

The U.P. Electric Wire and Transformers (Prevention and Punishment of Theft) Rules, 1977

UTTAR PRADESH

India

The U.P. Electric Wire and Transformers (Prevention and Punishment of Theft) Rules, 1977

Rule

THE-U-P-ELECTRIC-WIRE-AND-TRANSFORMERS-PREVENTION-AND- of 1977

- Published on 1 January 1977
- Commenced on 1 January 1977
- [This is the version of this document from 1 January 1977.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Electric Wire and Transformers (Prevention and Punishment of Theft) Rules, 1977Published vide Notification No. 468-P-3/77-23, dated February 25, 1977In exercise of the powers under Section 9 of the Uttar Pradesh Electric Wire and Transformers (Prevention and Punishment of Theft) Act, 1976 (U.P. Act No. 42 of 1976), the Governor is pleased to make the following Rules :

Chapter I Preliminary

1. Short title and commencement.

- (i) These Rules may be called the Uttar Pradesh Electric Wire and Transformers (Prevention and Punishment of Theft) Rules, 1977.(ii)They shall come into force at once.

2. Definitions.

- In these Rules unless the context otherwise requires,-(a)"Form" means a form appended to these Rules;(b)"Licence" means a licence granted by the Licensing Authority under Rule 4 of these rules;(c)"Act" means the Uttar Pradesh Electric Wire and Transformers (Prevention and Punishment of Theft) Act, 1976 (U. P. Act No. 42 of 1976);(d)"Section" means a section of the Act;(e)Words and expressions not used in these rules and defined in the Act shall have the meanings

assigned to them in the Act.

Chapter II

3. Licensing of dealers [Section 3 (1)].

- (i) No person shall carry on business of purchase or sale of aluminium or copper or store it for carrying on such business unless he obtains a licence from the 'Licensing Authority' of the district in which he ordinarily resides and carries on business. (ii) A separate licence shall be necessary for each place of business or store.

4. Issue of licence [Section 3 (2)].

- (i) Every application for a licence shall be made to the Licensing Authority in Form 'A'. (ii) Every application for the renewal of a licence shall be made so as to reach the Licensing Authority at least fifteen days before the date of expiry of the licence. The application for renewal of licence shall be in Form 'B'. (iii) Every licence issued or renewed under these rules shall be in Form 'C'.

5. Validity of licence [Section 3 (2)].

- (i) A licence issued under these rules shall be valid up to the 31st day of December of the year in which it is issued and may be renewed for a further period of one year : Provided that if an application for renewal of licence is made for less than one year, it shall not be refused merely on the ground that it has not been made for one year. (ii) [The fee specified below shall be charged in respect of each licence and shall be credited to the head "120 - Udyog-ka Samanya (kha) Anugyapti Shulk" ke adheen ek prathak upsheershak "Aluminium Tatha Tambey ke Byapariyon se Uttar Pradesh Bijli ke Tar aur Transformer (Chori ka Nivaran Tatha Dand) Niyamawali ke adheen Prapt Anugyapti Shulk" : [Substituted by Notification No. 5242-P-3/78-23, dated 8th December, 1978.]

Rs.

- | | |
|--------------------------------------|------|
| (a) for issue of licence | 200 |
| (b) for renewal of licence | 50 |
| (c) for issue of a duplicate licence | 50.] |

6. Power to refuse licence.

- The Licensing Authority may, after affording the applicant an opportunity of being heard or stating his case in writing may refuse to grant or renew a licence for reasons to be recorded in writing.

7. Suspension or cancellation of licence [Section 3 (2)].

- (i) If the Licensing Authority is satisfied that a licensee or his agent or any other person acting on his behalf has contravened any of the provisions of these rules or of the Act or of any of the terms

and conditions of the licence, he may without prejudice to any other action that may be taken against the licensee or other persons as aforesaid, suspend or cancel the licence :Provided that no order shall be made under this clause unless the licensee has been given an opportunity of furnishing an explanation in respect of the allegations made against him.(ii)A copy of the order suspending or cancelling a licence shall be given to the licensee also.

8. Appeals [Section 3 (2)].

- Any person aggrieved by any order of the Licensing Authority refusing to grant or renew a licence or suspending or cancelling a licence may appeal to the State Government or to any officer authorised by the State Government in this behalf, within 30 days of the receipt of such order and the State Government or the officer as aforesaid may pass such orders on the appeal as may in the circumstances appear to it or him to be just and proper.

9. Restriction on storage [Section 3 (3)].

- (i) Where at any time any person has in his stock aluminium or copper in any quantity exceeding 5 (five) quintals each, he shall, for purposes of Section 3 be deemed to have stored it for carrying on the business of purchase or sale of such aluminium or copper.(ii)[Where at any time any person has in his stock aluminium or copper in any quantity exceeding 7 (seven) quintals each, he shall for purposes of Section 3 be deemed to have stored it for carrying on the business of purchase or sale of such aluminium or copper.] [Substituted by Notification No. 5242-P-3/78--23, dated 8th December, 1978.]

10. Maintenance of registers and accounts [Section 3 (2)].

- (i) A licensee shall keep at every place of storage of stocks a register of stocks in Form 'D' and a separate register for sale and purchase of the stocks in Form 'E'.(ii)The entries in the prescribed registers shall be made as soon as a transaction takes place and shall be kept ready for inspection whenever required.(iii)[A licensee shall submit to the Licensing Authority on the first working day of every month a return showing the transactions made during the preceding month and the position of stocks of aluminium or copper held by him at the close of the month concerned. The return of transactions regarding purchase and sale of stocks shall be submitted in Form 'E' and that for the position of stocks held, in Form 'F' : [Substituted by Notification No. 5242-P-3/78--23, dated 8th December, 1978.]Provided that a licensee who keeps stock of eight quintals or less of copper or aluminium each shall not be required to maintain the registers under clause (i) and to submit returns under clause (iii)].Form 'A'Application for Issue of Licence[See Rule 4 (i)]ToDistrict Magistrate,I am a dealer/stockist/manufacturer of aluminium or copper goods. I have in stock at the moment quintals of aluminium and quintals of copper at House/Shop No. Mohalla Town I have deposited a sum of Rs. 200 in the Treasury vide Treasury Challan No.....I pray that a licence for stocking/dealing/manufacture of quintals of Aluminium or copper goods be provided to me.

Signature.....

Place Name of the applicant

Date Father's name and address

Form 'B'[See Rule 4 (ii)]Application for Renewal of Licence to Stock/Deal/Manufacture Aluminium or Copper goodsTo,District Magistrate,I am a licensee to stock/deal/manufacture quintals of aluminium or quintals of copper goods at House/Shop No., Mohalla town is..... My licence No..... is enclosed for ready reference. I have deposited a sum of Rs. 50 in Treasury vide Treasury Challan No.....I pray that my licence be renewed for one year.

Signature.....

Place Name of the applicant

Date Father's name and address

Form 'C'[See Rule 4 (iii)]Licence to stock/deal/manufacture Aluminium or Copper goods

1. Name of Stockist/Dealer/Manufacturer

2. Parentage of Stockist/Dealer/Manufacturer

3. Address of Stockist/Dealer/Manufacturer

He is permitted to stock/deal/manufacture quintals of Aluminium and quintals of Copper goods for the year 19. at Shop/House No....., Mohalla TownSignature and Seal of the Licensing Authority.Licence is renewed for the year 19..... to 19...Signature and Seal of the Licensing Authority.Licence is renewed for the year 19..... to 19...Signature and Seal of the Licensing Authority.Form 'D'[See Rule 10]Stock Register of Aluminium and Copper in every form, including Ingots, melted or finished formName of the DistrictName and Address of the Licensee and the Address of the Premises

Serial No.	Date	Quantity in hand on date	Aluminium		
Weight of ingots in Kgs.	Weight of conductors or wire in Kgs.	Weight of coils in Kgs.			
1	2	3	4	5	6
Copper					
Weight of Aluminium in any other form in Kgs.	Weight of ingots in Kgs.	Weight of conductors or wire in Kgs.	Weight of coils in Kgs.	Weight of copper in other form in	Remarks

				Kgs.	
7	8	9	10	11	12

Form 'E'[See Rule 10]Purchase and Sale Register of Aluminium and Copper in every form including Ingots, welded or finished formName of the DistrictName and Address of the Licensee and Address of the Premises

Serial No.	Date	Date of purchase	Name and address of supplier or source of purchase	Aluminium Quantity Purchased	
Weight of ingots in Kgs.	Weight of conductors or wire in Kgs.	Weight of coils in Kgs.	Weight of Aluminium in any in other form Kgs.		
1	2	3	4	5	6 7 8

Copper Quantity Purchased

Weight of ingots in Kgs.	Weight of conductors or wire in Kgs.	Weight of coils in Kgs.	Weight of copper in any other form in Kgs.	Date of sale
9	10	11	12	13

Name and address of purchaser

Quantity

Aluminium

Weight of ingots in Kgs.	Weight of conductors or wire in Kgs.	Weight of coils in Kgs.	Weight of Aluminium in any other form in Kgs.	
14	15	16	17	18

Purchased

Copper

Weight of ingots in Kgs.	Weight of conductors or wire in Kgs.	Weight of coils in Kgs.	Weight of copper in any other form in Kgs.	Weight of ingots in Kgs.
19	20	21	22	23

Balance

Aluminium

Copper

Weight of conductors or wire in Kgs.	Weight of coils in Kgs.	Weight of Aluminium in any other form in Kgs.	Weight of ingots in Kgs.	Weight of conductors or wire in Kgs.	Weight of coils in Kgs.	Weight of copper in any other form in
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						Kgs.
24	25	26	27	28	29	30

Form 'F'[See Rule 10]Return of Quantity of Aluminium or Copper including melted or finished Form in Stock, to be submitted by Licensee to the Licensing Authority for the month of
 19 ...Name of the DistrictName and address of Licensee and address of the Premises

Aluminium

Serial No.	Particulars	Weight of ingots in Kgs.	Weight of conductors or wire in Kgs.	Weight of coils in Kgs.	Weight of Aluminium in any other form in Kgs.
1	2	3	4	5	6
1.	Quantity carried over from the month of.....				
2.	Quantity purchased during the month.....				
3.	Total quantity in the end of month.....				
4.	Quantity sold during the month.....				
5.	Balance at the end of the month.....				

Copper

Weight of ingots in Kgs.	Weight of conductors or wire in Kgs.	Weight of coils in Kgs.	Weight of copper in any other form in Kgs.
7	8	9	10

(Signature of Licensee). Date Address of licenseeForm
 'G'Declaration of StockName of the DistrictName and address of the Licensee and Address of the Premises

Serial No.	Date of declaration	Quantity in Stock Aluminium	Weight of coils in Kgs.	Weight of Aluminium in other form in Kgs.
1	2	3	4	5 6

Quantity in Stock

Copper

Weight of ingots in	Weight of conductors or wire	Weight of coils in	Weight of copper in any
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Kgs.	in Kgs.	Kgs.	other form in Kgs.
7	8	9	10

I, s/o Partner/Proprietor of do hereby declare that the stocks as shown in the above statement are correct for which this licence is being applied for, and there are no other stocks of Aluminium or Copper in my possession at the aforesaid premises for which this licence is being applied. Signature(Partner/Proprietor)
Name of the Firm