

**NOTICE**

Subject: Proposal of The Bombay Dyeing & Manufacturing Co. Ltd. for non compliance of Order dated 17.09.2009 passed by the CGRF Kalyan  
**Case No. 114 of 2009**

M/s The Bombay Dyeing & Manufacturing Co Ltd. (Polyester Division), have submitted a Petition dated 15.01. 2010 under affidavit inter alia seeking compensation and interest for non-compliance of the CGRF's Order and for initiation of proceedings under Sections 142 and 19 of the Electricity Act, 2003 in case the MSEDCL does not submit an Affidavit that they have complied with the CGRF's Order. The following are the main prayers of the Petitioner:

1. *The Petition kindly be allowed and while protecting and safeguarding the interest of the consumer, MSEDCL, Pen be directed by an Order to:*
  - a. *Pay us interest at appropriate rate for the period after 16.10.2009, till the refundable amount was effectively paid to us.*
  - b. *File a notarized stamped affidavit before the Hon-ble Commission to the effect that they have implemented Forum's Order, finally, else,*
    - i. *Section 19(1) a & b of the Act be invoked against the Licensee for defaulting in doing anything required under the act and Regulations and breaking the condition of Distribution License laid down under Regulation 8.2.1 of the MERC (General Conditions of Distribution License) Regulations, 2006 by way of not complying with the provisions of Regulation 8.7 of the MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006.*
    - ii. *Section 142 of the Act be invoked against the Respondents as per Regulation 22 of the MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 for contravening the provisions of the Act and Regulations by way of not implementing Forum's Order, as required under Regulation 8.7 of the same Regulations.*
    - iii. *Pay us a compensation of Rs. Two lacs for the harassment and hardship caused, by exercising the suo motu powers of the Hon'ble Commission*
    - iv. *Pay us Rs. Fifty thousand towards our costs of the proceedings and incidental to, by exercising the discretionary powers of the Hon'ble Commission.*

2. I am directed to communicate that an **admissibility hearing** in the above matter will be held in the presence of four authorized consumer representatives on **Wednesday, 17<sup>th</sup> March, 2010 at 1700 hours** in the office of the Commission at 13<sup>th</sup> Floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai 400 005.

3. The Petitioner is directed to serve immediately a copy of its Petition (both in soft and hard versions), along with its accompaniments, to the Respondents and authorized Consumer Representatives, whose addresses are given below.

(P.B. Patil)  
Registrar, MERC

Shri Bhagaban Kar,  
Vice President (Manufacturing),  
The Bombay Dyeing & Manufacturing Co. Ltd.,  
A-1 Patalganga Industrial Area,  
P.O. Box 5, Patalganga,  
Raigad – 410 220.  
E-mail: [bhagvan.kar@bombaydyeing.com](mailto:bhagvan.kar@bombaydyeing.com)

Petitioner

The Superintending Engineer,  
Maharashtra State Electricity Distribution Co Ltd.,  
O&M Circle Office,  
Pen, Raigad.

Respondent No.1

The Executive Engineer (O),  
Maharashtra State Electricity Distribution Co Ltd.,  
O & M Circle Office,  
Pen, Raigad.

Respondent No. 2

Copy to:

Prayas (Energy Group)  
Amrita Clinic, Athawale Corner  
Lakdipool-Karve Road Junction  
Deccan Gymkhana, Karve Road  
Pune 411 004  
Email: [peg@prayaspune.org](mailto:peg@prayaspune.org)

Mumbai Grahak Panchayat,  
Grahak Bhavan,  
Sant Dnyaneshwar Marg,  
Behind Cooper Hospital,  
Vile Parle (West), Mumbai 400 056.  
Email: [mgpanchayat@yahoo.com](mailto:mgpanchayat@yahoo.com)

Thane Belapur Industries Association  
Plot No.P-14, MIDC,  
Rabale Village, PO Ghansoli,  
Navi Mumbai - 400 701  
Email: [tbia@vsnl.com](mailto:tbia@vsnl.com)

The President,  
Vidarbha Industries Association  
1<sup>st</sup> Floor, Udyog Bhavan,  
Civil Lines, Nagpur 440 001.  
Email: [rkengg@gamil.com](mailto:rkengg@gamil.com)

The Managing Director,  
Maharashtra State Electricity Distribution Co Ltd.,  
Prakashgad, Bandra (East), Mumbai 400 051.