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Press Release

Sarita Vihar resident & East Delhi Factory owner get 2 years

Rigorous Imprisonment for Power Theft

Cumulatively penalised Rs. 13 lakhs

In two separate cases, a resident of Sarita Vihar (Madanpur Khadar Extension) in South Delhi and a factory owner in East Delhi's *Kodhi* Colony have been convicted by Special Courts of Electricity, Saket and Karkardooma respectively for power theft and sentenced to two-years of Rigorous Imprisonment (RI) each.

In addition, the Sarita Vihar resident (Md. Arif) has been penalised Rs 2.9 lakh (Fine Rs 1.74 lakh + Civil Liability of Rs 1.16 lakh) and a further imprisonment of 6 months in case he defaults on paying the fine. On the other hand, the Special Court of Electricity, Karkardooma, has imposed a civil liability of Rs 10.2 lakh on the East Delhi factory owner (Radhey Shyam Giri).

Sarita Vihar resident – 2 years RI + Rs 2.9 lakh fine

While awarding him 2-years RI, the order of the Special Court of Electricity, Saket, Mr Rakesh Tiwari says, *"In the circumstances of the case, I am of the considered opinion that this is an economic offence wherein the society as a whole is the victim and the honest payer of electricity charges are the sufferers on account of the proved conduct of the convict. Such convict is getting unearned benefit at the costs of others and as such, he deserves no leniency. Accordingly, the convict is sentenced for RI for a period of two years for the offence U/ sec. 135 of the Electricity Act, 2003"*

On imposition of the fine, the order says, *".....The three times of the said financial loss comes to Rs.1, 74,829/-. Accordingly, the convict is directed to pay fine of Rs.1, 74,829/-. In default of fine, convict shall further Undergo SI for a period of six month"*

In addition, the Court also imposed a Civil Liability of Rs.1.16 lakh on the accused. *"As the convict has failed to discharge his onus that he was not using the energy for preceding 12 months, he is directed to pay the amount of the theft bill.....which comes to Rs 1, 16, 533/- towards his civil liability"*.

History

In January 2012, an inspection carried at House no 30, Ground Floor, Madanpur Khadar Extension Part III, Gali No 6, Sarita Vihar uncovered power-theft of 9.5 KW for domestic purposes. The stolen electricity was being stolen by hooking from a BSES electricity pole. According to the regulations, a penalty of Rs 1.21 lakh was imposed on the accused. When the accused did not pay the same within the stipulated time-frame, a case was filed. The accused had pleaded not-guilty and claimed trial.

East Delhi factory owner (M/s Raj Finishers) gets - 2 years RI + Rs 10.2 lakh fine

In the second case, the Special Court of Electricity, Karkardooma, has sentenced one Radhey Shyam Giri, proprietor of M/s Raj Finishers, an electroplating industrial unit, to two-years Rigorous Imprisonment and a civil imprisonment of Rs 10.2 lakh.

Earlier, during an inspection in 2006 by the Enforcement Team of BSES Yamuna Power Limited (BYPL), Radhey Shayam Giri and his son were found to stealing electricity for running their industrial unit in in East Delhi.

A spot FIR (No 906 / 2006) was registered at the Nand Nagri Police Station. Both the accused were arrested and remanded to custody. According to the laid down provisions, a power theft bill of Rs 12.76 lakh was imposed on the duo. When they did not pay-up, a case was filed in the Special Court of Electricity. They were subsequently released on bail.

During the course of the trial, Radhey Shyam Giri's son Ajay alias Bunty was declared as a proclaimed offender.
