

# Chhattisgarh State Electricity Rules, 2006

CHHATTISGARH

India

## Chhattisgarh State Electricity Rules, 2006

### Rule CHHATTISGARH-STATE-ELECTRICITY-RULES-2006 of 2006

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Chhattisgarh State Electricity Rules, 2006Published vide Notification No. Notification No. F-11-2/2006/13-1 dated the 22.3.2006Last Updated 18th September, 2019Notification No. F-11-2/2006/13-1 dated the 22nd March, 2006. - In exercise of the powers conferred by clause (o) of sub-section (2) of Section 180, read with clause (k) of sub-section (2) of Section 180 and Sections 126, 127, 135, 151 and 152 of the Electricity Act, 2003 (No. 36 of 2003), the State Government here by makes the following Chhattisgarh State Electricity Rules, 2006 namely -

## Part I – Preliminary

### 1. Short title and commencement.

- These rules may be called the Chhattisgarh State Electricity Rules, 2006.They shall come into force with effect from the date of their publication in the Chhattisgarh Gazette and will super code any rule made so far.

### 2. Definitions.

- In these rules unless the context otherwise requires : -(a)"Act" means the Electricity Act, 2003;(b)Chhattisgarh State Electricity Regulation Commission means : The CSERC constituted under Section 82 of the Act;(c)CSEB means : Chhattisgarh State Electric Board constituted under Section 5 of Electricity (Supply) Act 1948, which is presently functioning as deemed licensee under clause (d) of Section 172 of Electricity Act, 2003 and includes its designated successor or assigns;(d)"Officer" means : All officers of Board including Junior Engineer, expression shall also include Junior Engineer, Assistant Engineer, Executive Engineer, Superintending Engineer, Chief Engineer or Board's successor including distribution licensee;(e)Licensee means : A person who has been granted a license under Section 14 of the Act;(f)"Forms" means the forms appended to these

rules;(g)Words and expressions used but not defined in these rules shall have the same meaning as in the Act.

## **Part II**

Unauthorized use of electricity

### **3.**

Unauthorized use of electricity is as defined in explanation (b) of Section 126 of the Act.

### **4.**

(i)If on an inspection of any place, premises or records maintained by any person, the assessing officer comes to the conclusion that such person is indulging in unauthorized use of electricity, the distribution licensee may disconnect supply of electricity to such person.(ii)Although, supply of electricity may be disconnected forthwith but intimation shall be sent to the person or consumer in Form-1 within 24 hours of such disconnection. The intimation shall be sent either in person or by registered post, obtaining in either case a receipt duly signed by the person present in the premises.(iii)Such notice of intimation shall be deemed to have been served if the same is pasted at a conspicuous place of the premises in presence of a witness. However such person or consumer may obtain a copy of such notice of intimation from the concerned office of the Distribution Licensee on payment of Rs. 2 per page towards copying charge.

## **Part III – Entry, Search and Seizure**

### **5.**

(i)For the purpose of detection of theft as defined in Section 135 of the Act the officer of Board/distribution licensee are authorised to carry out functions of the entry, search and seizure as per Section 135 of the Act. Assistant Electrical Inspector or Chief Electrical Inspector of Government of Chhattisgarh shall also be authorised for making entry, search and seizure for the purpose of detection of theft.(ii)The officers, entering, inspecting, breaking open, searching any place shall record the reasons for doing so in Form-2.(iii)In case the inspection, search and seizure of any domestic place or domestic premises is to be carried out as per sub section (2) of Section 135 of the Act, the reasons for doing so shall have to be recorded in Form 3 by the officer not below the rank of Assistant Engineer of Distribution Licensee or Assistant Electrical Inspector of the Chief Electrical Inspectorate. A Panchnama shall also be made in Form 4.

### **6.**

(i)Officer conducting search and seizure shall first disclose his identity and intention that he has

come for detection of unauthorized use of electricity to the person or persons who may be present in the premises at the time and make search and seizure in presence of such persons as may be present.(ii)The occupant of the premises or his representative or any other person who may be present shall be under obligation to sign the Panchnama in Form 4. However, in case of his refusal to do so, the officer shall record the same on the said Panchnama and other persons of the team shall also sign to substantiate that the person present has refused to sign the Panchnama.(iii)The person refusing to sign the panchnama shall be dealt with as if he has not co-operated with a public servant in discharge of his duties and shall be liable for punishment under relevant provisions of law.(iv)The person refusing to sign the panchnama may submit a written statement under his signature as to why he has refused to sign the panchnama and make a statement on panchnama itself that he is submitting, a separate statement.

## **Part IV – Assessment of charges for unauthorized used and theft of electricity and payment thereof**

### **7.**

(i)On inspection of the premises, if any consumer or person is found to have indulged in unauthorized use of electricity, the assessing officer, after taking into consideration the facts and circumstances of the case, shall make a provisional assessment of the charge payable by the owner or occupier of the premises who is benefited by indulging in unauthorized use of energy or may have given benefit to any other person.(ii)The provisional assessment shall be made by the assessing officer and the provisional assessment order shall be served upon the person in occupation or possession or in charge of the place or premises in Form 5.(iii)For the purpose of assessment, the following officers shall be the assessing officers : -(a)Chief Electrical Inspector or an officer authorized by the Chief Electrical Inspector not below the rank of Assistant Electrical Inspector.(b)Following officers of Board or distribution licensee : -(i)Officers of the rank of Assistant Engineers for all LT connections up to 15 KW connected load.(ii)Officers of the rank of Executive Engineers for all LT connections of more than 15 KW connected load.(iii)Officers of the rank of Superintending Engineers and above for all HT connections :Provided, that in case the superior officer himself has inspected the premises then such superior officer can exercise the power of assessing officer indicated as above. For example, if the Executive Engineer himself inspects a premises, he can exercise the power of assessment vested with Assistant Engineer as well as Executive Engineer. Similarly if the Superintending Engineer has inspected any premises, he may exercise the powers vested with Assistant Engineer as well as Executive Engineer besides his own. In the similar manner, if the Chief Engineer inspects a premises himself, he may exercise the powers vested with sub-ordinate officers for making provisional assessment and actions to follow thereafter.(iv)The provisional order of assessment made by the assessing officer shall be served upon the person within a period of three (3) days from the date of inspection. Assessment shall be made as per the provisions contained in Section 126 of the Act.(v)The person to whom the order of provisional assessment has been served upon, may file his objections or acceptance or partial acceptance within 7 days from the date of receipt of the provisional order. The assessing officer may finally pass a final order in Form 6 after taking into consideration the objections/acceptance/partial

acceptance of the person/consumer within one month of the date of the order of provisional assessment. However, the assessing officer if he considers so necessary may allow personal hearing to the person/consumer assessed.

## **Part V**

### **8.**

For the purpose of appeals to be made under Section 127 of the Act, the appellate authority shall be as follows : -(a)In case of an officer or the Chief Electrical Inspector being the assessing officer, the next immediate officer shall be the appellate authority. In case of the Chief Electrical Inspector himself being the assessing officer, the officer designated by the State Government shall be appellate authority.(b)In case of an officer of distribution licensee being the assessing officer : -(i)Next immediate higher officer of the rank not below the rank of Executive Engineer for connected load. LT industrial connection up to 15 KW.(ii)Next immediate higher officer of the rank not below - the rank to Superintending Engineer for all LT connected load connection of more than 15 KW.(ii)Next immediate higher officer of the rank not below - the rank to Superintending Engineer for all LT connected load connection of more than 15 KW.(iii)In case of an officer not below the rank of Chief Engineer being the assessing officer, the Member in charge of Commercial Department of the CSEB or an officer of the equivalent rank of distribution licensee.

## **Part VII – Cognizance of Offences**

### **9.**

For the purpose of lodging complaint under Section 151 of the Act following officer shall be the authorized officer : -(1)Assistant Electrical Inspector of Chief Electrical Inspectorate of the State Government.(2)An officer not below the rank of Junior Engineer of the Hoard or distribution licensee.

## **Part VII – Compounding of Offences**

### **10.**

(I)For the purpose of compounding of offences under Section 152. - (1) of the Act the Chief Electrical Inspector shall be the authorized officer.(2)Application for compounding of an offence under the Act shall be made in Form No. 8 before the authorized officer and such further details shall be submitted as are required for deciding the matter. The authorized officer may requisition such information from distribution licensee as may be deemed necessary.(3)After the receipt of application and such further information as may be required under sub-rule (2) above, the authorized officer shall intimate the authorized police officer of the police station where the case has been instituted and/or the court of law where the case is being proceeded against.(4)The intimation

shall be made in Form 9. The police officer and the court of law on receipt of the intimation under sub rule (3) of rule 10. shall proceed as per sub-sections (2) and (3) of Section 152 of the Act.(5)The compounding of offence under Section 1.52(4) of the Act shall be allowed only once for any person or consumer.Form 1[See Rule 4 (4)]Notice of intimation of disconnectionTo,On inspection of your premises on (date), it was found that the unauthorized use of energy was being made as given below(1)Person or consumer was found to be using electricity beyond the permitted period under temporary connection given by CSFB/distribution licensee.(2)Person or consumer was found to be using energy for the purpose of charging barbed wire fencing or gate or other arrangements injurious to public, animals, birds etc. for his safety and security or for any other purpose.Any other (Describe)(Strike out whichever is not applicable)

**2. Accordingly, in terms of Rule (4) of the Chhattisgarh State Urja Rules 2005, the supply to your premises has been disconnected at.....Hrs on..... Hrs.....of.....**

**3. Action to issue provisional assessment on account of above unauthorized us of energy is being taken separately.**

Date:Place: SignatureName and Designation

Form 2[See Rule 5 (2)]I.....(name).....(designation) have received complaint/information from Shri.....S/o .....R/o...../ have gone through the consumption records or.....(any other reason) and, therefore, have reason to believe that electrical energy has been, is being or is likely to be used unauthorized in the premises of and it is necessary to enter. inspect, break open, search his place or premises situated at.....Therefore, the team of the following officers/employees is constituted for raid 011 a suitable dale and time to be decided.Name of the members of the team :

S.No. Name of Designation Signature

Date:Place: Signature

Copy toI, Executive Engineer (O & M)/(City) CSEB.....(Area concerned).Form 3[See Rule 5 (3)]I.....(name) (designation) have received complaint/ information from Shri.....S/o.....R/o...../have gone through the consumption records or.....(any other reason)and, therefore, have reason to believe that electrical energy has been/is being or is likely to be used unauthorized in the premises of and it is necessary to enter, inspect, break open, search his place or premises.It is also learnt that the unauthorized use of energy is being/likely to be made in the night and evidences, (devices, instruments, wires, etc) may not be available during day time. I, therefore, believe that despite of being a domestic place/premises, this is a fit case for inspection/search and seizure, if any, in the presence of an adult male member occupying the place/premises during night hours. The team of the following officers/ employees is therefore constituted for raid on a suitable date and time to be decided : -Name of the members of the team :

S.No. Name of Designation Signature

Date:Place: Signature

Copy to : -I. Executive Engineer (O & M)/(City) CSEB.....(Area concerned).Form 4[See rule

6 (i)](Panchnama)1. Name of the person/consumer

**2. Father's Name**

**3. Address of the person/consumer**

**4. Address of the premises inspected (location)**

**5. Date/Time of visit of the premises**

**6. Serial Complaint number**

**7. Sanctioned load**

**8. Purpose of Connection**

**9. Inspection carried out by**

S. No. Name and Designation Signature

1.

2.

3.

4.

**10. Person/consumer's representative present.**

**1. Name**

**2. Father's Name**

**3. Age**

**4. Relationship with the consumer/beneficiary.**

**11. Observations found during inspection.**

(Please write the details of unauthorized use of energy)

1.

2.

3.

4.

5.

**12. Details of seizures made : -**

1.

2.

3.

4.

**13. Receipt given by the officer (name of the officer) of the materials/ instruments seized.**

**14. (a) Signature of the officers/employees present in whose presence inspection was done and seizures made.**

On behalf of inspecting party    On behalf of the owner/occupier of the premises inspected

1.

1.

2.

2.

3.

4.

(b) Shri.....on being asked to sign, has refused.

**15. Any separate statement submitted by the owner/occupier/representative or person present in the premises at the time of inspection : -**

(1) Name (2) Statement containing.....pages signed by the person and received by the officer.

Signature of the owner/occupier    Signature of the Inspecting Officer of the premises.

Form 5[See Rule 7 (2)] Provisional Assessment Order

Ref. No..... Date.....

**1. Name**

**2. Address**

**3. S.C. No. along with purpose of connection (if any)**

**4. Sanctioned load, if any**

**5. Observations Recorded (Including details of load, unauthorized use, etc.)**

**6. Basis adopted for assessment. (The complete details, giving applicable tariff No. of working hours of appliances, machines and period of assessment.)**

**7. Computation on the basis of item No. 6**

**8. Statement regarding reasonability.**

**9. Total amount in rupees (words/figures)**

To. Shri..... Address..... Whereas, a case of unauthorized use of energy has been detected in your premises and an amount of Rs..... has been assessed for such use, as mentioned above, you are hereby served this provisional assessment order. If you accept this assessment, you are required to deposit the amount or object to this order, within 7 days. Please note that in case you accept the provisional assessment order, you shall not be subjected to any further liability or any action by any authority. In case there is any objection to the above assessment, you may submit the same within 7 days from the date of this order failing which this provisional order shall become automatically final.

Signature

Signature

Name of Occupant/possessor

Name Designation

In charge of the place/premises

Form 6 [See Rule 7 (5)] Final Assessment Order

Ref. No..... Date.....

**1. Name**

**2. Address**



**3. S.C. No. along with purpose of connection (if any)**

**4. Reference of Provisional Assessment Order : -**

No. Date Amount assessed

Rs.

**5. Brief of the objections died by the person/consumer against the provisional order: -**

(i)Date of filing objection.(ii)Facts and grounds slated by the person/consumer.

**6. Disposal of objections**

(i)Facts of the case as per assessing officer(ii)Why the facts/grounds stated in objections are unacceptable/partially acceptable/acceptable, speaking order and reasoning.(iii)Final order indicating the amount payable and the period within which payment should be made.Copy to: -

1. CSEB Officer2. Person/Consumer Assessing Officer

Form 7[See Rule 8 (4)]Final Order in Appeals

Ref. No..... Date.....

**1. Name**

**2. Address**

**3. S.C. No. along with purpose of connection (if any)**

**4. Reference of Provisional Assessment Order: -**

No. Date Amount

**5. Reference of the objection filed by the person, who received provisional order : -**

No. Date Amount

**6. Reference of the final order passed by the Assessing Officer: -**

No. Date Amount

**7. Appeal filed by the person/consumer: -**

No. Date Amount

**8. Whether one third amount as per sub-section (2) of Section 127 of the Act has been deposited ?**

**9. If so. reference and date**

**10. Brief of the facts stated and grounds taken in appeal.**

**11. Disposal of appeal**

(i)Whether appeal filed in time or not. If not, give reason for acceptable for consideration.(ii)Why the facts/grounds stated in the appeal are unacceptable/partially acceptable/acceptable.(iii)Final order indicating the amount payable and the period within which payment should be made.Appellate AuthorityForm 8[See rule 10 (2)]Application for compounding of Offences

**1. Name .....**

**2. Address .....**

**3. (a) S.C. No. along with purpose of connection (if any)**

(b)Capacity (watt).....

**4. Reference of Assessment order -**

No. Date Amount

**5. Details of FIR -**

No.Police Station Date Section imposed

**6. If case has been instituted, Name of court.....**

**7. Amount deposited for compounding of offences.**

Rs.....Cash.....Cheque/DD No.....

**8. Brief facts of case.**

ApplicantForm 9[See rule 10 (4)]Application for compounding of Offences

**1. Name .....**

**2. Address .....**

**3. (a) S.C. No. along with purpose of connection (if any)**

(b)Capacity (watt).....

**4. Reference of Assessment order -**

No. Date Amount

**5. Details of FIR -**

No. Police Station Date Section imposed

**6. If case has been instituted, Name of court.....**

**7. Amount deposited for compounding of offences.**

Rs.....Cash.....Cheque/DD No .....

**8. Details of offences, whereas an FIR was made against the applicant Shri.....in respect of offences under the Electricity Act, 2003 as mentioned in Sr. No. the 8 above, whereas the applicant has application under Section 152 of the Electricity Act 2003, Whereas the sum of money specified under 9 Section 152 has been deposited by the applicant. And whereas this being the first offence of the applicant, I.....the applicant is allowed the compounding of offences. The following persons in custody of police shown in Sr. No. 9 above shall be set at liberty and new proceedings shall be instituted or consumers Named persons to be set at liberty.....**

(Chief Engineer)Copy : -

**1. To the cent mentioned in part 5 above.**

**2. To the Police officer mentioned in part 6 above.**

Form 8[See Rule (1)]CertificateTo,Shri.....Address.....Please take notice that a certificate No.....Dale.....has been issued under the provision of Chhattisgarh State Electricity Rules, 2006.

**2. An amount of Rs.....is to be recovered from you under Section 8 of Chhattisgarh State Electricity Rules, 2006.**

**3. You are hereby called upon to pay the amount aforesaid within 15 days from the date of service of this notice, failing which recovery proceeding shall commence under the aforesaid Act and rules made thereunder.**

**4. Please note that in addition to the amount indicated above you shall also be liable for payment of interest @16% per annum compounded six monthly as per provision in Section 7 of Chhattisgarh State Electricity Rules, 2006.**

**5. Further, you shall also be liable for all costs, charges and expenses incurred in respect of the service of this notice and warrants and other processes and all other processing taken for recovery of the dues indicated above if the payment is not made within the period specified above.**

Place:Date: Assessing officerSignatureDesignation

Assessment(Amount due from the defaulter consumer/person determined under Section 8 of Chhattisgarh State Electricity Rules, 2006)

No. .... Dated .....

Certified that a final assessment order has been issued vide this office letter No.....dated.....to the assessee in Form No. 7 under Rule 7 (5) of the Chhattisgarh State Urja Rules, 2001 of the rules framed under Chhattisgarh State Electricity Rules, 2006 of the rules framed under Electricity Act, 2003.As per the said final order, an amount of Rs.....has been determined as payable by the assessee Shri/Ms.....energy for the period..... to The details of the amount recoverable are as under

S. No.	Details	Amount Rs.	Remarks
1.	Assessed Amount		Provisional assessment order No. & dateobjection received on dated (in ward No) Final order passed Nodated One third amount deposited receipt No dated Appeal filedon dated (in ward No Appeal disposed off by appellate AuthorityRef. No dated
	Interest Total		
2.	Rs. (figures) Rs. (words)		

Assessing OfficerForm 9[See Rule 10(2)1[Under Section 10 (2) (i) of Chhattisgarh State Electricity Rules, 2006]To,Shri/M/s.....Whereas Shri/Ms..... (name & address) (defaulter) has not paid the dues amounting to Rs determined under the provisions of Chhattisgarh State Electricity Rules, 2006 for which a certificate of recovery No.....date.....has been issued by the Assessing Officer of CSEB.

**2. You are, therefore, hereby called upon by this notice to deposit the amount of Rs..... recoverable from the defaulter named above from the sums of money or amounts at the credit of the defaulter with or being held by you for the defaulter, under Section 8 (2) (i) of the Chhattisgarh State Electricity Rules, 2006. The above amount, or any amount less as may be available with you in the name of or at the credit of the defaulter be debited in his account after remittance to CSEB.**

**3. The amount aforesaid may please be deposited/remitted to CSEB by..... (dated).**

**4. Please note that this notice is issued under Section 8 (2) (i) of the Chhattisgarh State Electricity Rules, 2006 and it is mandatory to comply with.**

Signature.....Designation.....Form 10[See Rule 10(2)][Under Section 10 (2) (i) of Chhattisgarh State Electricity Rules, 2006]To,Shri/M/s.....Whereas Shri/Ms.....(name & address) (defaulter) has not paid the dues amounting to Rs determined under the provisions of Chhattisgarh State Electricity Rules, 2006 for which a certificate of recovery No.....date.....has been issued by the Assessing Officer of CSEB.

**2. You are, therefore, hereby called upon by this notice to deposit the amount of Rs..... under Section 8 (2) (i) of the Chhattisgarh State Electricity Rules, 2006 recoverable from the defaulter named above from the sums of money or amounts at the credit of the defaulter and you jointly or being held by you with the defaulter. The above amount, or any amount less as may be available with you in the joint account and/or shares/other instruments held jointly with the defaulter may be paid to CSEB.**

**3. The amount aforesaid may please be deposited/remitted to CSEB by .....(dated).**

**4. Please note that this notice is issued under Section 8 (2) (i) of the Chhattisgarh State Electricity Rules, 2006 and it is mandatory to comply with.**

Signature.....Designation.....Form 11[See Rule 10(3)][Under Section 10 (2) (i) of Chhattisgarh State Electricity Rules, 2006]To,The Assessment Officer,AD/EE/SE/(of other Division/Circle/Region)

**1.**

.....(name), (designation).....(Please) under..... Division/Circle/Region while functioning as Assessing Officer under Chhattisgarh State Electricity Rules, 2006 have issued a certificate of recovery vide No.....Dated in Form No.....certifying that an amount of Rs.....has become due for recovery from Shri/M/s.....(name and address), A copy of the said certificate is sent herewith. An amount of Rs.....has already been recovered and balance due now is only Rs.....

**2. It is understood/learnt that the above defaulter holds property, movable and/ removable, in the area of your jurisdiction. Therefore, you are requested to taken action against the defaulter above named for recovery of the amount indicated above.**

Place:Date: Signature.....Designation.....