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PART II — Section 1

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 31st December, 2003/Pausa 10, 1925 (Saka)

The following Act of Parliament received the assent of the President on the 30th December, 2003 and is hereby published for general information:—

THE ELECTRICITY (AMENDMENT) ACT, 2003

No. 57 OF 2003

[30th December, 2003.]

An Act to amend the Electricity Act, 2003.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Electricity (Amendment) Act, 2003.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and
commence-
ment.

36 of 2003.

2. In section 14 of the Electricity Act, 2003 (hereinafter referred to as the principal Act), in the sixth proviso, for the brackets and words “(including the capital adequacy, creditworthiness, or code of conduct)”, the words “relating to the capital adequacy, creditworthiness, or code of conduct” shall be substituted.

Amendment
of section 14.

Amendment
of section 42.

3. In section 42 of the principal Act, in sub-section (2), after the fourth proviso, the following proviso shall be inserted, namely:—

“Provided also that the State Commission shall, not later than five years from the date of commencement of the Electricity (Amendment) Act, 2003, by regulations, provide such open access to all consumers who require a supply of electricity where the maximum power to be made available at any time exceeds one megawatt.”.

Substitution of
new section
for section
121.

4. For section 121 of the principal Act, the following section shall be substituted, namely:—

“121. The Appellate Tribunal may, after hearing the Appropriate Commission or other interested party, if any, from time to time, issue such orders, instructions or directions as it may deem fit, to any Appropriate Commission for the performance of its statutory functions under this Act.”.

Power of
Appellate
Tribunal.

Amendment
of section
135.

5. In section 135 of the principal Act, in sub-section (2),—

(i) in clause (a), for the words “has been, is being, or is likely to be,” the words “has been or is being” shall be substituted;

(ii) in clause (b), for the words “has been, is being, or is likely to be,” the words “has been or is being” shall be substituted.

Substitution of
new sections
for sections
139 and 140.

6. For sections 139 and 140 of the principal Act, the following sections shall be substituted, namely:—

Negligently
breaking or
damaging
works.

“139. Whoever, negligently breaks, injures, throws down or damages any material connected with the supply of electricity, shall be punishable with fine which may extend to ten thousand rupees.

Penalty for
intentionally
injuring works.

140. Whoever, with intent to cut off the supply of electricity, cuts or injures, or attempts to cut or injure, any electric supply line or works, shall be punishable with fine which may extend to ten thousand rupees.”.

Amendment
of section
146.

7. In section 146 of the principal Act, the following proviso shall be inserted, namely:—

“Provided that nothing contained in this section shall apply to the orders, instructions or directions issued under section 121.”.

T. K. VISWANATHAN,
Secy. to the Govt. of India.