

ELECTRICITY ACT NO. 10 OF 1949 DATE 02.04.1949

391 No. 391 REGISTERED NO. DL-33004,2003 Che Gazette off3udia EXTRAORDINARY PART 11 — Section 1 PUBLISHED BY AUTHORITY 2, 2003 / 12, 1925 NEW DELHI, MONDAY, JUNE 2, 2003 JYAISTHA 12, 1925 fqiqv I 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 2ndJune. 2003/Jyaistha 12, 1925(Saka) following Act ofparliament received the assent Of the President on the 26th May, 2003, and is hereby published for general information THE ELECTRICITY ACT, 2003 [No. 36 OF 2003] [26th An Act to consolidate the laws relating to generation, transmission, distribution, trading and use ofelectricity and generally for taking measures conducive to development ofelectricity industry , pmmoting competition therein, protecting interest ofconsumers and supply ofelectricity to all areas, rationalisation of electricity tariff, ensuring transparent policies regarding subsidies, promotion of efficient and environmentally benign policies, constitution ofCentral Electricity Authority, Regulatory Commissions and establishment ofAppellate Tribunal and for matters connected therewith or incidental thereto. Gtr. 2-22-ffrEqz q-qz,'38 fü. 30-5-2001. " 30s I IO, *1926 fraiäi 26 2004 5749/21-3-VY1./04.— 213 2004 (n 2004) i. 609 610 (2) 1981 (ü 1982) 2. 3. 1 2004 213 1981 (E 1 3 fäffiz 1981 F. 1 1982) (1) ' ETTE;. 26 2004 5749/21-24AT./04.—VTGi 348 (3) 2004 1 Vt 2004) t. f<7iZö 1 2004 CHHATTISGARH: ORDINANCE "(No. -1 2004) CHHATTISGARH UPKÄR (SANSHODHÂN) ORDINANCE, 2004 An Ordinance further to amend the Chhattisgarh Upkar Ädhiniyam, 1981 Promulgated by the Governor in the Fifty-Fifth yearofRepublic of India. Whereas, the State Legislature is not ih session and the Governor df Chhattisgarh is sasisfied II- circumstances exist which render it necessary for him to take immediate action. Now, therefore, in exercise of the powers conferred by Clause (I) of' Article 213 of the Constitution of India, ther Governor of Chhatgisgarh •is pleased! to: promulgate the following Ordinance This Ordinance maybe called Chhattisgarh Upkar (Sanshodhan) Ordinance. 2004 (No, l. of 2004). It shall come into force from lthe date of its publication in lthe official Gazette. During the period of Operation of this Ordinance, the Chhattisgarh Upkar Adhiniyam, 1981 3. (No. I of 1982) shall have effect, subject to arnendjnent specified in section 3. In Sub-section I of Section 3 of the ChhattiSgarh Upkar Adhiniyam, 1981 (Nc. .the words "One Paisa" the words "Five Paisa'i shall be substituted. 610 (I) Chhat ti.sgarh Upka? i of he porurily a. •aended. of sub- section 3, 3i.f(FFJ1712002. ' "!.iii 30-5-2001. ' 26, a--Et-€rj-z 59

2. I s 2005 (55* 28 2004) (&ftqq) 2004 1981 (1982 (I 2004 (2) OTT. f-q-q-ö 1981 (F*.1 1982), (I) (2) 3 (I) -E q-F Fi⁻z 100 *Etz äT(T \$1 (F) (ätq) (qiq) Gil-it , , 1960 17 äÄT; E TTä 60 (I) 5 2005 2003 " 2004 2S 7t2004) -g-t•fr-q-qz CHHÆT[SGARH ACT (No. 28 of 2004) CHHATTISGARH UPKAR (SANSHODHANJ ADHINIY.AM, 2004 An Act further to amend the Chhattisgarh Upkar Adhiniyam, 1981 (No. 1 of 1982). Be it enacted by the Chhattisgarh Legislature in the Fifty-fifth y:ar of the india as foliov;s (I ; This Act may be called Chhattisgarh Vpkar (Sanshodhan) Adhiniyam: 2004. It shall come into force from such date which the State Government may appoint in the notification. 2 In Section 3 of Chhattisgarh Upkar Adhiniyam, 1981 mo. I of 1982) (herein after referred to as the Principal Act) Short title and commencement. Amendment Section 3. (2) In sub-section (I) of Section 3 of the Principal Act for the words "One Paisa" the words "Five Paisa" shall be substituted. After sub-section (I) of Section 3 of the Principal Act the following new sub-section (-a) shall be inserted, namely I -a) every producer of electrical energy shall pay to the State Government an energy development cess at the rate of ten paisa per unit cn the eleciricai, energy sold or supplied to a consumer or consumed by himself or his employees by his captive power unit or diesel or other generator set of more than i 00 Kilowatt capacity during any month; Provided, that no cess shall be payable in respect of electrical energy consumed by; (i) the Government of India for consumption by that Government; (ii) the Government of India or a railway company for consumption in the construction, maintenance or operation of any railway administered by the Government of India; 60 (2) (iij) the State (jovernment for consumption by that Government; (iv) a RurÅI Electric Co-operative Society registered urider the Chhattisgarh Co-operative Society Act, 1960 (No. 1 7 of 1961); ('.tjahe loca! bodies includiåg- Municipal bodies and Panchayats for consumf,tionlinpubiic street lanigfor lamps in athy market place ar- water Works places of public resort maintained by ;ugh bodies-. Provided futh<Ghat the .amount of energy development cess sh hc ceilee:éd

bHhe Chhattisgarh State Electricity Board or any other; institute authorized by the State Government and the amount so collected shall be made available to the State Government. Note:- For the purpose of defining captive power unit, the included in the Electricity Act, 2003 may apply. "gt:FfT, g-äfim-zoos. ur-33004/99 REGI). NO nx -3Ä, Che Gazette of JJrtclct -8 2481 No. 248] *5-2200 /cvo/ Esttl // 4 g TART L—Section 3—Sub-section (i) PUBLISHED BY q 8, 18, b927 NEW DELHI, WEDNESDAY, JUNE 8, 2008/JYK[STHA18, 1927 2. 3. 7 JUL ZOOig 379(2003 (2003 36) 176 -gtf2--ikT 05 i -u -afi 3-ßa--ll (Qi) 2003 ; (u) u-gi THE OF INDIA : 4 (i) (ii) (i) 3fiN (i) -k ft-f*ö fifi fäg Qfi t{fä -Gi-a -Z; . fäg-a . / -rah (2) : 50 'Qi' 50 (SO urefi) GIRT @TfitQ5 i- I (2) tfQq (.D -d; vq-üg .(Q5) ii fiFRil fiqfft<f fibur "zBfteu 31ZÜ-tRiT" qiT Zi-qi (u) "qqfi@" apt fä -gr-JT1 ; VÖT&i : 2 (19) u' fig-ft q-ft thi ftö ..g ft; ferg w. GfRr1 acrTVfi17F 4C @ 26. 2b (3) ; 29 (1), 32 (2) 33 ufi (1) qÄrqq fufäG 4 (2) (3) THE GA7EITE OF : Qft f2r\$4 e-F4 QTRi 38', 38 : 38 g.. - (2) (q) Gi) fib-q 42 (2) féfg 3itq -X 3. &lll : (1) 42 (2) 42 Qfi (6) fig (4) fiq-erg u 57 -\$ @ (QS) fQqhé 45

9. VI-q : 79 79 '(Qi) (v) Rig 86 \$1 (f) (ü) fä5 tRq5 fi5€T (#frg) qTfrg : Qi, 79 (1) 14 an-Qrq fig -arß{t : 111 (2) : 154 \$1 . (1) 153 (1) -qiq-.fi Sl•t gfhll (3) (1) 3-1tfH 31fufö-u-q -a t/-q frail • 81, tl 13. 2 THE GAZETTEOFINDIA:EXTRAORDINARY (5) 4973 .gg fäg uTR1v135 g:NQ5TV C Til. 23/54/2004-en•r.! OF POWER NQ_YFCATIOU New 20Ö5 G.S.R. exercise of powers Conferred by -Sectii)ff 176 of t: Electrjcjty Act, 2003 (Act 36(0f 2003), thecentralGovernment: makes the following rules, namely:- 1. 2. Short title and commencement< (1) these rcfls shallbe called the Electricity Rules, 2005. (2) T hvse Rules shall' come into forte on the -date or th,• publication in the Official Gazette. Definitions.- In these rules, unless the context otherwise, requires: (b) "Act" means the Electricity Act, 2003; the words and expressions used and not defined herein defined the Act shall have meaning assigned to the in the Act.

3. Requirements of Captjue Generat)ng Plant.- No power plant Shall quality, as a icpptive generating plant' under section 9 read with clause (8) of: section 2. of the Act unless- (a) in-case.of a-power plent (j) notilessthan:twenty six percent Qfthe ownership is held by the. captiVe user(s), end (ii) not l:less -than fifty one percent: of, the aggregate electrcjty •generated...in such plant, determined on an annual basls,js ansumed.forthc captiVe use: Previded that • in case: of-power plant set up by registered cooperative society, •thé •conditions mentioned undéH pãrãgraphS (i) and' (iii) above shall be satisfied c011eCtiVélÉbVthe*âiérnbéiS co-operative 'Society. Pfovided: *fürthet that lihT&se Of association of persons}; the "CaptiVé user(s) shall hold not less than twenty six percent of the ownership of the plant in aggregate and such captive. user(s) Shall' consume not less than fifty one percent Df the electricity generat€ determine" on an annual. basis, in proportion to their stiäi•es ownership of the power plant within vezridtiorg ract exceeding ten percent; formed as speci; unit or urlit> of oenerating station owned a corrtj)äß • -pose vehicle for such generating station, generating statiön identified for captive us-. and not tj-te entire generating station satisfy (s) the' concitions contained in paragraphs (i) and (ii) of sub-clause (a) above including Explanation (1) The electricity required to be consumed by captive users shall be deterrnined with reference to such 8 OF : R Y generating unit or units -in aggregate identifieci - captive Ike and not- with,- reference general:ilZiJ station as a whQle; and the equity shares to be held by the captive user(cj I (2) the generating station shall not be less than twenty six cent of the proportionate of the equity of the corn,ZJ'l related to •the genera-tlng ' unit or units .identified as capr generating plant. NJ— 15xati-QnzIn a gener ting station with two MW e=ch namely Units Rand B, one unit of 50 Unit may be identified as the Captive l, The captive users not less than thirteen-: pe + of the equity share\$tinftJe. company _(beir:lg the twenty so: percent proportionate to. unit pf 50 MW) arni not than fifty one Dercent otthe:electrlcjty generated in captive users. (2) -shall be the obligation cf the e.apt\ re users to the consumption by the Captive Users at tne percen•: : mentioned in sub-clauses (a) and (b) cf sub-rule (I) abt: maintained and In case the minimum percentage of captiv is not complied with in any year, the entire electricity' shall be treated •as if it is a supply of electricity by a company. Expianation.- (1) For the purpose of this rule.- (a) "Annual Basis" Shall be deterrnined based financial year; - t VC?ptive User" shall mean •thg end. user pf the :electricity generated in a Captive- GeneraÉing?Plänt_ and the, term NCaptive• Use" sham be! construed accordingly; ('cp:Ownership! •Iri 'relation to generating Station ppt-pqwerp.lant:set up-by a .c@m.pany or any.other bö4vcorÖraté\$halFmea rVthe- eq u ity Sha re pita other cases -ownership .shäil and co Vol over the. "'SpeciaV.PCrpoSe2Vehicle't•sha mean-at. legal erity: , ownfrig;;, '-operating * and maintaining a no-other or activity kobe engaged?in-by the legal entity

4. Distribution System.- The distribution system of a distribution licensee consists of sub-section (19) of section 2 of the Act shall also include electric line, sub-station and electrical plant that are primarily maintained for the purpose of distributing electricity in the area of supply such distribution licensee notwithstanding that such line, electrical plant are high voltage lines used incidentally for the purposes of transmission or overhead lines; or carrying electricity for other purposes. 5. (1) Compliance with the directions by Transmission Licensee- The National Load Despatch Centre, Regional Load Despatch Centre, as the case may be, or the State Load Despatch Centre, may, under section 26, sub-section (3) of section 28, sub-section (1) of section 29, sub-section (2) of section 32 and sub-section (1) of section 33 read with clause (b) of section 40 of the Act, give such directions. 11 10 THE GAZETTE OF INDIA as it may consider appropriate for maintaining the availability of the transmission system of Transmission Licensee, and the Transmission Licensee shall duly comply with all such directions. (2) The Appropriate Commission, on an application filed by the National Load Despatch Centre, the Regional Load Despatch Centre or the State Load Despatch Centre and after hearing the Transmission licensee, if satisfied that the Transmission Licensee has persistently failed to maintain the availability of the transmission system, issue such directions to the Load Centre, the Regional Load Despatch Centre or the State Load Despatch Centre to take control of the operation of the transmission system of such Transmission Licensee for such period and on such terms, as the Commission may decide. (3) The direction under sub-rules (1) and (2) above shall be without prejudice to any other action which may be taken against the Transmission Licensee under other provisions of the Act

6. The surcharge under section 3B : The surcharge transmission charges under section 38, the manner of progressive reduction of such surcharge and the manner of payment and utilization of such surcharge to be specified by the Central Commission. Under sub-clause (ii) of clause (d) of sub-section (2) of section 38 shall accordance with surcharge on the charges for wheeling, the manner of progressive reduction of such surcharge and the manner of payment and utilization of such surcharge as may be specified by the Appropriate Commission of the State in which the consumer is located under sub-section (2) of section 42 of the Act.

7. Consumer Redressal Forum and Ombudsman.- (1) The distribution licensee shall establish a forum for redressal of grievances of consumers under sub-section (5) of section 42 which shall consist of officers of the licensee. (2) The Ombudsman appointed or designated by the State Commission under sub-section section 42 of the Act shall be a person as the State Commission may decide from time to time. (3) Ombudsman shall consider the representations of the consumers; and the provisions of the Act, the Rules and Regulations made thereunder, or general orders or directions given by the Appropriate Government or the Appropriate authority before settling their grievances. (4) (a) The Ombudsman shall prepare a report on a six monthly basis giving details of the nature of the grievances of the consumer dealt by the ombudsman, (the response of Licensees to the redressal of the grievances and the appointment of the Ombudsman the Licensee's compliance of the standards under section performance the Act above shall be the State Government days after the end of the relevant period of six months. Tariffs of generating companies under section 79.- The tariff determined by the Central Commission for generating companies under clause (a) or (b) of sub-section (1) of section 12 9. 10

12. THE EXTRAORDINARY 79 of the Act Shall not be subject to re-determination by State Commission. In exercise of functions under clauses (a) and (b) of sub-section (1) of section 86 of the Act and subject to above the State Commission may determine whether Distribution Licensee in the State should enter into Purchase Agreement or procurement process with generating companies based on the tariff determined Central Commission. Inter-State trading-Licence.- A licence issued by the Commission Under Section 14 read with sub-section (1) of section 79 of the Act to a licensee to transmit electricity from a State and resell electricity State, without the need to a separate licence for intra-state trading from the Commission of such State. Appeal to the Appellate Tribunal.- In terms of sub-section (2) of section 111 of the Act; the appeal shall be decided by the adjudicating officer or the appropriate authority. After the completion of the force of the Act may be within the date, as notified by the Central Appellate Tribunal for the purpose of the Act the special Courts shall not be barred under sub-section of section 154 till such time the special Courts are constituted under sub-section (1) of section 153 of the Act. Cognizance of the offence- (t) The police shall complain in writing to the police. by the Appropriate Government or the Appropriate

any of their officer authorized by them in this regard or a Chief Electrical Inspector or an Electrical Inspector or an authorized officer of Licensee or a Generating Company; as the case may be. (2) The police shall investigate complaint in accordance with the general law the investigation of any cognizable offence. For the purposes of investigation of the complaint the police shall have the powers as available under the Code of Criminal Procedure, (3) The police shall after investigation, forward the report along with the complaint filed under sub-clause (1) to the Court for trial under the Act. (4) Notwithstanding anything contained in sub-clauses (j) and (3) above, the complaint for taking cognizance of an offence under the Act, also be filed by the Government or the Appropriate Commissioner or a Chief Magistrate (C) anything contained in the Code of Criminal Procedure 1973, every special court may take cognizance of offence referred to in sections 135 to 139 of the Act without the accused being committed to it for trial.

13. Cognizance of the offence under the Act shall not in any way prejudice the actions under the provisions of the Indian Penal Code. Issue of Orders and Practice Directions.- The Central Government may from time to time issue Orders and practice Directions in regard to the implementation of these rules incidental or ancillary thereto as the Central Government may consider appropriate. [E No. 23/7-04-1-2 & f Addl. Secy. AJAY ANKAR 41, New W. Nagar, Govt. of India Ring Road, Mayapuri, New Delhi 110 028 Published by Controller of Publications, 27/2/2006. (38. X 1949) - Fifth Schedule: 3. (33) - 1-2006 31-3-2006 - 20% (Ain No. 2+5 - 175 q. 3-ti - 47-8; ft-g-d t. 3\$-fri@A, 2003 A-16 6S ez 2006, 2006 figg-r, 2-22-gfimgzJFE/38 fu. t. firerrt, 30-5-2001 2 a-vk 11, 1932 2010 11, 1932) 64 2010 21 Ft 2010), 2 3-Tik, 2010 425 426 (1) (2) (3) 2. 2 2010 () 2010 1981 (1 1982 (Vt*EH) • -ii -arm tmr. 1981 1 1982) 3 (1) "qi-q 2004 28 2004 S CaÄ) t. 3Äf u*i, 3--1fißFZFi 3Äi 5 (qN) 10 qfiz 10 s Éz 3Äi 26 2010 2 2010 426 (1) 3 (ii) 1981 1 1982 3 1) : t, 3Äf 1960 1961 17) "RTe" 3rfiüd 37qfii, •a-qf -glei IZ_7fi7_) -i! fic 30-5-2001. • 334 1 10. 1935 29 2013 229/23-3VYff_ft5. 4./13. - -qi 07-- fü--,-T (2) (3) 2. 3. 4. 201 2013)) 2013 1981 (3 \$82 (FF-4 198--0 3 (i) *rrT_ -2003 36 7_ (17) 2503 (36 -q 2003) 2 (28) 2003 36 2003,)) 29 zou 229/21-3VVTf..@. 348 (3) r.æiü'-a_) 2073 Fl.'2013) i. 1 2013 ('Y-IHAITISGARH Acr (No_ 22 of 2013) LJPkar (SANSKODHAN) ACT. 2013 A ACE to further amend the Chhattisgarh Upkar Adhiniyam, 1981 (No. 1 of 1982). it enacted by the Chhattisgarh Legislature the Sixty-fourth Year of the Republic "in this Act may be called the Chhattisgarh (Jpkar (Sanshodhan) Adhiniyam, extends to the whole State of Chhattisgarh. (1) shall come into force from the date of its publication in Official Gazette. After clause. (v) of proviso sub-Section (1) of Section 3 of the Chhattisgarh Upkar Adhiniyam, 1981 (No. 1 of 1982), the following shall be added. : v i Consumed or used by any generating company, in which the State Government holds at least twenty six percent equity. by it or sold or supplied to a Distribution Licensee owned by the Government. Explanation. extent find concerned. Amendment Section 3. 2

4. For the purpose of this Section, 'equity' holding by a Government Company in its Subsidiary Company shall be deemed to be equity holding of the State Government. "Distribution Licensee" shall have the same meaning as defined under sub-section (17) of Section 2 of the Electricity Act, 2003 (No. 36-of 2003). "Generating Company" shall have same meaning as defined under sub-section (28) - of Section 2 of the Electricity Act, 2003 (No. 36-of 2003). "Government Company" shall have the same meaning as in sub-section (31) of Section 2 of the Electricity Act, 2003 (No. 36 of 2003)." 2013. 1: x Iraq or Act No. 1982 relating to Energy Development Cess PRADESH ACT No. of PRADESH (JPKAR p in (Received in the name of the President on 6th December, 1982. First published in the Extra-ordinary, dated the 12th January 1982. An Act to provide for levy of certain cesses. Enacted by the Madhya Pradesh Legislature in the Thirty-second Year of the Republic of India as follows:— [In 2. (a) (b) PART—II ENERGY CESS This part unless there is anything repugnant in the subject or context,— 'CAN' means the energy development cess levied under section 3; 'Fund' means the energy development fund referred to in sub-section (2) of section 3; DC fin Zion'. words and expressions used but not defined in this part and defined in the Madhya Pradesh Electricity Duty Acts 1949 (X of 1949), shall have the meaning respectively assigned to them in that Act. electrical Levy of 3 paise per unit specified in section 4, every distributor of development cess. energy shall pay at the prescribed time and in the prescribed manner an energy development cess of one paise per unit on the total units of electrical energy sold or supplied to a consumer or consumed by him or his employees during any month. Provided that no cess shall be payable in respect of electric energy— (a) sold or supplied to the Government of India for consumption by

that Govern men: ; or (b) sold or supplied the Government of India or a railway company for consumption in the construction, maintenance or operation of any railway administered by the Government Of India 2 [(ii) sold or supplied in bulk to a Rural Electric Co-operative Societ(y registered under the Madhya Pradesh Co—operative Societies Act,) 960 (No. 17 of 1961);] For the purposes of this sub-section 'moneh' means such period Explanation. as may be prescribed. (2) The proceeds of the cess under sub-section (1) shall first be credited to the Consolidated Fund of the State and the State Government may at the commencement of each financial year, after due appropriation has been made by law, withdraw from the Consolidated Fund or from the State an amount equivalent to the proceeds of cess realised by the State Government in the preceding financial year and shall place it to the credit of a separate fund to be called (the Electric-Development Fund and such credit _ to the said fund shall be an expenditure charged on the Consolidated Fund of the State Government of Madhya Pradesh. (3) The amount in credit of the fund shall, at the discretion of the State Government be utilised for— (a) (b) research and development in the field of energy including electrical energy as well as other conventional and non-conventional sources or co-energy; improving the efficiency of generation, transmission, distribution and utilisation of energy including reduction of losses in transmission and distribution; (c) design, construction, maintenance, operation and efficiency of the electric supply system; continuity and safety; efficiency and Madhya Pradesh 1947 .gd rule: made Under the survey or electricity sources including 'non-renewable' source; to alleviate the shortage, (e) energy conservation programmes; (f) extending such facilities and services to all consumers as may be deemed necessary ; (g) creation of a laboratory and testing facilities for [testing of electrical appliances and equipments and other equipments related in the field of energy; (h) programmes or training conducive to achieve any of the above objectives; transfer of technology in the field of energy; 2 [(ii) any purpose connected with electrical installation (IS safety of (j) any other purposes connected with improvement of generation, transmission, distribution or utilisation of electrical and other forms of energy, as the State Government may, by notification, specify. Explanation.—In sub-section 'energy' includes all conventional and nonconventional forms of energy. (f) .agya question arises as to whether the purpose (or which the fund is being utilised is (3) or not, the decision of the State Government thereon to be final. 4. The provisions of sections 4 to 9 (both inclusive) of the Madhya Pradesh Electricity Duty Act, 1949 (X of 1949) and the rules made thereunder shall mutatis mutandis apply to Chhattisgarh: this Act as they apply to "levy Of duty on sale or consumption of electrical energy under that Act and for that purpose reference to 'duty' or 'electricity duty' in the said Act or the rules made thereunder, as the case may be, shall be construed as reference to 'cess'. GCPB 1541 (1931 -a; q-i-cfi igarg, 30-5-200]. 335 to, -1935 fifi* 29 2013 650674 26-07- 669 (7) (2) (3) 2. 3. GfufiUH 2. 3. 2013 () 2013 , 1949 (O 194 9) i-q 1949 (75.10 1949), 3.7ftfr-q-q -gq-imte--ii fifi ii -AT& *fizq 2003 36 æQ003) 2 (8) am, 2003 (E 36 (19) it. 2003 36 (27) -3 2, 1 2013 3Rfifruu, 2003 (5E.36 (28) 2003 36 q 2003) (47) 3-34 26 -ä qlR7fi. 2003 36 2003) (31) fit," () *7Ti. 30 fig (2) [PT(ii3 (1) (3D (3) (4) fdäiäi 1 2013 3. 4. s. 6. 7. 8. 9. 12. (2) 25 75 3•TG 75 -a 100 100 1 Sooo æiziä, fiä, i. azim 10 150 (3) -qtlti a-q%.iTT1 4 12 40 03 04 05 06 03 10 20 6 (1) (1) 17. 78. (2) y-zifiÉl• z;qi, (2) •Rii. (2) -GXÜf [uu-r.3 (1) (3) (3) 2013 (4) --57i (4) (4) æiziä 1 2013 (2) 7Tü 0 (3) (4) 2. 3. 4. 'f*Il 30 7952 36 1952) 2003 36 2003) 86 fig-I* t. SO zn öq-äi 50 q@lll." 29 2013 6506/* . 228/21-3ü'YT6.ß. 348 (3) (75* 21 1 2013 cu.HAITISGARH ACT (No_ of 2013) THE CHHÄ'TVBTBGARH ELECTRICITY DUTY (AMENDMENT) ACT, Act to further amend the Chhattisgarh Electricity Duty Act 1949 (No. X Of Be it enacted by the Chhattisgarh in the Sixty-fourth Year of the Republic of India, as follows Short: and commencement.. (3) "This Act may be called the Chhattisgarh Electricity Duty (Amendment) Act, It extends to the whole State of Chhattisgarh. It shall come into force from the date of its publication in the Official Gazette. After clause (d-i) of Section 2 of Electricity Dgty Act, {949 (No:X of) 949) (hereinafter referred to as Principal Act), the following shall be inserted, namely . "Schedule" meariS, SchedLileab>ended this Act;'' For sub-section (1) of Section 3 Bf the PöhcÄäl Att, the following shall be substituted, namely : Subject to the specified in Section 3•A,— Amendment A rhendnieht Section 3. or (b) every, Pisi:ibütioh Lice\$See Ot Fi-ähchisee Shall pay, every month to the State titlé and duty calculated-at the Part'9A the units sold \$upplied to the diirihg Xhé pte• ceding months. every consumer consuming Electricity obtained through Open Access _ from the Government, in the prescribed manner: the notified duty -at the rate & \$Péeified in on -the units Of electricity months. every generating plant; Generating:Company and Producer Share _ll päj; Eildnih'io the State Government; in the time and manner, duty calculated the rates in accordance of 'the provisions of

electricity Cönsüfiie.ö_or used åS the ease may SL,jppiied dire- ctly to ig _épml,yeesér units of electriéity
sö3d Or:sGÉiilied to khe ponsUtnéHS diffihÉ thé É\$cediijg nidrith±, 2

3. Generatihg- Plant" shall have the Same meanino .i.iS iii- G) Seetign (2) öf•üiöEleetiicity Act, (No. 36 2063), .:iDiStfibut.ioh Vcensee" shall the same meaning as in Sub*seeGon (it). of Section (2) of the Electricity Act; 2003 (No. 36 of 2003). : Franchisee'tshall -have Cthe same meaning as-in sub-sec- (27) of the Electricity 2003 (No. 36 of 2003).- 5. 2013 "General'ing Contpany" shall have the same meaning as in sub-section (28) of Seclön 2 of the Electricity Act, 2003 (No- 36 of 2003). "Open Access" shall have the same meaning as in sub-sec- ion (47) of Section (2) of the Electricity Act, 2003 (Nc 36 of 2003)." Section 3-/.. Addition of New Section 3.C:. 4. 5

6. After clause (vii) of Section 3-A of the Principal Act, the following shall be inserted, namely "(viii) Consumed or used by any generating company, iri Which the State Govern- ment holds at least twenty six percent equity or sold or supplied by it to Distribution Licensee owned by the Government.Explanation— 2. For the purpose of this Section, equity holding by Government Company iri its Subsidiary Compäny shall be deemed be equity holding of the State GoVernment. "Government Company" Shall havethe same meaning as in sub- section of Section 2 of the Electricity Att, 2003 (No. 36 of 2003)." After Section 3-9 of:tthe-Pgi0\$ipal Act. .the added, name}y : "3-C Pö_wec _t\$ (2) _1TieState:.90vertmenC may by in the. Official Gazette afféhd tbé_sáédbie. Every is'\$e# Linder, subsection (l) which has the effect Of: by. éögsmecysháll bc laid, as Söth a\$ Che Legislatiire While it isiiÜsé"iQfföt. may bé compri- séd •in Ot üioié Sucée\$\$iyesesSions, and if, before the *SSiöh the Session or the -hiäk"i any modi- höfiéÄGÖti&höutd hot be made, Shili in itiöäifiéd or be of io Spy stith or anniilfiieht piejudicé to the validity öf.anything •dorie theie under." Addcgon Schedüléd. i of After:SectiOh 9 dfthe PéihCipal Act, the -föl]OWingshAll be added; namely . •scgÉbüLE (See SedüÖi 3) RATES•OÉ DUTY PA-R'T-•Å s,bio. (4) Consume? CatéÉöry (2) Domestic Consumer Cohused Elet&icity (In Unit) (3) On all consumed units Rate: of Duty in percentage Of energy Charges notified in the tariff Order (4) 08 percent 670 (7) (2) Non-Domestic Consumer Mines (OQjer than captive noines of cemene industries) Cement industries (including its captive mines). LT Industries umo 25 HP 4. S 6. 7 8. 9. n. 12. \ 1.3

15. LT Industries above 25 HP but upto 75 HP. LT Industries above 75 HP but 100 HP. LT Industries above 100 HP but upto 350 HP. Other LT -industries above 150 HP which are not included -----above- and-StoneCrushétg- upto- 150 HP. Mini Steel Plant; Rolling Mills and Sponge Iron QlÁnt upto 15,000 Power Looms; Adur Mills, Oil expeller, threShec and Similar othei mathinery used for agri- processing. Textiles mills, weavirig niills and spinning mills. H.T. Industrise not included in Serial No. I O and Nori Indüs• trial including shopping . mall. Stone Crusher: :häviilü aböve load situated outside & ädj\$ceht to the mines. ne Consumer who' generate . energy for their Own dönsüin- ption for; the included uider any Of the above categories. . Electrical eergy sole or supp- ilied fdr coåsumptid9 for any :purpose is used eitheir wholly or partly, without the. consent lof of electri#ikehergy . Zgor pröducet Of the (3) On all consumed units On consumed units On a]] consumed units On ail consumed units On all consumed units On all consumed units On all consumed units On ah consumed units On all Consumed units On all consumed units On all consumed units Oil äll eörisuhiéd units On own consumption units. On all sold Or supplied or cömsumed units, as the case may be. (4) 12 percent 40 percent 15 percent 03 -percent 04 percent 05 percent 06 percent 10 percent 03 ercent 03 pertent IO percent 20 percent Rate of duty shau beas if the electrical energy is Supplied by the Distribu- tion Licensee of the State. At the higheSt Of the rate schedule. Fase mãy be! PART-B ! Sec Section 3 (I) S. No 16. 17. 18- 19. Cansumtr For Consuxnption of E] ectricjty obtained through open access iron-I the State. Ccnsurned Electricity (3) On all the obtained through Open Access. PART-C [See Section 3 a) Cohsutner Gategory (2) Elecfricity sold or supplied Gene\$aqng Cgpt_iye Gefi#åliilk Plant åhd Ptodåcer to the distributiön and teadina licéhSee. Electricity sold or soppiied by Generating Cömpany, CaptiVe Generating Plant and Producer taany other consumer in the For the electricity consLjrnet:Ü by Generating CernPaqy, Captive Gene\atinÅ pliiil(äfid Producer for theír abxiliary consumption and for their own consumption. Consuined Electiicity (irrIjñiF) (3) Ori all sold or Supplied nriit_s Oh all sold cr suppliied units On self conSB1hed units ihtliiåihÉ auxiliary consumptions. Rate of Duty it] percentage. ai notified in the (4) rate 01" duty shall be calculated as if t: e hy [he Distribution Rate Of (4) p?.lse per uni'. 'I"he rate ofrd!ity shall be sarne as if the electricity is supplied by the distribution licensee consumer. pexcent of the [ariff which wö!uid have been appli- cable if

the electricity is supplied by distribution system* 'Billed Month or Month* means a period of thirty days between the two consecutive meter readings the purpose of billing (the case of monthly 1 207 E 670 "Mines" means as under clause (j) of Section 172 of the Mines Act, 1952 (No. of 1952); also includes the mines or machinery situated in and adjacent to a and used for crushing, processing, treating or transporting the minerals; "Tariff" means the rate of energy by the Chhattisgarh Electricity Regulatory Commission under Section 86 of the Electricity Act, 2003 (No. 36 Of 2003). The Electricity Duty shall be on the basis of actual percentage of tariff in a month. As for as fraction of 50 paise is concerned, 50 paise and above shall be rounded to the next higher rupee and less than 50 paise shall be ignored

