



**AJMER VIDYUT VITRAN NIGAM LIMITED  
(COMMERCIAL WING)**

No.AVVNL/CE(Comml.)/XEN-II/F-57(F)/2012-13/D.4999 Ajmer Dt 19/2/13

**ORDER**

**Sub:-** Recovery of Civil Liability amount as well as compounding charges in case of first offence of theft of Electricity under section-135 of the Electricity Act-2003.

The matter of recovery of assessed civil liability amount as well as compounding charges was discussed in 13<sup>th</sup> State Advisory Committee meeting held on 27<sup>th</sup> April, 2012, wherein, it was emerged that recovery of compounding amount and the assessed amount (Civil Liability) are independent of each other. The matter was again discussed in 14<sup>th</sup> State Advisory Committee meeting held on dt. 23<sup>rd</sup> November, 2012 whereon the Commission desired Discoms to send the comments.

The JVVNL submitted factual position in respect of Rajasthan Discoms alongwith practice prevailing in other States and sought the directions from Hon'ble RERC vide letter No. 1919 dt. 06.12.2012 regarding recovery of assessed civil liability amount as well as compounding charges.

After receiving comments from the Discoms, the RERC vide their letter No. RERC/Secy/JD(L&R)/F. 270/D. 1711 dt. 11<sup>th</sup> Feb, 2013 has imparted clarification in the matter, in light of the decision of Madras High Court dt. 23.12.2011, that in case of compounding of theft cases, the Discoms can also recover, the amount of Civil Liability in addition to the Compounding Charges.

In view of the above, following directions are issued:-

1. Both civil liability amount and compounding amount shall be charged and recovered simultaneously from the consumer/person(s) in case theft is detected under the section 135 of the Electricity Act-2003 for the first time.
2. Compounding amount shall be charged as per Govt. Notification under the section 152 of Electricity Act-2003.
3. The civil liability amount shall be charged as per order Comml. Aj-327.

The orders/directions issued earlier for dealing with such cases are deemed to be amended only upto the extent as above.

By Order,

(G.R. Choudhary)  
Chief Engineer (Comml.)



Copy to the following for information and necessary action:-

1. The Zonal Chief Engineer (O&M), AVVNL, Jhunjhunu/ Udaipur/ Ajmer.
2. The Secretary (Admn.), AVVNL, Ajmer
3. The Chief Accounts Officer( Account/Audit/Revenue ), AVVNL, Ajmer
4. The Superintending Engineer (O&M), AVVNL, -----with----- Nos. of  
\_\_\_\_\_ spare copies for circulating among field officers.
5. The Superintending Engineer (M&P/Plan/MM/RDPPC), AVVNL,  
Ajmer/Udaipur/Jaipur.
- ✓ 6. The Superintending Engineer (IT), AVVNL, Ajmer for uploading the above  
circular on website.
7. The Addl.S.P. (Vig), AVVNL, Ajmer.
8. The Company Secretary, AVVNL, Ajmer
9. Shri P.N. Bhandari, IAS (Retd.), jaipur.
10. Sh.D.S. Agrawal, Rudraksh Energy, jaipur
11. Dr. K.L.Jain, Honorary Secretary, Raj Chamber of Commerce & Industry, Jaipur
12. Secretary General, Consumer Unity & Trust Society, ('CUTS'), Jaipur
13. Chief Electrical (General) Engineer, O/o the G.M. (North), Jagatpura, Jaipur
14. Rajasthan Vidhyut Vikas Sansthan,, Vaishali Nagar, Jaipur
15. The Executive Engineer ( ), AVVNL, -----.
16. The Sr.Accounts Officer ( ), AVVNL, -----.
17. The Incharge of Legal Section AVVNL, Ajmer.
18. The Public Relation Officer, AVVNL, Ajmer.
19. The TA to MD, AVVNL, Ajmer.
20. The PA to Chairman Discoms Jaipur.
21. The PA to MD, Johhpur Discom, Jodhpur.
22. The PA to Director (Finance / Technical), AVVNL, Ajmer.
23. The PA to Electricity Ombudsmar., GOR, Sahakar Marg, Jaipur.

  
Chief Engineer (Comml.)