

PUNJAB ELECTRICITY (EMERGENCY POWERS) ACT, 1941

11941 : pb. Act Xiv ELECTRICITY (EMERGENCY 77 POWERS) THE PUNJAB ELECTRICITY (EMERGENCY POWERS) ACT, 1941. CONTENTS. SECTIONS. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12

13. Shori title. Interpretation. Exercise of emergency powers. Service. Effect of service or posting. Transfer of property. Power to contract. Conditions of service of employment. Accounts. Compensation. Penalties. Bar of jurisdiction. Power to make rules. 1941 : Pb. Act XLV.J ELECTRICITY (EMERGENCY 79 POWERS) ITHE PUNJAB ELECTRICITY (EMERGENCY POWERS) ACT, 1941. PUNJAB ACT No. XIV OF 1941. [Received the assent of His Excellency the Governor-General on the 30th April, 1942, and was first published in the Government Gazette (Extraordinary), Punjab, of the 6th May, 1942.] 1 Year 1941 2 No. 3 Short title XIV The Punjab Electricity (Emergency Powers) Act, 1941 4 Whether repealed or otherwise affected by legislation Adapted by the Adaptation of Laws order, 1950 Amended by the Punjab Reorganisa- tion (Chandigarh) (Adaptation Of Laws on State and Concurrent Su bjects) Order, 1968. An Act to provide for the protection of the public in cases of emergency IT is hereby enacted as follows 1. This Act may be called the Punjab Electricity Short title. (Emergency Powers) Act, 1941. 2. • For the purposes of this Act, the expression "pub- Interpretation. lic electricity service" shall mean an electric supply undertaking licensed under the provisions of the Indian Electricity Act, 1910, and shall include any establishment ancillary thereto and necessary for its working. 3. (1) Ifat any time it appears to the 2[Central Exercise of emer- gency powers. • 1. For the Statement of Objects and Reasons, see Government Gazette, Punjab, 1941, Part • I; page 294 for Select Committee's Report, see ibid, 1941 ; part V, pages 37—46 ; for Debates in Assembly, see Punjab Legislative Assembly Debate, Volume XVII, pages 470—487, 501—528, ibid, volume XVIII, pages 343, • "h. SUBstituted'f6r• ihß Words" iistate Government" by the Punjab Re-organisa- tion (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968. 0.4 -g 0 9.5 0.0 g o o g 0.0 20 1941 : Pb. Act XIV.] ELECTRICITY POWERS) 81 6. As soon as may be after the issue of an order under Transfer of pro- sub-section (I) of section 3, the owner or person in charge party. of the public electricity service shall make over to the 1[Central Government] or such person as it may direct, all books, accounts, documents, furniture and all other pro- erty, of whatsoever nature or kind, both movable and I mmoveable, belonging-to the said service and in its pos- session or control considered necessary by the 1[Central Government] for the purpose of carrying on the work of the company. 7. (I) During such period as the public electricity Power to contract. service is in the possession and control of the 1[Central Government l, the 1[Central Government] shall have power to acquire and hold property, both movable and immovable, and to transfer any property held by it for an d on behalf of the public electricity service and to contract and to do all other things necessary for the purposes of its efficient management. (2) All debts and obligations incurred, all contracts entered into and all matters and things engaged to be done by the 1[Central Government] for and on behalf of the public electricity service shall be deemed to have been incurred, entered into or engaged to be done by the said public electricity service. Conditions of ser- 8. (1) All officers and servants in the employment vice of employees. Of the public electricity service on the issue of an order under sub-section (1) of section 3, shall, subject to their condi- tions of service, continue to be officers and servants of such service during such period as it is in the possession and control of the 1[Central Government] and the conditions of service, pay and allowances of such officers and servants shall be their existing conditions of service, pay and al- lowances. (2) The 1[Central Government] shall exercise all the powers of the public electricity service in respect of all such officers and servants

9. The 1[Central Government], or such officer as it Accounts. may direct, shall keep proper books of account and shall make therein full and proper entries relating to the business or Undertaking during such period as the business or under- taking is in the possession and control of the 1[Central Compensation. Government]. 10. (1) The 1[Central Government] shall award com- Pensation if the public electricity serviee sustains damage by reason of the exercise of the failure to exercise of any of the powers conferred by this Act. 1• Substituted for the words "State Govenment" by the punjab Re-organisation ehandigarh) (Adaptation of Laws on state and Concurrent Subjects) order, 1968. penalties. ELECTRICITY (EMERGENCY 11941 : Pb. Act 82 POWERS) (2) Any dispute as to whether compensation is pa able or

as to the amount of any compensation so payable' shall, in default of agreement, be determined by arbitration' in accordance with the provisions of the Indian Arbitration Act, 1940

11. Whoever disobeys or neglects to comply with any order passed, direction given or condition prescribed in accordance with the provisions of this Act or impedes the lawful exercise of any power conferred by this Act, shall be punishable with fine which may extend to one thousand rupees, or with imprisonment which may extend to six months, or with both.

12. (1) No civil court shall have jurisdiction to settle, Bar of jurisdiction. decide or deal with any matter which is by or under this Act required to be settled, decided or dealt with by the 1[Central Government]. (2) No suit, prosecution, or other legal proceeding shall lie against any person for anything done or intended to be done under this Act in good faith and with due care and attention. (3) Nothing in this Act shall be construed to exempt any public electricity service during such period as it is in the possession and control of the 1[Central Government] from its liability on any contract entered into by the said service or by the 1[Central Government] on its behalf. power to make **13.** (1) The 1[Central Government] may, by notification in the official Gazette, make rules for the purpose of giving effect to the provisions of this Act. (2) The power to make rules conferred by this section shall, except on the first occasion of the exercise thereof, be subject to the condition of previous publication. (3) In making any rule under this section, the 1[Central Government] may provide that a contravention of the rules shall be punishable with a fine which may extend to fifty rupees. I. Substituted for the words "State Government" by the Punjab Re-organisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

