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Title: Discussion on the Electricity (Amendment) Bill, 2005 (Discussion not concluded).

THE MINISTER OF POWER (SHRI SUSHILKUMAR SHINDE): Sir, I beg to move :

"That the Bill further to amend the Electricity Act, 2003, be taken into consideration."

...(Interruptions)

MR. CHAIRMAN: Hon. Members, what is this going on in the House?

...(Interruptions)

MR. CHAIRMAN: I do not get the mandate for it. The hon. Speaker has not asked me to allow you to speak.

...(Interruptions)

SHRI KINJARAPU YERRANNAIDU (SRIKAKULAM): Sir, the House will give you the mandate for it. ...(Interruptions)

MR. CHAIRMAN: I have already told you that your notices will be duly taken and considered at the appropriate time.

...(Interruptions)

श्री यमजीलाल सुमन (फ़िरोज़ाबाद): आप पहले दो मिनट हमारी बात सुन लें। गुजरात का मामला बहुत गम्भीर है। ...\*

MR. CHAIRMAN: The time is allotted by the hon. Speaker for Legislative Business. Hence, I am asking the hon. Minister to move the Bill.

SHRI SUSHILKUMAR SHINDE: Sir, I have already moved the Bill. ...(Interruptions)

MR. CHAIRMAN: Shri Kiren Rijiju can start speaking on this Bill.

...(Interruptions)[r7]

श्री यमजीलाल सुमन : सभापति जी, हमें सिर्फ दो मिनट सुन लीजिए। यह बहुत महत्वपूर्ण मामला है। ...(Interruptions)

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\* Not recorded

MR. CHAIRMAN : I cannot allow anybody.

...(Interruptions)

श्री थावरचन्द गेहलोत (शाजापुर): जब कोर्ट में मामला विचारणीय है तो यहां चर्चा कैसे हो सकती है? सुप्रीम कोर्ट उसमें सुनवाई कर रहा है, तो इस पर चर्चा करने की यहां क्या आवश्यकता है? ...(Interruptions)

MR. CHAIRMAN: Nothing will go on record, except the speech of the hon. Minister.

...(Interruptions)

SHRI SUSHILKUMAR SHINDE: Sir, the Electricity (Amendment) Bill, 2005 was introduced in Lok Sabha in December, 2005. It was referred to the Standing Committee on Energy for examination and giving their report. The Standing Committee submitted its report in May, 2006. I extend my deep appreciation to the Committee which supported the amendments proposed by us and to have also made valuable observations and suggestions on these issues.

The provisions of the Electricity Act, 2003 have been generally welcomed by various stakeholders. The National Common Minimum Programme (NCMP) of the UPA Government envisaged a review of the Act in view of the concerns expressed by some of the States. The amendments proposed by the Government are in follow-up of the review of the Act. We have provided in the Bill that the Central Government also shall jointly with the State Governments endeavour to provide access to electricity to all areas including villages and hamlets through rural electricity infrastructure and electrification of households.

The Central Government has launched the Rajiv Gandhi Grameen Vidyuteekaran Yojana for supporting States in creating rural electricity infrastructure and electrification of households with provision of 90 per cent capital subsidy to fulfill the objective of NCMP of electrification of all households in the next five years. There has, however, been a suggestion that the legal provision

should be amended to reflect that the Central Government will also share the responsibility of rural electrification.

The Act presently provides for the reduction and elimination of cross subsidies. Rationalization of electricity tariff is essential for making the sector financially viable and for promoting energy efficiency. Very high-level of cross subsidies lead to high electricity tariffs for our industries adversely affecting their competitiveness. The tariff policy notified by the Government under the provisions of the Act gives a roadmap for reduction of cross subsidies. However, elimination of cross subsidies may not be feasible in the near future. Therefore, the Bill proposes deleting the provision of elimination of cross subsidies.[\[r8\]](#)

This is a major change that we would like to bring in. We will continue to pursue a progressive reduction of cross subsidies .

Another amendment proposed in the Bill is for clarifying that the theft of electricity is a cognizable offence to enable the police to investigate such offences. Keeping in view the recommendation of the Standing Committee, the language of this amendment is being now rephrased to make it unambiguous.

We have also proposed to provide that a special court shall be competent to take cognizance of the offence without the accused being committed to it for trial. The theft, as you would appreciate, has been the bane of the electricity sector. The Electricity Act carries provisions to curb theft and other offences in this sector. The Government has further revisited the provisions related to the control of the theft with a view to making them more effective and also to consider the suggestion of the States for the same. The amendments to the Electricity Act passed sometime back by West Bengal have been particularly looked at. I propose official amendments to the Bill for the further strengthening of the provisions of the Act for control of theft of electricity.

One more official amendment proposed to the Bill is to clarify that the captive power plants are free to supply their surplus power to a distribution licensee or a consumer without the need of a licence. The Supreme Court had given a decision and that is why this amendment has been brought in this Bill.

MR. CHAIRMAN : Electricity being a concurrent subject, you must have consulted the State Governments also.

SHRI SUSHILKUMAR SHINDE: We have consulted the State Governments also. Not only that, we have consulted some Members of Parliament and some Parties also. Whatever is good has been taken. That is why I mentioned the name of the West Bengal Bill. Their Bill has been proving to be very good. That is why we have taken some of the provisions from that.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Electricity Act, 2003, be taken into consideration."

SHRI P. KARUNAKARAN (KASARGOD): The Government has introduced the Bill without any notice. We have made this issue  
â€¦(Interruptions)

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYA RANJAN DASMUNSI): I think you are wrong in the procedure. It is not introduction. Introduction was done, Standing Committee has considered it. It is at the consideration stage now. Consideration does not need notice. â€¦ (Interruptions)

SHRI SUSHILKUMAR SHINDE: The Bill has already been introduced. These are just amendments. ... (Interruptions)

MR. CHAIRMAN: There is ample scope for discussion. In the discussion all those things will come.

Shri Kiren Rijiju only will speak now.

SHRI KIREN RIJIJU (ARUNACHAL WEST): Mr. Chairman, Sir, this is a very important amendment Bill and I fully support the amendments being moved. But this amendment Bill is not very comprehensive and the Government could have considered some more points.

With regard to the amendment which the Hon. Minister has just mentioned on the connectivity in the villages, the Electricity Act

of 2003 was widely supported by all Parties. The people in general accepted that important Act. However, there are some debatable points in that Act. That Act says that if one school or one community centre in a village is connected with electricity, that village is treated as electrified. After the Rajiv Gandhi Vidyudikaran Yojna was launched, the Government is now saying that there is now more relevance of the Electricity Act of 2003. How is the Government going to ensure that each and every household in the country is connected with electricity? That is very important. I hope the hon. Minister will take certain steps to consider this point which was mentioned in the amendment to Section 6 of the Act.

In various other sections, elimination of cross subsidies has been talked about. I feel that more consultation with the State Governments was required in this. I am totally in agreement with the fact that cross subsidies cannot be completely eliminated at this stage. For that we need more consultation with different players in the power sector, the stakeholders, the State Governments and the Ministry of Power. It is only after a much more comprehensive discussion that a solution to this can come. [\[KMR9\]](#)

But there is no time frame given by the Government to do away with the elimination of cross-subsidies.

Secondly, the hon. Minister mentioned about Section 151, which is about the offences being committed, frauds in meter-readings committed throughout the country, etc. For that, may I know how the Government is going to check it? It is a very important issue; nearly 30 per cent of the power is being lost in the country in the process of transmission and distribution.

I am very much thankful to the hon. Minister because most of the recommendations of the Standing Committee have been accepted. They have been deliberated upon at length in the Standing Committee and the hon. Minister is kind enough to accept most of them. For dealing with the offences, of course, he is going to constitute special courts to try the cognizable offences committed by the perpetrators. ...*(Interruptions)*

**प्रो. रासा सिंह रावत :** सभापति महोदय मेरी एक आपत्ति है। इस बिल में माननीय विद्युत मंत्री जी का नाम न होकर संसदीय कार्य मंत्री का नाम है। इसका क्या कारण है? ...*(व्यवधान)*

**श्री करिन रिजीजू :** यह मेरी पार्टी के माननीय सदस्य हैं। ...*(व्यवधान)*

**प्रो. रासा सिंह रावत :** मैं संवैधानिकता और संसदीय परम्परा की दृष्टि से आपका ध्यान आकर्षित करना चाहता हूँ। बिल के उद्देश्य और कारण के अंत में माननीय विद्युत मंत्री जी का नाम आना चाहिए था। ...*(व्यवधान)*

MR. CHAIRMAN : Please sit down. He is making his speech. You cannot speak now. Please sit down. Nothing is going on record.

*(Interruptions) \**

**श्री करिन रिजीजू :** महोदय, हम इसमें आपकी रूनिंग चाहते हैं।

**प्रो. रासा सिंह रावत :** इसमें विद्युत मंत्री जी का नाम नहीं है। इसमें संसदीय कार्य मंत्री, श्री प्रियरंजन दासमुंशी जी का नाम आया है। जो विभाग इस बिल को लाता है, उस विभाग के मंत्री का नाम होता है। यहां संसदीय कार्य मंत्री का नाम कैसे आया है? I want to draw your attention. ...*(Interruptions)*

MR. CHAIRMAN: How can two hon. Members speak at the same time?

*...(Interruptions)*

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\* Not recorded

PROF. RASA SINGH RAWAT : You may kindly clarify this. ...*(Interruptions)*

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI B.K. HANDIQUE): Let the discussion go on. ...*(Interruptions)* I promise you that I will look into it. ...*(Interruptions)*

MR. CHAIRMAN: Okay, Shri Rijju may continue.

**श्री लक्ष्मण सिंह (राजगढ़):** मंत्री जी को सदन से माफी मांगनी चाहिए। ...*(व्यवधान)*

**श्री करिन रिज्जू :** यहां विद्युत मंत्री जी का नाम न देकर बहुत बड़ी गलती की है। इस पेपर में संसदीय कार्य मंत्री जी का नाम मेशन किया गया है। ...*(व्यवधान)*

**श्रीमती करुणा शुक्ला (जांजगीर):** सभापति महोदय, माननीय विद्युत मंत्री जी की उपेक्षा की जा रही है। ...*(व्यवधान)*

SHRI B.K. HANDIQUE: I understand the point. *â€¦ (Interruptions)*

MR. CHAIRMAN: Only one hon. Member at a time may speak. Please be seated. Shri Rijju is on his legs. Only if he agrees to yield, the other hon. Member can speak. Please sit down.

...*(Interruptions)*

SHRI B.K. HANDIQUE: I understand the point. I promise that I will look into the matter. Till then, let the discussion go on. *â€¦ (Interruptions)*

**श्री करिन रिज्जू :** गोयल साहब, आप माननीय मंत्री जी को माफी मांगने के लिए कह दीजिए। इससे मामला सुलझ जाएगा। ...*(व्यवधान)* इसमें सुधार किया जा सकता है। ...*(व्यवधान)*

**श्री लक्ष्मण सिंह :** संसदीय कार्य मंत्री पहले माफी मांगें। ...*(व्यवधान)* ऐसे में सदन नहीं चलेगा। ...*(व्यवधान)*

PROF. RASA SINGH RAWAT : It is a blunder on the part of the Government. ...*(Interruptions)*

MR. CHAIRMAN: Please be seated.

...*(Interruptions)*

PROF. RASA SINGH RAWAT : Sir, there is a point of order. ...*(Interruptions)*

MR. CHAIRMAN: The point of order is being answered by the hon. Minister. You may please be seated.

...*(Interruptions)*

SHRI B.K. HANDIQUE: In the year 2005, the then Power Minister, Shri P.M. Sayeed passed away. ...*( Interruptions)* Let me finish. ...*(Interruptions)* [\[MSOffice10\]](#)

When Shri P.M. Sayeed passed away at that time this entire matter was handled by Shri Priyaranjan Dasmunsi as the Minister of Parliamentary Affairs. This Bill was printed during that time and that printed Bill is before the House. If any correction is required we can do it.*â€¦ (Interruptions)*

PROF. RASA SINGH RAWAT : Sir, I am raising a point of order under Rule 376...*( Interruptions)* This is understood....*(Interruptions)*

SHRI SUSHILKUMAR SHINDE: Sir, if you see in the notice of amendments to the Electricity (Amendment) Bill, name of Sushil Kumar Shinde is mentioned here....*(Interruptions)*

**प्रो. रासा सिंह रावत :** यह नियम 376 के अधीन प्वाइंट ऑफ आर्डर है।...*(व्यवधान)* Why Shri P.R. Dasmunsi's name is appearing here?...*(Interruptions)*

**श्री प्रियरंजन दासमुंशी:** रासा सिंह जी, आपने स्पष्टीकरण मांगा है इसलिए मैं आपसे हाथ जोड़कर विनती करता हूँ...*(व्यवधान)* All the amendments are listed in the name of our distinguished Minister of Power, Shri Sushil Kumar Shinde. Parliament is aware that a Bill may be introduced by a Minister of the earlier Government and that Bill continues to carry that name. It is the tradition. Even when the Bills introduced by the NDA Government are taken up in the House, they originally carry the name of Minister who introduced it. It so happened, Sir, that when our former Minister of Power Shri P.M. Sayeed died, temporarily till the new assumption was given I was asked to deal the Parliamentary obligations on behalf of Shri Sayeed. That is why if the introduction was done in my name at that time it does not mean that it has ceased out of the system. Amendments came in Shri Shinde's name when he assumed the charge. That is all I want to clarify.

**श्री करिन रिज्जू :** मैं ज्यादा समय न लेते हुए अपनी बात समाप्त करता हूँ।

I was talking about the issue of theft. Hon. Minister is a very experienced person. We must form a Committee. You must involve all the stake holders together and work seriously because this has been the topic of discussion for many-many times that 30 per

cent of the power is being lost on the way during transmission and distribution process. A committee must be constituted involving all the experts and stake holders to see how this can be checked.

I come from a State which is averse with power. People are living without power. In various villages in the country we see electricity poles and transmission lines but the people living there are in darkness. Electricity Bill 2003 was a revolutionary one and this is a step towards achieving the objective of Electricity Act, 2003. This is a very important Bill and I support the Bill with the suggestions that I have given. I believe that the hon. Minister will consider those points.

SHRI K.S. RAO (ELURU): Sir, I am happy that the hon. Minister has brought this amendment Bill. When all the Members of Parliament go to the villages, particularly in hamlets and areas where poor people live, they come to our rescue saying they do not have power supply. They request us to get them stand poles so that the lines can be drawn to that area. If we ask the State Governments they take years to do this. Power, which is being enjoyed by us, should not be the privilege of only the urban areas or the richer sections. That is why this Government has taken the decision to share the responsibility of providing electricity to all the villages.

We all know, Sir, today it will be economical to lay a pole and carry the line in cities because there will be thousand of houses which will share power whereas if the same power is to be taken to a village it requires a line to be drawn for kilometers together. That means to give connection to 100 poor people houses, it may cost lakhs and crores of rupees.[\[R11\]](#)

**14.00 hrs.**[\[R12\]](#)

Here is a Minister who has taken the responsibility and 90 per cent of capital subsidy is being given by the Government. Does any Member say that this facility should not be given or that it should be delayed further? This is in the interest of the poor people and the villages. Suppose we delay this, then what would happen? The people who are living in the villages are all flocking and migrating to urban areas. With the result, a lot of problems like law and order and *jhuggi-jhopri* are being created.

MR. CHAIRMAN : Hon. Members, it is time for Private Members' Business. So, you can continue afterwards.

**14.01 hrs.**

MR. CHAIRMAN: Now we will take up Private Members' Business.

Shri Mohan Singh – Not present.