

## <sup>1</sup>[Annexure 6.3 (Ref. Clause 6.8(c)(iii) & 8.1(b)(iv)]

### (A) Assessment in case of unauthorized use of electricity

1. Units Assessed =  $L * F * D * H$ .

Where L = is the connected load in kW and in KVA where KVAh rate is applicable.

H = is the actual no. of hours the supply is made available on the feeder if available for the period, or average number of hours per day the supply is made available for different categories as below:

(a) Single shift industry (Day/Night only), Agriculture: 10 hrs

(b) Non-continuous industry (Day/Night only): nondomestic general including restaurants, Hotels, guest-houses, petrol pumps and nursing homes and private hospitals: 20 hrs

(c) Continuous process industry: 24 hrs

(d) Domestic: 8 hrs

(e) Temporary connections: 12 hrs

<sup>2</sup>[D = Period during which such unauthorized use of electricity has taken place, and if, however, the period during which such unauthorized use of electricity has taken place cannot be ascertained, such period shall be limited to a period of 12 months (365 days) immediately preceding the date of inspection.

Note : For determining the 'actual period' of unauthorized use, the assessing officer shall satisfy himself by (i) the report of meter reader/Junior engineer of the facts reporting first instance of the unauthorized use detected (ii) Further scanning by the assessing officer, by checking previous consumptions, and 'tamper' evidence from meter reading records, MRI reports etc. (iii) Any other record or evidence acquired from the connected premise/installation or site.]

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1. Subs. by Noti. No. UPERC/Secy./Regulation/Supply Code/2006-517. Dt. 11.08.2006.
  2. Subs. by Noti. No. UPERC/Secy.Regulations/Supply Code/08/2165 dt. 27.03.2008. Prior to substitution, it stood as under :

D = 90 days in case of domestic or agriculture consumers and 180 days for all other consumers unless the onus is rebutted by the consumer/person, if the no. of days can be ascertained on the basis of satisfactory evidence then, actual no. of days.

F = Connected load factor for different types of supply as given below:

(a) For L & F and domestic power consumers F = 0.30

(b) For non-domestic L & F and power consumers F = 0.50

(c) For small and medium power consumers F = 0.50

(d) For large and heavy power consumers F = 0.75

(e) Agriculture F = 0.30

(f) Categories not covered above F = 0.50

2. The consumption so assessed shall be charged at 1[two times] the rate per unit of the tariff applicable to the consumer category after adjusting the amount paid by the consumer/person for the energy consumption assessed for the assessment period if any. The amount billed at this rate (one and half times rate) shall not be taken into consideration for the purpose of computing consumer's liability to pay monthly/annually minimum charges, wherever applicable.
3. In case where fix monthly tariff exist, monthly assessment shall be made at one and half times the monthly rate,
- <sup>2</sup>[4. For the cases where the usage of electricity is for premises or areas other than those for which the supply of electricity was authorized, the procedure mentioned at Sl. No. 1 to 3, shall be followed.]

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1. Subs. for "one and half times" by Noti. No. UPERC/Secy./Regulations/Supply Code/08/2165, dt. 27.03.2008.
  2. Ins. by Noti. No. UPERC/Secy./Regulations/Supply Code/08/2165, dt. 27.03.2008.
  3. Subs. by Noti. No. UPERC/Secy./Regulations/Supply Code/08/2165, dt. 27.03.2008. Prior to substitution, is stood as under :  
“(i) If it found at any time that the energy supplied is used for a purpose on which higher tariff is applicable, the total energy consumed in the previous 3 (Three) months in case of domestic or agriculture consumer and 6 (Six) months for all other categories, from the date of detection shall be charged at one and half times the rate applicable for the category for which load was found to have been used. Provided that if it is found at any time that the energy supplied is used for a purpose on which lower tariff is applicable, it shall not be considered as UUE and no penal action will be taken.”

**(B) For cases where usage of electricity is for other purpose than authorized.**

- <sup>3</sup>[(i) If it is found at any time that the energy supplied is used for a purpose on which higher tariff is applicable, the total energy consumed in the previous one year or the actual period ascertained from the date of detection, shall be charged at two times the rate applicable for the category for which load was found to have been used:  
Provided that if it is found at any time that the energy supplied is used for a purpose on which lower tariff is applicable, it shall not be considered as UUE and penal action will be taken.]
- (ii) The calculations above are subject to the condition that metering of energy is healthy, else, the energy will be calculated on the basis of LFDH formula after adjusting the amount paid by the consumer/person for the energy consumption assessed for the assessment period if any as per details in A-1 above.

(Ref. Clause 8.1 (b)(iv))

**(C) Assessment of Energy in cases of theft/pilferage.**

- (i) Assessment of energy in the cases of theft/pilferage shall be done based on the formula  $L * F * H * D$ , as in unauthorized use. The 'L' 'F' 'H' and 'D' shall remain same.
- (ii) Only for direct theft, 'F' shall be = 1.0 (100%).

<sup>1</sup>[*Explanation* – 'direct theft', means where the supply is connected directly and no meter is installed.]

- (iii) The consumption so assessed, shall be charged at 1.5 times the normal tariff applicable and payment made for energy consumption of the assessment period shall be adjusted.

Note – In case tampered meters, the inspecting authority shall book the consumer under Section 126 of UUE only where such tampered meters are found in use, but there is no incriminating evidence available that implicates the consumer.

The inspecting authority shall book the consumer under Section 135 only when incriminating evidence found implicates such consumer(s) dishonestly committing theft of electricity through tampered meters.