



# Bombay Government Gazette.

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*Separate paging is given to this Part, in order that it may be filed as a separate compilation.*

## PART VI.

### BILLS OF THE GOVERNMENT OF INDIA.

#### LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 21st October 1886:—

#### Bill No. 26 of 1886.

*A Bill to regulate the supply of electricity for lighting and other purposes.*

WHEREAS it is expedient to regulate the supply of electricity for lighting and other purposes; It is hereby enacted as follows:—

Short title, extent and commencement. 1. (1) This Act may be called the Electricity Supply Act, 1887.

(2) It shall extend to the whole of British India; and

(3) It shall come into force at once.

2. In this Act, unless there is something repugnant in the subject or context,—

(1) "electricity" includes galvanism, magnetism, magneto-electricity and electro-magnetism :

(2) "telegraph", "message", "telegraph line", "post", "telegraph authority" and "local authority" have the meanings respectively assigned to those expressions in the Indian Telegraph Act, 1885: and

(3) "purpose" includes any purpose except the transmission of a message or the use of electricity in medical treatment.

3. Save as provided in this Act, electricity shall not be supplied for a price by any person for any purpose without a

Prohibition of supply of electricity without license.

license from the Governor-General in Council authorizing the person in that behalf.

4. (1) The Governor-General in Council may from time to time license any person to supply electricity for any purpose, and in any local area, specified in the license.

(2) The license may prescribe the duties of the licensee and provide for the revocation of the license on his failure to perform any of those duties, and generally may contain such regulations and conditions as the Governor-General in Council thinks expedient.

(3) By a license granted under this section the Governor-General in Council may, subject to such conditions as he thinks fit to impose, confer on the licensee, with respect to the placing of appliances and apparatus for the supply of electricity, any of the powers which the telegraph authority possesses under the Indian Telegraph Act, 1885, with respect to the placing of telegraph lines and posts for the purposes of a telegraph established or maintained by the Government or to be so established or maintained. XIII of 1885.

(4) The Governor-General in Council may from time to time amend, add to or cancel any of the regulations and conditions contained in a license; and withdraw any of the powers conferred by a license or impose amended or additional conditions with respect to the exercise of those powers.

5. (1) Section 3 shall not apply to any person supplying electricity for certain persons without any purpose in any local area at the time of the passing of this Act so far as regards the supply of electricity for that purpose within that area.

(2) If any question arises with respect to the purpose or the local area for or in which electricity was being supplied at that time, it shall be decided by an authority to be appointed by the Governor-General in Council in that behalf, and the decision of that authority on the question shall be final.

6. (1) Notwithstanding any thing in the last foregoing section, the Governor-General in Council may, on the application of any person supplying electricity for any purpose in any local area at the time of the passing of this Act, grant to the person a license for that purpose in that area under the provisions of section 4.

(2) Where a license is granted under sub-section (1), it shall supersede any engagement between the person to whom it is granted and any local authority with respect to the conditions on which electricity may be supplied by that person for the purpose, and in the local area, specified in the license.

7. If a person does either of the following things, namely,—

- (a) being a person to whom section 3 is applicable, supplies electricity for a price without a license, or,
- (b) having a license under this Act, commits or suffers to be committed a breach of any duty prescribed in the license or of any regulation or condition contained therein,

he shall be punished with fine which may extend to one thousand rupees, and, in the case of a continuing offence, with a further fine which may extend to two hundred rupees for every day during which the electricity is supplied or the breach of the duty, regulation or condition continues.

8. (1) The Governor-General in Council may from time to time make such rules as he thinks expedient for protecting the public in person and property from injury by reason of contact with, or the proximity of, appliances or apparatus used

in the supply of electricity, and for preventing telegraph lines from being injuriously affected by any of those appliances or apparatus.

(2) A rule under this section may apply to the appliances and apparatus of a person not having a license under this Act as well as to those of a person having a license thereunder.

(3) In making a rule under this section, the Governor-General in Council may direct that a breach of it shall be punishable with fine which may extend to one thousand rupees and, in the case of a continuing breach, with a further fine which may extend to two hundred rupees for every day during which the breach continues.

9. (1) The Governor-General in Council shall, before making rules under the last foregoing section, publish, in such manner as he deems sufficient, a draft of the proposed rules for the information of persons likely to be affected thereby.

(2) There shall be published with the draft a notice specifying a date at or after which the draft will be taken into consideration.

(3) The Governor-General in Council shall receive and consider any objection or suggestion which may be made by any person with respect to the draft before the date so specified.

(4) The publication in the *Gazette of India* of a rule purporting to be made under the last foregoing section shall be conclusive proof that it has been duly made.

(5) Rules under that section may from time to time be amended, added to or cancelled by the Governor-General in Council.

10. Nothing in this Act shall prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence under section 7 or against a rule under section 8, or from being liable under that other law to any other or higher punishment or penalty than that provided by section 7 or a rule under section 8:

Provided that a person shall not be punished twice for the same offence.

#### STATEMENT OF OBJECTS AND REASONS.

The primary object of this Bill is to empower the Governor-General in Council to make rules (a) for protecting the public in person and property from injury by reason of contact with, or the proximity of, appliances or apparatus used in the supply of electricity for lighting, and (b) for preventing telegraph-lines from being injuriously affected by any of those appliances or apparatus.

2. The danger to the public from electric light connections arises from the fact that currents of great strength are used in the production of the light, the currents being powerful enough to cause death to any person, or set fire to any inflammable material coming in contact with the wires while the currents are passing, that is to say, while the lamps are being used. Protection may be afforded either by placing these wires or connections in such a position that contact with them is impossible, or by so covering them with insulating material that contact with them is innocuous.

Interference with telegraph and telephone signals is caused by obstructive currents being induced in the telegraph and telephone wires when the electric light wires pass within a certain distance of them. The remedy is to arrange that the electric light wires shall be placed sufficiently far off. It is impossible of course to determine what the safe distance is without knowing the strength of the current employed for the electric light, which again varies with the number of lamps in circuit, but the distance can be determined from time to time with reference to the maximum current to be used in any particular local area.

3. A company desiring to supply electricity in any local area for any purpose must, if the company was not supplying it in that area for that purpose at the time of the passing of the Act, obtain a license from the Governor General in Council. By this license the Governor-General in Council may impose such regulations and conditions as he thinks expedient, and confer on the licensee, with respect to the placing of appliances and apparatus for the supply of electricity, any of the powers which the telegraph-authority possesses under the Indian Telegraph Act, 1885, with respect to the placing of telegraph lines and posts for the purposes of a telegraph established or maintained by the Government or to be so established or maintained.

Companies which were supplying electricity in any local area for any purpose at the time of the passing of the Act may elect to continue supplying it without a license, and therefore without the obligations which may be imposed, or the privileges which may be conferred, by a license.

(Signed) T. C. HOPE.

*The 21st October 1886.*

S. HARVEY JAMES,  
Officiating Secretary to the Government of India.

THE



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PART VI.

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