

ORISSA ACT 15 OF THE ORISSA ELECTRICITY (DUTY) AMENDMENT ACT, 1980

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ORISSA ACT 15 OF 1980

***THE ORISSA ELECTRICITY (DUTY) AMENDMENT
ACT, 1980**

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AN ACT TO AMEND THE ORISSA ELECTRICITY (DUTY) ACT, 1961

BE it enacted by the Legislature of the State of Orissa in the Thirty-first Year of the Republic of India, as follows :—

Short title
and
commence-
ment.

1. (1) This Act may be called the Orissa Electricity (Duty) Amendment Act, 1980.

(2) Clause (c) of section 3 shall come into force at once and the remaining provisions of this Act shall be deemed to have come into force on the 18th day of August, 1979.

Amendment
of section 2.

2. In section 2 of the Orissa Electricity (Duty) Act, 1961 (herein- Orissa Act
14 of 1961. after referred to as the principal Act),—

(a) in clause (e) the following words shall be omitted, namely :—

“and includes any person who has obtained the sanction in that behalf of the State Government under section 28 of the said Act” ;

(b) in clause (g), for the explanation the following explanation shall be substituted, namely :—

“Explanation—For the purposes of sub-clause (iii),—

(a) ‘unit charge’ means the charge for the energy actually consumed, and

(b) ‘fixed charge’ means kilovolt ampere demand charge or reservation charge on maximum demand actually recorded.”

Amendment
of section 3.

3. In section 3 of the principal Act,—

(a) in sub-section (2), for clauses (iii) and (iv) the following clauses shall be substituted, namely :—

“(iii) generated by a person or a licensee other than a Board and supplied free of charge to a consumer ; or

(iv) used or consumed by a person or a licensee who, not being a Board, generates such energy for his own use or consumption.”;

(b) for sub-section (3), the following sub-section shall be substituted, namely :—

“(3) The rate charged for the purposes of sub-section (2) shall be the rate charged by the Board for consumption of energy in respect of similar categories of consumers.”

(c) in sub-section (4), after clause (b) the following new clause shall be inserted, namely :—

“(c) the State Government may, by notification and subject to such conditions as they may impose, exempt any industry which has started production at any time after the 31st day of July, 1980 from payment of electricity duty to such extent and for such period as may be specified in the notification”.

4. Nothing contained in section 11 of the principal Act shall apply to any act or omission which, but for the amendments made by this Act, would not have been an offence within the meaning of the said section.