

Immediate
Personal Attention

"SAVE ENERGY FOR THE BENEFIT OF SELF AND NATION"

HIMACHAL PRADESH STATE ELECTRICITY BOARD LTD

"A State Govt. Undertaking"

No: HPSEBL/CE (Comm.)/Elect. Act- 2003 (Notifications)/2011-12 842-56

Dated:- 25^X/₁₁

To

1. The Chief Engineers (OP),
North/South/Central Zone, HPSEB Ltd,
Dharamshala/Shimla/Mandi
2. All the S.E.'s (OP) Circles in HPSEB Ltd.

Subject: - Guidelines for dealing with the cases of theft & unauthorized use of electricity under section 135 & 126 of Electricity Act-2003, amended up to date.

Sir,

The detailed procedure & guidelines to deal with the cases of thefts & unauthorized use of electricity as covered under sections 135 & 126 of Electricity Act-2003 are already provided in the said Act. Also, procedure in this regard has been notified by the State Regulatory Commission in the Supply Code, 2009. However, it has been observed that proper procedure is not being followed by the assessing officers in the field units under section 126 of the Act as initially it is required to make a provisional order; thereafter, the final reasoned order is to be delivered after giving opportunity to the consumer to file objections, if any, within prescribed time frame.

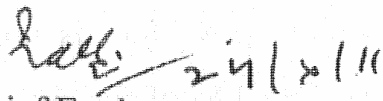
In the absence of proper procedure and non delivery of reasoned orders by the concerned officers, the HPSEB Ltd is losing several cases before the Appellate Authority constituted by the Govt. under section 127 of the Electricity Act-2003. Also some Assessing officers are not passing speaking orders under the aforesaid provisions of the Electricity Act. The detailed procedure to deal with the cases, section 126 & 135 of the Act has been incorporated in chapter VI & assessment thereof in Annexure "A" of the H.P. Electricity supply Code 2009, which is required to be followed in toto. Effective use of strong penal provisions in the Electricity Act 2003 especially after the 2007 amendment to curb theft and pilferage of Electricity will help in reducing the commercial losses which is of paramount necessity.

In view of above, detailed guidelines mentioning the provisions of the Act, Supply Code, Govt. notifications and detailed procedure to be followed while dealing with the cases under section 135 & 126 of Electricity Act-2003 relating to theft & unauthorized use of electricity are enclosed herewith for implementation. The guidelines are in detail and may be followed meticulously. You may use the proformas contained in annexure I, II & III of the guidelines, while issuing the provisional order or consensus settlement order or the final assessment order, so as to ensure compliance of section 126 of the Act. However, it is pointed out that the facts of each case, evidence, defence put forth by the consumer etc. must be discussed in the order. In the final order, liability of the consumers based on evidence collected etc. should be clearly established.

For any clarification, the matter may be referred to this office. However, I have been directed to convey that any lapse on this account shall be viewed seriously by the Management of HPSEB Ltd. These instructions are also uploaded on the HPSEBL website www.hpseb.com under the link.

DA: - 26 No. Pages.

Yours faithfully,


Chief Engineer (Comm.)
HPSEBL, Vidyut Bhawan,
Shimla-4