

No. MERC/Case No. 39 of 2021

Date: 22.4.2021

NOTICE

Subject: Petition of Laghu Udhog Bharati under regulation 30 of supply code 2021 and Under Regulation 4.4.5 seeking practice directions to Respondent No 1. for complying with statutory requirements.

Case No. 39 of 2021

The Petitioner Laghu Udhog Bharati has filed Petition on 30.3.2021 under regulation 30 of supply code 2021 (POWER TO RELAX) seeking deferment of new provision related to security deposit i.e., deposit of two month of average billing instead of one month existing) for the period of 3 years i.e., till the impact of COVID-19 gets streamline. Under Regulation 4.4.5 seeking practice directions to Respondent No 1. For complying with statutory requirements post collection of GSTs on various services and TDS deducted from Interest Payable on security deposit received under section 47 of EA 2003 to ensure hassle free set off of GST and credit of Tax deducted as Source (TDS) from consumers as per the provisions of law.

The prayer is as under:

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- a. *Petitioner prays before Hon'ble MERC to consider the present pandemic and relax the provision of doubling security deposit for existing consumers for a period of three years.*
- b. *Petitioner prays before Hon'ble MERC to direct Respondent MSEDCL to comply with the statutory obligation of issuing GST invoice against services for which GST is collected from consumer.*
- c. *Petitioner prays before Hon'ble MERC to direct Respondent to create GST No. field in online application for new connection and further prays to direct Respondent to create GST No. updating facility on its web portal.*
- d. *Petitioner prays before Hon'ble MERC to seek detailed division wise report from Respondent about its TDS deducted / payment deposited and returned files dates and lapses thereof certified by director Finance of Respondent No. 1 with directions to comply with the statutory obligations or bear the heat of financial loss caused to electricity consumer on accounts of lapses on part of respondent.*
- e. *Any other relief which Hon'ble MERC think fit for improvement in the conduct of business of MSEDCL to protect the interest of consumer at large and so also strengthen the MSEDCL.*

1. I am directed to communicate that the Commission has **Impleaded TPC, AEML, BEST, M/s. Gigaplex Estate Private Limited, and Mindspace Business Parks Private Limited, M/s. KRC Infrastructure and Projects Private Limited, Nidar Utilities Panvel LLP and MADC** as Respondents the Petitioner is directed to immediately serve a copy of its above-mentioned Petition (both in soft and hard Copy) to the Respondents and file acknowledgement to the office of the Commission.
2. The Respondent are directed to submit the say with documents if any, in soft copy on the above-mentioned Petition immediately with a copy to the Petitioner and on affidavit in 1+1 copies to the Commission immediately, after lockdown is over with a copy to the Petitioner.
3. The Parties shall file Petition/ Application/Documents /Replies etc. in the office of the Commission in 1+1 copies. In addition, all the documents shall also be filed through e-mail on “ehearing@merc.gov.in” (soft copy in Word and PDF) along with the scanned copy of the acknowledgment of filing the hard copy, citations produced during the proceedings.
4. I am directed to communicate that e-Hearing in this matter is scheduled on, **Friday, 14 May 2021 at 10.30 am**. Kindly refer the Practice Directions dated 18 February 2021 available on MERC website (www.merc.gov.in) for the protocol to be followed for and during the e-Hearing.
5. 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.
6. 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.
7. All communication related to e-Hearing shall be made on ‘ehearing@merc.gov.in’ mentioning MERC Case number.

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

Laghu Udhyog Bharati A-9 Vimal Udhyog Bhavan, Taikalwadi Road, Near Star City Theater, Mahim, Mumbai-16 E-mail – rasoispices@gmail.com	Petitioner
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<p>Maharashtra State Electricity Distribution Company Limited Chairman and Managing Director Plot No. G-9, 5th Floor, Prof Anant Kanekar Marg Prakashgad, Bandra (East), Mumbai – 400 051</p> <p>E-mail – mdmsedcl@gmail.com /osdtomd@gmail.com</p>	Respondent No.1
<p>Principal Secretary, Department of Energy, Government of Maharashtra The Principal Secretary, Industries, Energy & Labour Department, Government of Maharashtra, 2nd Floor, Main Building Madam Kama Road, Hutatma Rajguru Chowk, Mantralaya, Mumbai - 400 032 E-mail:-psec.energy@maharashtra.gov.in</p>	Respondent No.2
CC:	
<p>Maharashtra State Electricity Distribution Company Limited Director (Commercial) Plot No. G-9, 5th Floor, Prof Anant Kanekar Marg Prakashgad, Bandra (East), Mumbai – 400 051 E-mail – directorcommsedcl@gmail.com/ E-mail – directorfmsedcl@gmail.com /directoropmsedcl@gmail.com/dir.projectsmsedcl@gmail.com</p>	
<p>Tata Power Company Limited - Distribution (TPC-D) Bombay House, 24, Homi Mody Street, Fort, Mumbai - 400 001 E-mail: - peyush.tandon@tatapower.com</p>	Impleaded Respondent No.3
<p>Adani Electricity Mumbai Limited CTS 407/A (New), 408 Old Village, Eksar Devidas Lane, Off SVP Road, Borivali West, Mumbai – 400 103 Email: manish1.kumar@adani.com</p>	Impleaded Respondent No.4

<p>The General Manager, The Brihanmumbai Electric Supply & Transport Undertaking, BEST Bhavan, BEST Marg, Fort, Mumbai - 400 001 E-mail:- gm@bestundertaking.com / dgmes@bestundertaking.com</p>	<p>Impleaded Respondent No.5</p>
<p>M/s. Gigaplex Estate Private Limited Plot No. C-30, Block 'G', Opp. SIDBI, Bandra Kurla Complex, Bandra (E), Mumbai – 400 051 E-mail:- krcpower.ho@kraheja.com / nchunarkar@kraheja.com</p>	<p>Impleaded Respondent No.6</p>
<p>Mindspace Business Parks Private Limited (formerly known as M/s Serene Properties Pvt Ltd) Plot No. C-30, Block 'G', Opp. SIDBI, Bandra Kurla Complex, Bandra (E), Mumbai – 400 051 E mail:- krcpower.ho@kraheja.com / nchunarkar@kraheja.com</p>	<p>Impleaded Respondent No.7</p>
<p>M/s. KRC Infrastructure and Projects Private Limited Raheja Tower, Plot No. C-30, Block 'G' Opp SIBDI Bandra Kurla Complex Bandra (E), Mumbai – 400 051 E-mail:- krcpower.ho@kraheja.com / nchunarkar@kraheja.com</p>	<p>Impleaded Respondent No.8</p>
<p>Nidar Utilities Panvel LLP 514, Dalamal Towers, Nariman Point, Mumbai - 400 021 E-mail:- ho@tuco.in / regulatory@tuco.in</p>	<p>Impleaded Respondent No.9</p>
<p>The Superintending Engineer Maharashtra Airport Development Company Ltd. 8th Floor, World Trade Centre, Cuff Parade, Mumbai - 400 005 Email: consult.ele@macindia.org</p>	<p>Impleaded Respondent No.10</p>