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बुधवार, नोव्हेंबर २९, १९७८/अग्रहायण ८, शके १९००

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill was introduced in the Maharashtra Legislative Assembly on 29th November 1978 :—

L. A. BILL No. XLIII OF 1978.

*A BILL*

*further to amend the Bombay Electricity Duty Act, 1958*

WHEREAS both Houses of the State Legislatures were not in session;

Bom. XL of 1958. Mah. Ord. VII of 1978. AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Bombay Electricity Duty Act, 1958, for the purposes hereinafter appearing; and, therefore, promulgated the Bombay Electricity Duty (Amendment) Ordinance, 1978 on the 20th September 1978;

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AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; It is hereby enacted in the Twenty-ninth Year of the Republic of India as follows :—

Shrot title and commencement.

1. (1) This Act may be called the Bombay Electricity Duty (Second Amendment) Act, 1978.

(2) It shall be deemed to have come into force on the 1st September 1978.

Amendment of Schedule to Bom. XL of 1958.

2. In the Schedule to the Bombay Electricity Duty Act, 1958, for Part G, the following Part shall be substituted, namely :—

Bom.  
XL  
1958.

### “PART G

In respect of premises used by an industrial undertaking for consumption of energy therein (excluding any part thereof used for residential, commercial or office purpose), and used for studio lighting—

(1) In the case of an electro-chemical or electro-metallurgical industrial undertaking, on an application to the State Government in the prescribed form,—

(i) if in the opinion of the State Government, the price of energy consumed by the undertaking constitutes more than 10 percent but less than 25 per cent of the total cost of production incurred by it;

(ii) if in the opinion of the State Government, the price of energy consumed by the undertaking constitutes 25 per cent or more of the total cost of production incurred by it.

(a) For consumption of energy supplied at low tension— $\frac{1}{2}$  paise per unit,

(b) For consumption of energy supplied at high tension—3 paise per unit.

(x) Where the undertaking pays for the energy consumed by it at the rates prescribed in the Standard Tariff schedule—

(A) for consumption of energy supplied at low tension—Nil.

(B) for consumption of energy supplied at high tension— $2\frac{1}{2}$  paise per unit.

(y) Where the undertaking is a consumer of low tension energy and pays for the energy consumed by it at a concessional rate agreed upon between the licensee and the undertaking— $\frac{1}{4}$  paise per unit.

(z) Where the undertaking is a consumer of high tension energy and pays for the energy consumed by it at a concessional rate agreed upon between the licensee and the undertaking— $2\frac{3}{4}$  paise per unit.

(2) For studio lighting . . . . . 5 paise per unit.

*Explanation.*—For the purposes of clause (1) above—

(I) “low tension energy” means, any energy supplied, the voltage of which does not exceed 450 volts under normal conditions, subject, however, to the percentage variations allowed by the Indian Electricity Rules, 1956;

(II) “high tension energy” means, any energy supplied, the voltage of which exceeds 450 volts under normal conditions, subject, however, to the percentage variations allowed by the said rules;

(III) “Standard Tariff Schedule” means, the Tariff Schedule prescribed by the licensee for general application to the class of consumers concerned.”.

Mah.  
Ord.  
VII of  
1978.

3. (1) The Bombay Electricity Duty (Amendment) Ordinance, 1978, is hereby repealed.

Repeal of  
Mah. Ord.  
VII of 1978  
and saving.

Bom.  
XL of  
1958.

(2) Notwithstanding such repeal, anything done or any action taken under the Bombay Electricity Duty Act, 1958, as amended by the said Ordinance, shall be deemed to have been done or taken, as the case may be, under the said Act, as amended by this Act.

## STATEMENT OF OBJECTS AND REASONS

Under the Bombay Electricity Duty Act, 1958, a duty is levied on consumption of electrical energy used for different purposes at different rates. The tariff of the Maharashtra State Electricity Board for agricultural consumers is reduced by Government with effect from the 1st September 1978. Also exemption has been granted from payment of the whole electricity duty payable under sub-clause (a) of Part H of the Schedule to the Act, when electricity is consumed for agricultural purposes. This reduction in agricultural tariff and exemption from duty involved a loss of revenue to Government worth Rs. 12 crores per annum. To make up this loss, it was necessary to increase the rate of electricity duty by 2½ paise per unit, for the industrial consumers of high tension energy, the voltage of which exceeds 450 volts under normal conditions. This increase will yield approximately the required revenue to make up the loss. To achieve this object, it was necessary further to amend the Bombay Electricity Duty Act, 1958, suitably.

2. As both Houses of the State Legislature were not in session and it was necessary to take immediate action to amend the Act for the purposes aforesaid, the Bombay Electricity Duty (Amendment) Ordinance, 1978, was promulgated by the Governor of Maharashtra on the 20th September 1978. The Bill is intended to replace the Ordinance by an Act of the Legislature.

Bombay, dated 6th November 1978.

S. B. CHAVAN,  
Minister for Energy.

GOVERNOR'S RECOMMENDATION UNDER ARTICLE 207 (1)  
OF THE CONSTITUTION OF INDIA

*(Copy of Government of Maharashtra Order, Law and Judiciary Department,  
dated 6th November 1978.)*

In exercise of the powers conferred upon him by clause (1) of article 207 of the Constitution of India, the Governor of Maharashtra is pleased to recommend to the Maharashtra Legislative Assembly the consideration of the Bombay Electricity Duty (Second Amendment) Bill, 1978.

G. S. NANDE,  
Secretary,

Nagpur, dated 29th November 1978. Maharashtra Legislative Assembly.