

**GOVERNMENT OF INDIA
POWER
LOK SABHA**

UNSTARRED QUESTION NO:2151

ANSWERED ON:24.08.2012

ELECTRICITY ACT

Jaiswal Shri Gorakh Prasad ;Kataria Shri Lal Chand;Patil Shri A.T. Nana;Patle Kamla Devi ;Singh Rajkumari Ratna;Singh Shri Bhola

Will the Minister of POWER be pleased to state:

- (a) whether the Government has set up any Central agency to monitor the workings of private companies engaged in the distribution of electricity under the Electricity Act, 2003;
- (b) if so, the details thereof;
- (c) the penal provision on violation of the stipulations of the terms of the Electricity Act, State Acts, Regulations and terms of licences with reference to the Section 146 of the Electricity Act, 2003;
- (d) the State-wise details of the private power distribution companies violating the said rules during the last three years and the current year;
- (e) the number of cases registered against these companies and the status of these cases during the last three years and the current year, company-wise;
- (f) whether the Government has carried out any enquiry at its level or has left it on the State Governments; and
- (g) if so, the details thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI K.C. VENUGOPAL)

(a)&(b): Under the Electricity Act, 2003, the Appropriate Commission, Central Electricity Authority (CEA), the Load Despatch Centres and District Committees have the responsibilities inter-alia of monitoring the workings of licensees engaged in the distribution to take care of public interest. The relevant provisions of the Act, viz., sections 79 and 86 dealing with the functions of Central Electricity Regulatory Commission (CERC) and State Electricity Regulatory Commissions (SERCs), section 73 dealing with the functions of CEA, sections 28 and 32 dealing with the functions of Load Despatch Centres and section 166 (5) dealing with the District Committees are at Annex.

(c): Section 146 of the Electricity Act, 2003 provides as under:-

‘Punishment for non-compliance of orders or directions- Whoever, fails to comply with any order or directions given under this Act, within such time as may be specified in the said order or direction or contravenes or attempts or abets the contravention of any of the provisions of this Act or any rules or regulations made thereunder, shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to one lakh rupees, or with both in respect of each offence and in the case of a continuing failure, with an additional fine which may extend to five thousand rupees for every day during which the failure continues after conviction of the first such offence.

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

The above section provides for punishment with imprisonment or fine or both for failure to comply with any order or directions given under the Act or contravention or attempts or abets the contravention of the provisions of the Act, rules or regulations.

(d)&(e): No case has been initiated under section 146 of the Act by the Commission during the past three years.

(f)&(g): For the purpose of distribution of power, the appropriate Government is the State Governments/Union Territories.