



HIMACHAL PRADESH STATE ELECTRICITY BOARD LIMITED
(A STATE GOVERNMENT UNDERTAKING)

REGISTERED OFFICE :- VIDYUT BHAWAN, HPSEBL,
SHIMLA-171004 (H.P.)
CIN: U40109HP2009SGC031255
PHONE NO. : 0177-2656624 (OFFICE) 2803315(FAX)
Website:www.hpseb.com , Email: cecomm@hpseb.in

No. HPSEBL/CE (Comm.)/ FSU-III(Sec.126 & 135)/2018 17903-71 Dated: 05/02/18

To

The CE (Op), South Zone/Central Zone/North Zone
HPSEBL Shimla /Mandi/ Dharamshala

Subject: Case No. CWPII No.:284/17 titled as Court on its own motion Vs HPSEBL & Others.

Sir,

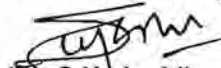
In this context it is to convey to you all that a PIL was filed in Hon'ble High Court of HP regarding number of consumers using electricity connection in violation of act, rules and regulations.

Hon'ble High Court vide its orders dated 02.02.2018 gave directions to HPSEBL that the residential properties are put to commercial use without any permission. Also domestic electric connections are being used for commercial/Industrial purpose and to conduct physical verification of each and every connection provided by it to its consumers and in case violation is noticed, then needless to add that action in accordance with law shall follow and status report in respect of that above directions is to be filed on 28.02.2018 on behalf of Managing Director, HPSEBL.

Therefore it is requested to get each and every connection physically checked and verified through field units and compliance report as sated above must be ensured to reach this office on or before 24.02.2018 alongwith affidavit duly signed by you.

Encl: Copy of High Court Order

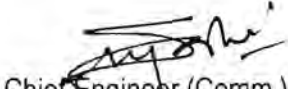
Yours sincerely,


(E. S.K. Joshi)

Chief Engineer (Comm.),
HPSEB Ltd, Vidyut Bhawan,
Shimla-171004.

Copy to

1. All the Dy CEs/SE's (Op) Circle, HPSEBL Shimla, Solan, Rampur, Rohru, Nahan, Mandi, Bilaspur, Hamirpur, Kullu, Kangra, Una and Dalhousie for similar necessary action a/w copy of order.
2. All the Add. SEs/Sr. XENs (Op), HPSEBL of all the three (Op) Zones for similar action in the matter please a/w copy of order
3. Dy. CE(IT) to up-load on HPSEBL Web site a/w above order.


Chief Engineer (Comm.),
HPSEB Ltd, Vidyut Bhawan,
Shimla-171004.

URGENT
TIMEBOUND
HIGH COURT MATTER

SATYEN VAIDYA
SC-cum-LA, HPSEBL, Shimla-4
Mob No. 98160-08393
Ref. No. _____

Dated:- 5.2.18

To
The ^{Managing} Executive Director (Ops.),
HPSEBL, Shimla-4.

Subject:- Case No. CMDIL No. 284/18 titled as Court on its own motion
Vs. HPSEBL & ors.

Sir,
The aforesaid matter was listed before the Hon'ble Court on 2-2-18 and the following order have passed.

The Hon'ble Court has directed that it shall be personal responsibility of the Managing Director of the Board to communicate this order to all offices in the State by E-mail, fax and all other modes of communication for compliance of this order where there is violation of Elec. Rules in the State.

The Hon'ble Court has further directed to file Status-Report in the court before 28-2-2018 on which date the case is again listed for hearing.

copy of order is being sent herewith for initiating further n-a at your end please.

In view of above, you are requested to kindly initiate further appropriate necessary action in the matter please.

Sd
5.2.18

Encls: copy of order.

Sd
5.2.18
SATYEN VAIDYA
Sr. Advocate,
SC-cum-LA, HPSEBL,
Shimla-4.
Mob No. 98160-08393

MD
QIB (Op)/EP (Pers)
5-2-18
5/2/18

Domestic
CE (Comm)
As discussed
- Pl issue instructions & communications to all JAs CES/SEs & XENS (Ops) HPSEBL for n-a, today itself
- Dy CE (Enfr.) shall be nodal for this matter

- 1. CE (COMM.)
- 2. DY. CE/SE (COMM.)
- 3. DY. CE/SE (ENFR.)
- 4. DY. CE/SE (OP)
- 5. DY. CE (IT)
- 6. Joint Secy (Law)/DY Secy (Law)
- 7. ASE/Sr. Xen/AUS/SO

Sd

5/2/18

02.02.2018 Present: Mr. J.L. Bhardwaj, Advocate, as Amicus Curiae.

Mr. Ashok Sharma, Advocate General, with
Mr. J.S. Guleria, Assistant Advocate General, with
Mr. Rajat Chauhan, Law Officer, for the State.

Mr. Vivek Sharma, counsel for respondent No. 2.

Mr. T.S. Chauhan, counsel for respondent No. 5.

Respondent No. 2 has filed the compliance report which indicates that a number of consumers are using the electricity connections in violation of the Act, Rules and Regulations. Even though this petition, which is treated as Public Interest Litigation, relates to restricted area of Sanjauli of this town, but taking into consideration the larger issue involved in this case, the scope of this petition is enlarged and shall extend to the entire State.

Respondent No.2 is directed to conduct physical verification of each and every connection provided by it to its consumers and in case any violation is noticed, then needless to add that action, in accordance with law, shall follow.

Let status report in this regard be filed on or before the next date of hearing.

List on 28th February, 2018. It shall be personal responsibility of the Managing Director of the Board to

communicate this order through email, fax and all other modes to communicate all its offices in the State. In the meanwhile, respondent No. 2 is directed to decide the objections and pass final assessment order on the objections, so received, before the next date of hearing.

Status of compliance report be filed well before the next date of hearing.

Copy dasti.

2nd February, 2018(K)

(Tarlok Singh Chauhan),
Vacation Judge

01.01.2018 Present: Court on its own motion.

Mr. J.K. Verma, Deputy Advocate General, for respondents No. 1 and 3.

Mr. Vivek Sharma, Advocate, for respondent No. 2.


Mr. Hamender Chandel, Advocate, for respondent No. 4.

Mr. T.S. Chauhan, Advocate, for respondent No. 5.

Letter petitioner highlights the manner in which the residents of Shanti Vihar (Cemetery) and Kamla Nagar (Sanjauli) are committing theft of electricity and despite the matter having been brought to the notice of the Authorities, no appropriate action is being taken.

Notice. Mr. J.K. Verma, learned Deputy Advocate General, Mr. Vivek Sharma and Mr. Hamender Chandel, learned counsel, accept notice(s) on behalf of respective respondents, there are representing.

Mr. J.L. Bhardwaj, learned counsel, who is present in the Court, is appointed as Amicus Curiae (Phone No. 94180-51750,) to assist the Court in this matter. Learned Amicus Curiae undertakes to get in touch with the complainant, place on record additional material, if any, as also inform about the action initiated on the basis of his complaint. Registry is directed to supply paper-book, complete in all respects, to learned Amicus Curiae during the course of the day. Registrar (Judicial) shall ensure compliance.



Mr. J.L. Bhardwaj, learned Amicus Curiae states that residents of the area are using the premises for the purposes other than for which their plans stand sanctioned or area notified under the Himachal Pradesh Town and Country Planning Act. In the area, residential properties are put to commercial use without any permission. Also, domestic electric connections are being used for commercial/industrial purposes.

'A'

Also, industrial activity in and around area, more specifically in Dhalli- Sanjauli bye pass is being carried out without obtaining consent to operate from the Pollution Control Board. As such, we implead the State Pollution Control Board as party respondent No. 5. Registry is directed to carry out necessary corrections in the memo of parties. Mr. T.S. Chauhan, accepts notice on behalf of the newly added respondent No. 5.

Mr. T.S. Chauhan and Mr. Vivek Sharma, learned counsel, state that the area of Shanti Vihar (Cemetery) and Kamla Nagar (Sanjauli), as also Dhalli-Sanjauli bye pass shall be inspected in next two days and reports qua theft or running of establishments without proper sanction/consent to operate, shall be submitted.

List on 5th January, 2018.

(Sanjay Karol)
Acting Chief Justice

(Ajay Mohan Goel)
Judge

January 01, 2018
(bhupender/narendar)