

**Maharashtra State Electricity Distribution Company Limited.**

No. Legal/Prof.fees/ 33

Maharashtra State Electricity Distribution Co. Ltd.,  
Hongkong Bank Bldg., 3<sup>rd</sup> Floor, Mumbai-400 001.

Date : 1 2 FEB 2024

**CIRCULAR**

**Sub: Grant of legal Assistance/Reimbursement of the expenses incurred by Companies Employee in defending criminal prosecution while discharging official duties.**

Ref.: 1) Office Note DMS No. F-2023008947/2023.  
2) Office Note DMS No. F-2023010068/2023.

1. It has been noticed that some of the employees of M.S.E.D.C.L. are required to face criminal prosecution while discharging official duties, particularly, while detecting cases of theft of electricity. They are required to face prosecution and other police/legal cases involving considerable expenses and hardship. Considering these features of their duties, the Managing Director in consultation with Director (Finance), Director (Operation) and Director (HR) have accorded approval to the following for grant of legal assistance and reimbursement of expenses incurred by the employees working on temporary /probation/ permanent basis in various offices of the company/establishment such as Head Office / Zones /Circles/Division/ Sub Divns. Etc.

A. Expenditure for obtaining bail/anticipatory bail:--

1. Where a company employee is involved in any criminal prosecution or is arrested by the police for any alleged offence such as Indian Penal Code or any other Penal Law, the concerned Officer-in-charge of the Company, should at the earliest arrange with the consent of the employee for bail/anticipatory bail or release of the arrested employee at the Company's expense. For this purpose, the Officer concerned of the rank of E.E. or equivalent and under whom or whose office/establishment the employee is working, is authorized to Incur expenditure not exceeding Rs. 20,000/- per case per employee.

B. Expenditure on legal expenses for defending trial/suit: --

(i) 50% of the expenditure incurred by the employee for defending civil or criminal proceedings/prosecution in the first stage in the court should be reimbursed to him. However, if the employee is fully exonerated/acquitted by the first Court, the balance 50% of the expenditure incurred by him

should be reimbursed by the Company. Total reimbursement for such purpose shall not exceed Rs. 50,000/-.

- (ii) In case an employee convicted of an offence prefers an appeal to the Appellate Court, the entire expenditure for such appeal shall be borne by the employee himself and the Company shall not reimburse any part thereof.
- (iii) As far as possible the employee shall engage Advocate on Panel of the company to defend himself. However, in case the employee desires to engage some eminent Lawyer other than Company's Advocate, he shall obtain permission from Legal Adviser/Law Officer of the Company.
- (iv) The Competent Authority granting reimbursement shall make payment to the Advocate defending employee through Account Payee Cheque/ RTGS only.
- (v) All the applications for reimbursement of expenses incurred by employee under the above provisions must be made as early as possible and before conclusion of the proceedings.

2. Grant of legal/financial assistance to the employee under these rules shall be without prejudice to the disciplinary action, if any, by the Competent Authority under Company's Conduct, Discipline and Appeal Regulations contained in the MSEDCL's Employees' Service Regulations, against him.

3. Only exceptional cases shall be referred to Managing Director for approval.

4. Reimbursement of expenditure under this circular shall be limited to "payment of fees of Advocate only" and expenses such as typing charges etc. will not be reimbursed.

5. All possible assistance and guidance should be given by the concerned Officer to the employee involved in legal/police case arising out of discharge of official duty for engaging a counsel for defence.

  
Chief Legal Adviser

To:

All as per Mailing List upto the level of  
E.E. & Above, of MSEDCL.