

THE ELECTRICITY (SUPPLY) (KARNATAKA AMENDMENT) ACT, 1981.

ARRANGEMENT OF SECTIONS

Sections :

1. Short title and commencement.
2. Amendment of section 49.
3. Repeal and Savings.

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STATEMENT OF OBJECTS AND REASONS

Act 33 of 1981.- Originally with a view to attracting industries to our State, concessional tariff rates were allowed to some industries, under special agreements. These agreements envisage supply of energy at very low tariff rates and extend for fairly long term. In view of these special agreements, difficulties were envisaged in any revision of rates, however justified otherwise, during the period of subsisting agreement. These tariff rates which were determined some time past required to be revised periodically especially in view of acute power shortage in our State necessitating import of energy from neighbouring States at higher rate, raise in cost of generation and transmission, as also increased overhead charge. With a view to safeguarding the resources of the State it is considered necessary to amend section 49 of Electricity (Supply), Act, 1948 suitably so as to empower the Karnataka Electricity Board, notwithstanding anything contained in the instrument, lease or agreement or other document or in any law in force, to recover the charge for the Electricity supplied, at a uniform tariff.

Hence this Bill.

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KARNATAKA ACT No. 33 OF 1981.

(First published in the Karnataka Gazette Extraordinary on the Third day of June, 1981)

THE ELECTRICITY (SUPPLY) (KARNATAKA AMENDMENT) ACT, 1981.

(Received the assent of the President on the Twenty-eighth day of May, 1981)

An Act further to amend the Electricity (Supply) Act, 1948.

WHEREAS it is expedient further to amend the Electricity (Supply) Act, 1948 (Central Act 54 of 1948) in its application to the State of Karnataka, for the purposes hereinafter appearing;

BE it enacted by the Karnataka State Legislature in the Thirty-second year of the Republic of India as follows :-

1. Short title and commencement.- (1) This Act may be called the Electricity (Supply) (Karnataka Amendment) Act, 1981.

(2) It shall be deemed to have come into force on the Twenty-first day of November, 1980.

2. Amendment of section 49.- In section 49 of the Electricity (Supply) Act, 1948 (Central Act 54 of 1948) (hereinafter referred to as principal Act) after sub-section (4), the following sub-sections shall be inserted, namely:-

"(5) The party to an agreement or any other arrangement entered into prior to the commencement of the Electricity (Supply) (Karnataka Amendment) Act, 1981 and providing for supply of electricity by the Board shall, notwithstanding anything contained in the instrument of agreement or other arrangement or in any law including this Act, in force at such commencement, pay, in respect of electricity so supplied after such commencement, price (by whatever name called) calculated in accordance with the uniform tariff framed or modified from time to time, under sub-section (1) and applicable to the category to which such party belongs.

(6) The party to any such agreement or arrangement entered into after the commencement of the Electricity (Supply) (Karnataka Amendment) Act, 1981, shall, notwithstanding anything contained in this Act, or in such agreement or other arrangement, pay, in respect of electricity supplied by the Board, price (by whatever name called) calculated in accordance with the uniform tariff framed or modified from time to time under sub-section (1) and applicable to the category to which such party belongs.

(7) The uniform tariff framed under sub-section (1), may, subject to sub-section (2), be modified from time to time by the Board."

3. Repeal and savings.- (1) The Electricity (Supply) (Karnataka Amendment) Ordinance, 1980 (Karnataka Ordinance 15 of 1980) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

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