

Courts come down heavily on the menace of power theft

Penalise two for the crime and say it's a huge loss to the state exchequer

- **Gift shop owner awarded 2 years Rigorous Imprisonment & penalty of Rs 7.1 lakh (Fine Rs 4.29 lakh + Civil Liability Rs 2.86 lakh)**
- **Vegetable Vendor awarded 6 months Simple Imprisonment & Civil Liability of Rs 1.14 lakh**

In two separate judgements, Special Courts of Electricity have sentenced two Delhi residents to Jail for stealing electricity. While the West Delhi resident – a gift shop owner – has been sentenced to two year's Rigorous Imprisonment (RI) and penalised Rs 7.1 lakh, the East Delhi resident – a vegetable vendor - has been sentenced to a six months Simple Imprisonment (SI) and imposed a Civil Liability of Rs 1.14 lakh.

West Delhi Resident – 2 years RI + Penalty of Rs 7. 1 lakh

The Special Court of Electricity, Dwarka, has convicted owner of a Gift Shop of for stealing electricity. He (Mr Raj Kumar) has been sentenced to two years of Rigorous Imprisonment (RI) for offences u/s 135 and 150 of the Electricity Act 2003. A total penalty of Rs 7.1 lakh (Fine Rs 4.29 lakh + Civil Liability Rs 2.86 lakh) has also been imposed. In case of a default, he will further undergo Simple Imprisonment (SI) of Six months. Mr Raj Kumar was running a gift shop and an office from H.NO.23, First Floor, Harijan Basti, Sitapuri, Dabri, Palam. He was stealing over 12 KW of electricity by tampering his meter.

The order of Mr Gulshan Kumar (Additional Sessions Judge, Special Court of Electricity, Dwarka) says, “...*The power theft also causes loss to the State Exchequer to the tune of hundred crores every year. There was indiscriminate use of electricity by the convict because he knew that he has not to pay the consumption charges. No leniency should be shown to such kind of convict. To my mind, convict is not entitled for any lenient view*”

“The load is more than 10 KW and fine imposed should not be less than three times of the financial gain on account of theft of electricity. The bill is raised for a sum of Rs.2, 86,416/- Hence, convict is sentenced to undergo RI for two years with a fine of Rs.4,29,624/- and in default of payment of fine to undergo SI for 6 months. The civil liability shall be paid to the complainant out of the fine, if realized”

On the Civil Liability, the order says, “The bill is raised on the basis of consumption for a period of 12 months multiplied by two times by way of penalty. Accordingly, the civil liability on the basis of tariff rate is assessed at Rs. 2, 86,416/-. The amount already paid by the convict shall be adjusted in the civil liability”

East Delhi resident – Six months Simple Imprisonment + Civil Liability of Rs 1.14 lakh

In another case, the Special Case of Electricity, Karkardooma, sentenced a vegetable vendor to a simple imprisonment of six months. He was also ordered by the Court to pay a Civil Liability of Rs 1.14 lakh.

The order of Mr Sunil Rana (Additional District & Sessions Judge, Special Court of Electricity, Karkardooma) says, *“In these circumstances and considering the age and antecedents of the convict, I am of the considered view that a lenient view can be taken against the convict on the point of sentence. Accordingly, convict is sentenced to Simple Imprisonment for a period of six months only for the offence punishable uls 135 of the Act”*

On the issue of Civil Liability, the order says, *“On the basis of applicable tariff, the theft bill coupled with the connected load and making the calculation as per provisions of section 154 (5) of the Act, I am of the considered view that the civil liability amount against the convict in this matter comes to the extent of Rs. 1,14,384/-.”*