

**JODHPUR VIDYUT VITRAN NIGAM LIMITED**

No.JdVVNL/MD/CE(HQ)/SE(RA&C)/JU/2012-13/D. 4004 Dt. 12-02-13

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 13th State Advisory Committee meeting held on 27th 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 14th State Advisory Committee meeting held on dtd 23rd November, 2012, whereon, the Commission desired Discoms to send their comments.

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

Now, the RERC vide their letter No.RERC/Secy/JD(L&R)/ F.270/D. 1711 dated 11th Feb. 2013 has imparted clarification in the matter, in light of the decision of Madras High Court dated 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 & recovered simultaneously to the consumers/person(s) whose 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.JDP/336.

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

By order,

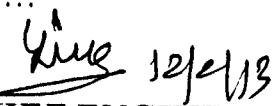

(P.M.KHATRI)

**CHIEF ENGINEER (HQ)
JODHPUR DISCOM:JODHPUR**

Note: The order is also available on Jodhpur Discom's website www.jdvvn.com.

Copy also submitted/ forwarded to the following for information and necessary action:

- 1) The Principle Secretary (Energy), Govt. of Rajasthan, Jaipur.
- 2) The District Collector, Jodhpur/ Pali/ Barmer/ Jalore/ Sirohi/ Jaisalmer/ Sriganganagar/ Hanumangarh/ Bikaner/ Churu.
- 3) The Director (Finance), Jodhpur Discom, Jodhpur.
- 4) The Director (Technical), Jodhpur Discom, Jodhpur.
- 5) The Zonal Chief Engineer (O&M-JDZ/BKZ), Jodhpur Discom, Jodhpur/ Bikaner.
- 6) The Chief Accounts Officer(A/cs & Rev/ IA / Ways & Means), Jodhpur Discom, Jodhpur/Jaipur.
- 7) The T.A. to Chairman & Managing Director, Jaipur Discom Jaipur, for kind perusal of the Hon'ble C&MD.
- 8) The T.A. to Managing Director, Jodhpur Discom / Ajmer Discom, Jodhpur / Ajmer, for kind perusal of the Hon'ble MD.
- 9) The Company Secretary, Jodhpur Discom, Jodhpur.
- 10) The Superintending Engineer (CC / DC / O&M / BFL / PP&M / TW / M&P/ MM&C/ RDPCC), Jodhpur Discom, Jodhpur / Pali / Barmer / Sirohi / Jalore / Jaisalmer/ Sriganganagar / Hanumangarh / Bikaner / Churu/ Jaipur.
- 11) The Superintending Engineer(IT & Trg.), Jodhpur Discom, Jodhpur for putting up the order on the website of Discom.
- 12) The Personal Secretary to Energy Minister, Secretariat, Jaipur for kind perusal of Hon'ble Energy Minister, Govt. of Rajasthan, Jaipur.
- 13) The O.S.D. (Monitoring), Govt. of Rajasthan, Jaipur.
- 14) The TA to Ombudsman, Vidhyut Viniyamak Bhawan, Sahakar Marg, Near State Motor Garage, Jaipur, for kind perusal of Ombudsman.
- 15) The Addl. S. P. (Vigilance), Jodhpur Discom, Jodhpur. With spare copies for distribution amongst vigilance officers.
- 16) The Sr. Accounts Officer/Accounts Officer (O&M-CC / DC / Comml. / Audit/ Rev), Jodhpur Discom, Jodhpur / Bikaner.
- 17) T.A. to Chief Engineer(HQ), Jodhpur Discom, Jodhpur
- 18) The Executive Engineer (O&M/ DD/ CTL/ A-B-C-Zone/ City-I-II/ LC/ IA/ Training/ Vigilance), Jodhpur Discom,..... **for distribution amongst all the AENs/JENs/ARO under your control.**
- 19) The Public Relation Officer, Jodhpur Discom, Jodhpur.
- 20).....


CHIEF ENGINEER (HQ)
JODHPUR DISCOM:JODHPUR