

NOTICE

Subject: Petition filed by Dr. Kirit Somaiya seeking directions against Maharashtra State Electricity Distribution Co. Ltd (MSEDCL) pertaining to inflated bills being received by the general public, during the Lockdown period.

- **Case No. 159 of 2020**

The Petitioner Dr. Kirit Somaiya has filed the Petition on 21.7.2020 supported by Mr. Niranjana Davkhare Hon'ble Member of the Legislative Council under The Electricity Act, 2003 Regulations 92 – 96 of the Maharashtra Regulatory Commission (conduct of business) Regulations 2004 and under Electricity Act, 2003 Petition on behalf of the general public of Mumbai and Maharashtra seeking directions against MSEDCL pertaining to inflated bills being received by the general public, during the Lockdown period.

The prayers are as under:

(a) that for the Financial Year 2020-2021, any increase in the electricity tariff introduced by the Respondents should be immediately scrapped;

(b) that all consumers whose average billing consumption for the past 6 months did not exceed 100 units should get a complete waiver of their electricity bills for the period of the lockdown / the corona crisis;

(c) that all consumers whose average billing consumption for the past 6 months was between 101 units and 300 units (not exceeding 300 units) should get a 50% waiver of their electricity bills for the period of the lockdown / the corona crisis;

(d) that without prejudice to the above, that the Respondents should offer a six months' moratorium for the payment of all electricity bills of every consumer for the period of the lockdown / the corona crisis;

(e) that this Hon'ble Commission shall direct that all the bills of consumers wherein there has been an increase in consumption of units exceeding 25% for the months prior to the lockdown shall be ordered to be reviewed / re-checked;

(f) that the Respondents must review the levy of electricity duty on the bills of the consumers during the period of the lockdown / corona crisis;

(g) that in the event that any excessive electricity dues are found to have been paid and/or recovered be immediately refunded to the individual consumers with interest; and

(h) for any other and further reliefs, as this Hon'ble Commission, may deem fit and proper in

the facts and circumstances of the case;

INTERIM RELIEFS

(i) that pending the hearing and final disposal of this Complaint, this Hon'ble Commission be pleased to not implement any revision or increase in the electricity tariff introduced by the Respondents;

(j) that pending the hearing and final disposal of this Complaint, this Hon'ble Commission be pleased to stay the recovery of any electricity dues of consumers whose consumption does not exceed 100 units per month;

(k) that pending the hearing and final disposal of this Complaint, this Hon'ble Commission be pleased to stay the recovery of any electricity dues in excess of 50% of consumers whose consumption is between 101 and 300 units per month;

(l) that pending the hearing and final disposal of this Complaint, this Hon'ble Commission shall direct that all the bills of consumers wherein there has been an increase in consumption of units exceeding 25% for the months prior to the lockdown shall be ordered to be reviewed / re-checked;

(m) that pending the hearing and final disposal of this Complaint, this Hon'ble Commission be pleased to direct a stay on the recovery of the electricity dues / bills of consumers wherein there has been an increase in consumption of units exceeding 25% for the months, during the time that the bills are being reviewed / re-checked;

(n) that pending the hearing and final disposal of this Complaint, this Hon'ble Commission shall pass appropriate orders restraining the disconnection of electricity of those consumers who • have sought to challenge the electricity bills raised upon them;

1. I am directed to communicate that the e-Hearing in this matter is scheduled for **Admissibility hearing on Friday, 11 September 2020 at 10.30 am**. Kindly refer the Practice Directions dated 11 May 2020 and amended on 13 July, 2020 available on MERC website (www.merc.gov.in) for the protocol to be followed for and during the e-Hearing.
2. Petitioner(s) and Respondent(s) shall communicate the name(s), email ID(s), contact number(s), and the address(es) of their Representative(s) (maximum 3 persons) who will be attending e-Hearing. MERC – IT Team will communicate the credentials for login into e-Hearing Application and will also provide assistance for using this Application.
3. Documents to be referred during the e-Hearing shall be emailed to 'ehearing@merc.gov.in' at least one day before the scheduled e-Hearing. The said documents will be uploaded in e-Hearing Application for reference of the Commission and all concerned parties. During the e-Hearing, parties shall refer these uploaded documents only.

4. All communication related to e-Hearing shall be made on 'ehearing@merc.gov.in' mentioning MERC Case number.

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

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Petitioner

Principal Secretary (Energy)
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Respondent No - 1

The Chief Engineer (Commercial),
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Respondent No - 2