

**JODHUR VIDYUT VITARAN NIGAM LIMITED**

No.JdVVNL/MD/SE(RA&C)/JU/2006-07/

D.1446 Dt. 15/9/06

ORDER

Sub : Rates for compounding of offences under Section-152 of The Electricity Act-2003 against "Dishonest Abstraction Of Electricity" (Theft of Electricity).

In pursuance to Regulation-49 issued by the Hon'ble Commission in respect of "RERC (Supply Code & Connected Matters) (Fourth Amendment) Regulations-2006, the Jodhpur Discom has issued order No.1339 dated 01-09-06 (Comml.JDP/336). Under Sub-clause-4 "Compounding of Offences" of new Clause-41 (A), introduced by the Hon'ble Commission, it has been prescribed that "The Empowered Officer may, on the application made by the consumer or a person, accept a sum of money by Compounding the Offence at the rates modified by the State Government under Section-152 of the Electricity Act-2003, and in absence of which, as per table appearing with that section.

The Energy Department, on behalf of State Government had issued notification No.F.15(4) Energy/2003 dated 28-02-04 prescribing the rates for compounding. These rates were also incorporated in order No.Comml.JDP/241 dated 15-12-04 and since order No.Comml.JDP/241 along with two other orders have been superseded vide order No.Comml.JDP/336, the rates of Compounding of Offence are prescribed to be collected as per table mentioned below and shall be deemed to have been made applicable w.e.f. 5-7-06, the date of publication of RERC's regulations in the official Gazette :

<u>Category/Nature of Service</u>	<u>Rate at which the sum of money for compounding is to be collected</u>
1. <u>Industrial Service</u> :	
a) Small Industrial Service	Rs.2,000.00 per HP of sanctioned connected load/connected load, whichever is higher.
b) Medium Industrial Service	Rs.3,000.00 per HP of sanctioned connected load/connected load or Rs.3,000.00 per KVA of sanctioned contract demand/ maximum demand during the month, whichever is higher, as the case may be.

c) Large Industrial Service	Rs.3,500.00 per KVA of sanctioned contract demand/maximum demand during the month, whichever is higher.
2. <u>Non-domestic Service</u>	Rs.3,000.00 per KW of sanctioned connected load/connected load, Whichever is higher or Rs.3,000.00 per KVA of sanctioned contract demand/maximum demand during the month, whichever is higher, as the case may be, subject to a minimum of Rs.3,000.00
3. <u>Agriculture Service</u>	Rs.2,000.00 per HP of sanctioned connected load/connected load, whichever is higher.
4. <u>Other Service</u>	
a) Domestic	Rs.2,000.00 per KW of sanctioned connected load/connected load, Whichever is higher, subject to a minimum of Rs.2000.00.
b) Bulk Supply for Mixed Load	Rs.3000.00 per KW of sanctioned connected load/connected load, whichever is higher or Rs.3000.00 per KVA of sanctioned contract demand/maximum demand during the month, whichever is higher, as the case maybe.

This is subject to following conditions:

1. The officer's senior in rank to the Assessing Officer and having jurisdiction in concerned area shall also have powers to accept the compounding charges.
2. The compounding of the offence shall be allowed only once for any person or consumer.
3. The State Government may, by notification in the official Gazette, amend the rates specified in the Table above.
4. On payment of the sum of money in accordance with sub-clause (1), any person in custody in connection with that offence shall be set at liberty and no proceedings shall be instituted or continued against such consumer or person in any criminal court.
5. The acceptance of the sum of money for compounding an offence in accordance with sub-clause(1) by the State Government or an officer authorized in this behalf empowered in this behalf shall be deemed to amount to an acquittal within the meaning of section-300 of the Code of Criminal Procedure, 1973.

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This order shall be applicable w.e.f. 5-7-06, the date of publication of RERC's regulations in the official Gazette.

Encl.:As above.

By Order,

(Signature)
15/9/2006

(N.M. SINGHVI)

**SUPERINTENDING ENGINEER(RA&C)
JODHPUR DISCOM:JODHPUR**

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

- 1) The Secretary (Energy), Govt. of Rajasthan, Jaipur.
- 2) The Divisional Commissioner, Jodhpur/ Bikaner.
- 3) The Chief Engineer (MM/O&M-JDZ), Jodhpur Discom, Jodhpur.
- 4) The District Collector, Jodhpur / Pali / Barmer / Churu / Jalore / Sriganganagar / Hanumangarh / Bikaner / Jaisalmer / Sirohi
- 5) The Financial Adviser & Controller of Accounts, Jodhpur Discom, Jodhpur.
- 6) The Zonal Chief Engineer (O&M-BKZ), Jodhpur Discom, Bikaner.
- 7) The Chief Accounts Officer, Jodhpur Discom, Jodhpur.
- 8) T.A.to Chairman, Discoms, Vidyut Bhawan,Jaipur for kind perusal of Hon'ble Chairman.
- 9) The T.A. to Managing Director, Jodhpur Discom / Ajmer Discom / Jaipur Discom, Jodhpur / Ajmer / Jaipur, for kind perusal of the Managing Director
- 10) The Superintending Engineer (CC / DC / O&M / BFL / PP&M / TW / M&P/MM&C), Jodhpur Discom, Jodhpur / Pali / Barmer / Churu / Jalore / Sriganganagar / Hanumangarh / Bikaner / Jaisalmer.
- 11) The Personal Secretary to Energy Minister, Secretariat, Jaipur:For kind perusal of Hon'ble Energy Minister, Govt. of Rajasthan, Jaipur.
- 12) The O.S.D. (Monitoring), Govt. of Rajasthan, Jaipur.
- 13) The Assisting officer to Ombudusman-Commissioner, Collectorate, Jodhpur, for kind perusal of Ombudusman.
- 14) The Addl.S.P.(Vigilance), Jodhpur Discom, Jodhpur. With spare copies for distribution amongst vigilance officers.
- 15) The Sr.Accounts Officer/Accounts Officer(O&M-CC / DC / Comml. / Audit), Jodhpur Discom, Jodhpur / Bikaner.
- 16) The Company Secretary, Jodhpur Discom, Jodhpur.
- 17) The Executive Engineer(O&M/DD...../A-B-C-Zone/City-I-II/ LC/ MIS/ DSM/ IA/ Training/Vigilance , Jodhpur Discom,.....
- 18) The Public Relation Officer, Jodhpur Discom, Jodhpur.
- 19) The Assistant Engineer(O&M...../Rural/CSD-I-II-III.), Jodhpur Discom,.....with spare copies for distribution amongst all the JENs/ARO
- 20) Sh.....MP/MLA/ Jila Pramukh,

(Signature)

**SUPERINTENDING ENGINEER(RA&C)
JODHPUR DISCOM:JODHPUR**