

Effect on Existing Central Legislation

Effect of the Act on the Indian Electricity Act, 1910 and the Electricity (Supply) Act, 1948.-

(1) Except as provided in section 61 of this Act, the provisions of this Act, notwithstanding that the same are inconsistent with or contrary to the provisions of the Indian Electricity Act, 1910 (Central Act No. 9 of 1910) or the Electricity (Supply) Act, 1948 (Central Act No. 54 of 1948) shall prevail the manner and to the extent provided in sub-section (3)

(2) Subject to sub-section (1) in respect of all matters in the Indian Electricity Act, 1910 (Central Act No. 9 of 1910) and the Electricity (Supply) Act, 1948 (Central Act No. 54 of 1948) with which Board has been concerned or dealing with, upon the constitution of the Commission, the functions of the Board shall be discharged by the Commission and the Corporation :
Provided that,-

(a) The State Government shall have the power to issue all policy directives and undertake overall planning and co-ordination as specified in section 12 of this Act and to this extent the powers and functions of the Board as per the provisions of the Indian Electricity Act, 1910(Central Act No. 9 of 1910) and the Electricity (Supply) Act, 1948 (Central Act No. 54 of 1948) or rules made thereunder shall vest in the State Government and the State Government shall co-ordinate and deal with the Central Government and the Central Electricity Authority;

(b) In respect of such matters which the Commission directs in terms of a general or special order or in the regulations or in the licence as the case may be in generating company or companies, the licensees or other body corporate as may be designated by the Commission shall discharge the functions of the Board under the Indian Electricity Act, 1910 (Central Act No. 9 of 1910) and the Electricity (Supply) Act, 1948 (Central Act No. 54 of 1948) to the extent directed by the Commission or specified in licences.

(3) Subject to sub-section (1) and sub-section (2) of this section, upon the establishment of the Commission the provisions of the Indian Electricity Act, 1910 (Central Act No. 9 of 1910) and the Electricity (Supply) Act, 1948 (Central Act No. 54 of 1948) shall , in their application to this State be read subject to the following modifications and reservations