafood Exporters Association of India under Section 142 & 146 of the Electricity Act, 2003 read with sections 62, 64 and 86(1)(a) of the Act in terms of the Orders passed by the Hon'ble MERC.

Case No. 42 of 2015

The Seafood Exporters Association of India (Regional Office:810, Vashi Infotech Park, Sector 30-A, Vashi, Navi Mumbai – 400705) has submitted a Petition under affidavit on 25.03.2015 under Sections 62, 64, 86(1)(a), 142 & 146 of the Electricity Act, 2003 for seeking relief on account of change in tariff category of the members of the Petitioner's Association, by MSEDCL.

The main prayers of the Petitioner are as under-

“In the facts and circumstances, mentioned above, it is respectfully prayed that the Hon'ble Commission may be pleased to:

a) The Petitioner Association therefore prays that a this Hon'ble Commission be pleased to hold the Respondent, MSEDCL guilty of disobedience of the orders and directions passed by this Hon'ble Commission relating to retrospectively.

b) This Hon'ble Commission be pleased to hold the Respondent liable for disobedience of the tariff order dated 16.08.2012 by deliberately and willfully ignoring the term “non Industrial Premises” in the Tariff Entry HT-II Commercial and their by disobeying the said tariff order.

c) For declaration that the Respondent has initiated tariff categorization nearly one and the half / two years (1½ to 2 years) post the passing of the tariff order dated 16.08.2012 by willfully and deliberately initiating tariff categorization with visits from Vigilance Department / Flying Squad of the Respondent.

d) The Respondent be directed to purge the contempt / willfully disobedience of the tariff order dated 16.08.2012 by withdrawing all actions initiated including all bills issued by re-categorising the Industry / Factories of the members of the Petitioner Association under the tariff category / tariff head HT-II Commercial.

e) Directions be issued to the Respondent, MSEDCL to ensure proper categorization upon passing of a tariff order within a reasonable time as stipulated by the Commission to ensure that the Respondent, MSEDCL are not harassed and subjected to undue hardship.

f) Pending hearing and final disposal of the case all the bills including Supplementary bills issued by the Respondent, MSEDCL to the extent of re-categorisation of the factories /

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industries of the Members of the Petitioner Association into HT-II Commercial, be stayed and the Respondent, MSEDCL and its officials / agents be restrained from taking any coercive step against the members of the Petitioner Association in respect of the willful and deliberate re-categorisation of the Industry / Factory of the Members of the Petitioner Association into HT-II Commercial;

g) Appropriate refunds in respect of the differential amounts towards the tariff categorisation HT Commercial claimed by the MSEDCL from the members of the Petitioner Association be granted with interest at the rate of 12%.

h) The Hon'ble Commission be pleased to order interim and ad-interim reliefs in terms of prayers(f) above;

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

j) The 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 **Thursday, 16 April, 2015 at 11.30 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)

The Seafood Exporters Association of India,
Regional Office:810,
Vashi Infotech Park,
Sector 30-A, Vashi,
Navi Mumbai – 400705.

Petitioner

The Chief Engineer (Commercial)

Maharashtra State Electricity Distribution Co. Ltd.,

Plot No. G-9, Prakashgad, 5th floor,

Bandra (East), Mumbai - 400051

E-mail: setrcmsedcl@gmail.com/:- 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

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,

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Maharashtra Chamber of Commerce,

Industry & Agriculture,

Oricon House, 6th floor,

12 K. Dubash Marg, Fort, Mumbai - 400 001

(Nashik Branch)

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