

# THE PUNJAB ELECTRICITY ACT, 1939

(VI of 1939)

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## TEXT

### THE PUNJAB ELECTRICITY ACT, 1939

(VI of 1939)

[16<sup>th</sup> June, 1939]

An

Act

to explain and amplify section 7 of the <sup>2</sup>[\*] Electricity Act, 1910 in its application to the Punjab and to give the Punjab Government the powers of a licensee when it engages in the business of supplying electrical energy.

1. **Short title.**— This Act may be called the Punjab Electricity Act, 1939.
2. **Definitions.**— In this Act—
  - (a) “the Act” means the <sup>3</sup>[\*] Electricity Act, 1910,
  - (b) “Government” means the Punjab Government, and
  - (c) “the specified date” means the date on which an option of purchase arises under sub-section (1) of section 7 of the Act.

<sup>4</sup>[3. **Amendment of section 7 of Act IX of 1910.**— The <sup>5</sup>[\*] Electricity Act, 1910, shall, in its application to the Punjab, be amended as follows:—

In sub-section (4) of section 7 of the <sup>6</sup>[\*] Electricity Act, 1910, for the words “two years” the words “one year” shall be substituted.]

<sup>7</sup>[3-A]. **Notices.**— For the removal of doubts, it is hereby declared that the notice to be given under sub-section (4) of section 7 of the Act, is to be given not less than <sup>8</sup>[one year] before the specified date and that no further notice is necessary.

4. **Purchase.**— For the purposes of sub-section (3) of section 7 of the Act, a purchase shall be deemed to have been effected on such date as Government may appoint within a period of six months after the specified date, whether the purchase money has been paid or not:

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<sup>1</sup>For Statement of Objects and Reasons, see Government Gazette (Extraordinary), Punjab, dated June 16, 1938, p. 79; for Report of the Select Committee, see *ibid.*, 1938, Part V, pp. 225-230; for Proceedings in Assembly, see Punjab Legislative Assembly Debates, Volume V, pp. 45-47; Volume VI, p. 223 and Volume IX, pp. 787-806 and 936. This Act received the assent of the Governor-General on June 4, 1939 vide Notification No. 243, dated June 14, 1939, published in the Government Gazette, Punjab, Part I, dated June 16, 1939, p. 846.

<sup>2</sup>Omitted the word “Indian” by the Punjab Laws (Adaptation, Revision and Repeal) Act, 1954 (XV of 1955), published in the Punjab Gazette (Extraordinary), dated January 21, 1955, pp. 87-108, s. 2 read with First Schedule.

<sup>3</sup>*ibid.*

<sup>4</sup>Inserted by the Punjab Electricity (Amendment) Act, 1941 (XI of 1941) (w.e.f 01.11.1940), published in the Punjab Gazette, dated July 11, 1941, s. 3.

<sup>5</sup>Omitted the word “Indian” by the Punjab Laws (Adaptation, Revision and Repeal) Act, 1954 (XV of 1955), published in the Punjab Gazette (Extraordinary), dated January 21, 1955, pp. 87-108, s. 2 read with First Schedule.

<sup>6</sup>*ibid.*

<sup>7</sup>Re-numbered by the Punjab Electricity (Amendment) Act, 1941 (XI of 1941) (w.e.f 01.11.1940), published in the Punjab Gazette, dated July 11, 1941, s. 2.

<sup>8</sup>Substituted for the words “two years” by the Act *ibid.*

Provided that, with the consent of the parties concerned, any other date may be fixed for the purchase:

Provided also that the purchase money shall be paid to the licensee within a period not exceeding six months of the specified or fixed date for the purchase as the case may be, and if for any reason the purchase money is not paid within such period the licensee shall be entitled to interest at 1 per cent above the <sup>1</sup>[State Bank of Pakistan] rate from the expiry of such period.

**5. Computation of periods.**— When the period specified in the license for the purposes of sub-section (1) of section 7 of the Act is expressed as a year or a number of years, the specified date shall be deemed to fall on the day following the anniversary of the day on which the license was granted.

**6. Notice by Government.**— When a license has been granted to any person not being a local authority, and the whole of the area of supply is included in an area for which a single local authority is constituted, Government may issue notice of election of purchase to the licensee under sub-section (4) of section 7 of the Act, whether such notice has also been issued to the licensee by a local authority or not; and, in that event, if the local authority fails to give notice not less than <sup>2</sup>[one year] before the specified date or if it issues such notice but does not conclude the purchase, Government shall have the option of purchasing the undertaking.

**7. Powers of Government.**— Whenever Government engages in the business of supplying electrical energy, whether after purchase of an undertaking under section 7 of the Act or otherwise, it shall have all the powers of a licensee under the Act, subject to the same restrictions as those to which the powers of a licensee are subject.

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<sup>1</sup>Omitted the words "Reserve Bank of India" by the Punjab Laws (Adaptation, Revision and Repeal) Act, 1954 (XV of 1955), published in the Punjab Gazette (Extraordinary), dated January 21, 1955, pp. 87-108, s. 2 read with First Schedule.

<sup>2</sup>Substituted for the words "two years" by the Punjab Electricity (Amendment) Act, 1941 (XI of 1941) (w.e.f 01.11.1940), published in the Punjab Gazette, dated July 11, 1941, s. 4.