Sub: Revision of Compounding Charges.


With reference to above subject, all field officers are informed that Government of Maharashtra has issued Gazette Notification dated 14.05.2013 regarding revision of compounding charges.

The theft cases detected under Section 135 are compoundable as per Section 152 of the Electricity Act 2003. The offence under Section 135 is compoundable only once. Compounding of the offence is done if the accused show willingness to pay the civil liabilities and compounding charges.

The revised compounding charges as per Section 152 are as given below:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Nature of Service</th>
<th>Rate at which the sum of money for compounding to be Service collected per Kilowatt (kW) / Horse Power (HP) or part thereof for Low Tension (LT) supply and per Kilo Volt Ampere (KVA) of Contracted Demand for High Tension (HT) supply</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Industrial</td>
<td>Twenty Thousand Rupees Ten Thousand Rupees</td>
</tr>
<tr>
<td>2</td>
<td>Commercial</td>
<td>Ten Thousand Rupees Five Thousand Rupees</td>
</tr>
<tr>
<td>3</td>
<td>Agriculture</td>
<td>Two Thousand Rupees One Thousand Rupees</td>
</tr>
<tr>
<td>4</td>
<td>Other</td>
<td>Four Thousand Rupees Two Thousand Rupees</td>
</tr>
</tbody>
</table>

All are directed to follow the above instructions strictly. The revised compounding charges as per the above rates shall be recovered from the date of Government Notification i.e. 14.05.2013. The theft cases registered prior to Government Notification dated 14.05.2013 is to be dealt as per previous rates of compounding charges. The Other conditions for compounding of theft cases are as under:

a) The consumer or the person (accused) detected indulging in the "Theft of Electricity" can request for compounding of offences before the criminal complaint is lodged in the appropriate Court or even thereafter and the Officer of the Board so authorized by the State Government in this regard may consider the same, provided the consumer / person deposits a sum of money for compounding of offence at the rate as prescribed above.

b) It shall neither be obligatory nor binding on the Authorized Officer to permit compounding of offences in every case and such compounding of offense shall be permitted only after the consumer / person has unconditionally paid the assessed "Civil Liability".

c) Even after the consumer / person has unconditionally paid the assessed "Civil Liability", if the Authorized Officer has any objection for permitting the compounding of offences, he shall in writing submit his objections to the higher authority (in case of 0 & M personnel - Officer not below the rank of Executive Engineer & in case of Flying Squad units - Deputy Director) and shall
obtain orders from such authority as to whether the compounding of offence should be permitted
or the criminal complaint should be further prosecuted.

d) If the consumer shows willingness to compound the offence, notice specifying assessment
amount shall be issued immediately along with copies of Panchanama etc. After the payment of
assessment amount, compounding charges bill has to be issued immediately. If the consumer
pays the amount immediately, F. 1. R. shall not be filed, but F. 1. R. shall not be delayed if the
consumer does not pay the amount of compounding and assessment for theft immediately.

e) The Authorized Officer shall maintain a separate register and shall make necessary entries in such
register of all the cases where the consumer / person has requested in writing for compounding
of offences by depositing the sum of money as per prescribed rate.

f) The facility of compounding of offences shall be permitted only once and therefore in all such
cases, where the consumer has been permitted compounding of offences, necessary entry shall
be taken on the "Consumer Personal Ledger" of such consumer so as to avoid such permission
being given to a consumer on more than one occasion.

g) In respect of persons other than the consumers of the MSEDCL, a separate register for
compounding of offences shall be maintained, so that the said register can be verified to ascertain
whether such person has previously been permitted the facility of compounding of offences.

All field officers are requested to take due note of revised Compounding Charges and take
necessary action accordingly.

Encl: Govt. Notification

Copy: As per mailing List.

Chief Engineer (Commercial)
प्राधिकृत प्रकाशन
महाराष्ट्र शासनने केंद्रीय अधिनियमांच्या तपास केलेले
(भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांनी नियरिक्त) नियम व आदेश.

उद्देश, उद्देश व कामगार विभाग
मादाम कामा रोड, हुतामा राजगूल चौक, मंगलप, मुंबई ४०० ०३२, दिनांक १४ में २०१३

अधिसूचना

विधुत अधिनियम, २००३.

क्रमांक संख्या २०१२/प्र.क्र. १२५६/उन्नत-५— बीज अधिनियम, २००३ (२००३ चा ३६) हा महाराष्ट्र राज्यास लागू असताना, त्याच्या
कलम १५.२ व्या पोट-कलम (१) व्या परंपरागत प्रदान करण्यात आलेल्या अधिकारांचा वापर करून, महाराष्ट्र शासन, येथे उक्त अधिनियमांच्ये
शिक्षणांचा असलेला नौकरीया आप्रवास आपसात मिट्टिविशेषतः ज्या दररोनी रक्कम वसूल केली जाईल त्या, उक्त कलम १५.२ व्या पोट-कलम
(१) मध्ये तपासाचा स्तंभ (२) मध्ये वेतनांदेश केलेल्या तारामध्ये पूर्वपश्चिमांचा सुधारणा करून आहे—

बीज अधिनियम, २००३ (२००३ चा ३६) हा महाराष्ट्र राज्यास लागू असताना, त्याच्या कलम १५.२ मध्ये पोट-कलम (१) मध्ये
तपासाचे—

(एक) औद्योगिक सेवा वाच्या संबंधातील नंद १ मध्ये,—

स्तंभ (२) मध्ये “वैष्ण हजार रुपये” या मजकुरांनांना “दाहा हजार रुपये” हा मजकुर दाखल करण्यात येईल.

(दोन) वाणिज्यिक सेवा वाच्या संबंधातील नंद २ मध्ये,—

स्तंभ (२) मध्ये “दाहा हजार रुपये” या मजकुरांनांना “पाच हजार रुपये” हा मजकुर दाखल करण्यात येईल.

(तीन) कृषिविशेषज्ञ सेवा वाच्या संबंधातील नंद ३ मध्ये,—

स्तंभ (२) मध्ये “दोन हजार रुपये” या मजकुरांनांना “एक हजार रुपये” हा मजकुर दाखल करण्यात येईल.

(चौ) इतर सेवा वाच्या संबंधातील नंद ४ मध्ये,—

स्तंभ (२) मध्ये “चार हजार रुपये” या मजकुरांनांना “दोन हजार रुपये” हा मजकुर दाखल करण्यात येईल.

महाराष्ट्राचे राज्यातला याच्या आदेशानुसार व नावाने,

अधिनायक सुभेदार,
शासनाचे उप सचिव.

No. Misc.2012/C.R.1256/NRG-5.— In exercise of the powers conferred by the proviso to sub-section (1) of section 152 of the Electricity Act, 2003 (36 of 2003), in its application to the State of Maharashtra, the Government of Maharashtra hereby amends the rates specified in column (2) of the TABLE below sub-section (1) of the said section 152, at which the sum of money for compounding of an offence of theft of electricity punishable under the said Act shall be collected, as follows, namely:—

In section 152 of the Electricity Act, 2003 (36 of 2003), in its application to the State of Maharashtra, in sub-section (1), in the TABLE,—

(i) In entry 1, relating to Industrial Service, in column (2), for the words “twenty thousand rupees” the words “ten thousand rupees” shall be substituted;

(ii) In entry 2, relating to Commercial Service, in column (2), for the words “ten thousand rupees” the words “five thousand rupees” shall be substituted;

(iii) In entry 3, relating to Agricultural Service, in column (2), for the words “two thousand rupees” the words “one thousand rupees” shall be substituted;

(iv) In entry 4, relating to Other Services, in column (2), for the words “four thousand rupees” the words “two thousand rupees” shall be substituted.

By order and in the name of the Governor of Maharashtra,

AVINASH SUBHEDAR,
Deputy Secretary to Government.