**MAHARASHTRA  STATE  DISTRIBUTION  COMPANY LTD.
Plot No. G-9  “Prakashgad”
   Bandra (East),  Mumbai – 400 051.
Phone: 26424211**

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REF.: PR – 3 / COS / **21906**                                                                DATE: **1/7/2005**

**COMMERCIAL CIRCULAR NO.  1**

Subject: Lodging of Complaint of theft of electricity with the local Police Station.

            Attention of all the Field Officers is invited to the fifth paragraph from page no. 3 of the Circular No. V & S / Enf / 2731 dated 29/06/2004, issued by the Director (Vigilance & Security) under the signature of the Secretary of the then Maharashtra State Electricity Board. It has been inter – alia prescribed that the Officers competent under Section 151 of the Electricity Act, 2003 shall lodge the complaint in respect of the theft of electricity with the Judicial Magistrate First Class (JMFC).

            Now, the Government of Maharashtra by way of an Ordinance, Electricity (Maharashtra Amendment) Ordinance, 2005, published in the Government Gazette dated 23/06/2005, has inter – alia amended the provisions of Section 151 of the said Act and accordingly the Court can take cognizance of an offence under the said Act (including the offence of theft of electricity) upon a police report of the facts, which should however be based on the First Information Report filed by a person who is authorized to file a complaint with the Court of an offence punishable under the Act. In view of the amendment to the Section 151 of the said Act, it shall not be necessary to lodge the complaint of theft of electricity with the JMFC only. A copy of the said Government Gazette Notification dated 23/06/2005 is annexed with this Circular for information & record of all the Field Officers.

            All the Field Officers should therefore note that, whenever a consumer / person is detected involved in theft of electricity, which is an offence punishable under the Electricity Act, 2003, the concerned Officer who is authorized to lodge a complaint before the JMFC, shall immediately lodge a First Information Report with the appropriate local Police Station and shall further take all such actions as may be necessary to ensure appropriate action against such consumer / person, who is detected involved in theft of electricity. If necessary, a copy of the Government Gazette annexed with this Circular can be produced at the time of lodging of the First Information Report.

            Except the provisions as above, all other provisions of the said Circular dated 29/06/2004 referred herein above shall remain unchanged, unless specifically been amended by way of a Circular.

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DIRECTOR (OPERATIONS)