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No. P-Com/Theft/ **No 18065**

Date: **13 JUN 2011**

COMMERCIAL CIRCULAR NO. 136

Sub : - Issue of assessment bill under Section 126 & 135 as per Electricity Act 2003

Ref : - 1) Commercial Circular No. 24 dt. 06.01.06.
2) Commercial Circular No. 99 dt. 24.08.09.
3) Commercial Circular No. 121 dt. 21.09.2010.
4) Commercial Circular No. 133 dt. 15.02.2011.


The instructions were issued vide Commercial Circular no. 121 dtd. 21.09.2010 that the authorized authority as per the provision of Electricity Act - 2003 detecting the cases under Section 126 and 135, should prepare assessment bills & serve to the consumer. Moreover, the instructions were also given in case of detection by the Flying Squad unit then he should prepare provisional/final assessment bill under Section 126 & theft assessment bill under section 135 in co-ordination with the local Billing Authority and serve to the consumer.

It has been observed that there are many difficulties in implementation of above instructions as per Commercial Circular 121 especially preparation & serving of assessment bills to the consumers by the Flying Squad unit. Also, it has been observed that the local Billing Authority is equipped with the manpower/ machinery for preparation of bill, upto date record, consumer CPL, details of addition/ reduction in demand of consumer, etc. The absence of above facilities with the Flying Squad unit, are restraining them in issuing assessed bill within stipulated period. This also deviates them from their main motive of detection of no. of theft cases.

The above issue was discussed at length in the meeting dt. 02.05.2011 held at Prakashgad in presence of the M.D. MSEDCL, Director (Operations), Director (V&S) & E.D. (Commercial). As discussed in the meeting following revised directives under

section 126 & 135 as per Electricity Act - 2003 are issued for implementation with immediate effect.

- 1) The authorized authority i.e. Incharge of Flying Squad unit detecting the cases under Section 126 or 135 of Electricity Act – 2003, should prepare the assessment being assessing officer and inform the same alongwith details of case & document to the local Billing Authority for preparation of bill and further serving it to the consumer.
- 2) However, related duties such as filing F.I.R., legal followup, post followup of recovery of assessment and finalization of case from Competent Authority or from the respective Hon'ble Court is the responsibility of such assessing officer.
- 3) In case of assessing officer is other than the local Billing Authority then, he should co-ordinate with the Local Billing Authority for timely action as per provisions in the Act.
- 4) Both the authorities shall have co-ordination in order to implement the provisions of the Act effectively in the matter of assessment and recovery under Section 126 & 135 of Electricity Act – 2003.


13/06
Chief Engineer (Commercial)

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