

# **The U.P. Electricity (Regulation of Distribution and Consumption) Order, 1972**

UTTAR PRADESH

India

## **The U.P. Electricity (Regulation of Distribution and Consumption) Order, 1972**

### **Rule**

### **THE-U-P-ELECTRICITY-REGULATION-OF-DISTRIBUTION-AND-CONSUMPTION** **of 1972**

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The U.P. Electricity (Regulation of Distribution and Consumption) Order, 1972Published vide Notification No. 4484-ELC/23 P-4, dated November 17, 1972, published in U.P. Gazette, (Extraordinary), dated 17th November, 1972Whereas, the unusually scanty rainfall during the current monsoon season has resulted in drought condition in the State, and whereas it has also resulted in a sharp increase in the demand for the electrical energy by agricultural consumers for the operation of their pumps-sets and tube-wells, and whereas the availability of power in the State is not adequate to meet such increased demand and has already resulted in rostering power supply to such agricultural consumers, it has, therefore, become necessary to devise ways and measures immediately to improve the availability of electrical energy to the abovesaid agricultural consumers, in order that the agricultural production of the State may not suffer;And whereas, the State Government is of opinion that it is necessary and expedient so to do for securing the maintenance of supplies and services essential to the life of the community and for securing the equitable distribution of electrical energy to providing for regulated distribution and consumption thereof;Now, therefore, in exercise of the powers conferred by Rule 114 of the Defence of India Rules, 1971, the Governor is pleased to make the following order :

### **1. Short title, extent and commencement.**

(1)This order may be called the Uttar Pradesh Electricity (Regulation of Distribution and Consumption) Order, 1972.(2)It shall extend to the whole of Uttar Pradesh.(3)It shall come into force with effect from November 18, 1972.

## **2. Definitions.**

- In this order, unless the context otherwise requires : (a) 'Factory', means a factory as defined in the Factories Act, 1948, but does not include a factory in which no manufacturing process is being or is ordinarily carried on which the aid of power; (b) the expressions 'shop' and 'commercial establishment' have respectively the meanings assigned to them in the Uttar Pradesh Dookan Aur Vanijya Adhistan Adhiniyam, 1962, but, except in clause (10), do not include shops and commercial establishments to which that Act does not apply.

## **3. Staggering of holidays of factories.**

(1) The factories situated in each district specified in the Schedule shall observe the day specified in the schedule against it as the weekly holiday. (2) Nothing in sub-clause (1) shall apply to factories manufacturing chemicals, such manufacture involving electrolysis, factories manufacturing drugs using the fermentation process, cold storages, factories engaged in the production of aluminium, glass, chemical fertilizers or camphor or factories engaged in the production of Vanaspati involving hydrogenation process, or to any other factory engaged in the production or manufacture of goods similarly requiring continuous process.

## **4. Hours of business and close days of shops and commercial establishments.**

(1) All shops and commercial establishment shall observe the following hours of business namely from 8.30 a.m. to 6.30 p.m. on all days of the week other than the closed day. (2) Any shop and commercial establishment observing immediately before the commencement of this Order, Sunday as the closed day shall, instead of Sunday, observe such other day of the week as may be specified by the District Magistrate as the closed day.

## **5. Powers of entry, search, etc.**

- The powers of entry into, search and inspection of premises and places for the purposes of enforcement of this order shall be exercised - (a) in relation to factories, by the Inspectors appointed under the Factories Act, 1948, and the provisions of Sections 52 and 53 of that Act to the extent they are not inconsistent with the provision of this order, shall mutatis mutandis apply in relation to weekly holidays provided by this Order as they apply in relation to weekly holidays referred to in the said Section 52; (b) in relation to shops and commercial establishments, by the Inspectors appointed under the Uttar Pradesh Dookan Aur Vanijya Adhistan Adhiniyam, 1962, and the provision of Sections 5, 8 and 9 of that Adhiniyam, to the extent they are not inconsistent with the provisions of this Order, shall mutatis mutandis apply in relation to hours of business and closed days provided by this order as they apply in relation to hours of business and closed days provided by that Adhiniyam.

## 6. Compulsory cut in consumption of energy.

- In respect of electrical energy consumed by all industrial power consumers, and all light and fan, domestic power consumers and cinemas, who receive supply direct from the U.P. State Electricity Board or from such licensees, who obtain bulk-supply of electrical energy from the U.P. Electricity Board, a cut of 25 per cent in their monthly consumption of electricity shall be exercised and be enforced by them as under : (a) For purposes of working out the average monthly consumption in kilowatt hours where monthly readings are taken, the highest average consumption of any two consecutive months during the period 1st July, 1971 to 30th June, 1972, will be taken in the case of consumers for purposes of applying the aforesaid cut. All consumers will work out the average themselves on the basis of electrical energy already rendered to them. (b) In the case of consumers where meter readings are taken once in two months any such highest readings actually taken during the said period will be considered for purpose of applying the aforesaid cut. All consumers will work out the average themselves on the basis of bills of electrical energy rendered to them : Provided, firstly that the cut shall not apply on light and fan and domestic power consumers having a total monthly consumption up to 50 units in a month or 100 units for two months in the case of billing done once in two months : Provided, secondly, that if any consumer is found to have failed to exercise the aforesaid cut to the prescribed extent as above, he shall be liable to be disconnected under orders of any of the officers referred to in clause 9 for such number of days as are arrived at by dividing the excess kilowatt hours actually drawn by the figure of daily permissible kilowatt hours based on the aforesaid limit : Provided, thirdly, that : (i) In the case of a factory or commercial establishment engaged in the production or manufacture of goods requiring continuous process' the consumer shall have the right to adjust the excess consumption in the monthly billing period next following; and (ii) In the other cases where the excess consumption is not more than 10 per cent, the consumer shall have the right to adjust this excess in the billing period next following monthly or two monthly, as the case may be : Provided, fourthly, that if a person has more than one electrical connection in Uttar Pradesh then the aforesaid cut shall apply to the aggregate consumption of all such connections. (c) For working out the average monthly consumption in KW hours the load factor in respect of new connections shall be assessed having regard to the nature of the industry and the consumption in relation to the contract demand shall be worked out on the basis of such assessed load factor. It shall then be reduced by 25 per cent, to prescribe the ceiling of consumption each month to that particular consumer. The assessment of load factor shall be done by the supplier of electricity and shall be binding on the consumer. In respect of extensions of load of existing connections the actual load factor worked out on the basis of the highest average consumption of any two consecutive months during the period 1st July, 1971 to 30th June, 1972 shall be considered. On the basis of the load factor so arrived at, the consumption in respect of additional contract demand shall be determined and then reduced by 25 per cent, to prescribe the ceiling of consumption for each month for the consumer in regard to the additional load : Provided that the shortfall in any month in consumption below the prescribed ceiling shall not be allowed to be carried forward to subsequent months.

## **7. Exemption.**

(a)The cut referred to in Clause 6 shall not apply to the electrical connections of hospitals, water works, sewage pumping, works, tube-wells and pumping sets used for irrigation of agricultural fields, State Lift Irrigation Schemes and State Tube-wells, State pumped canals, petrol pumps, railways, defence and military installations, newspaper printing presses and Government presses, drug manufacturing industries, milk chilling centres, fruit preservation industries, cold storage and ice factories, glass factories, units engaged in manufacture of oxygen for medical use, All India Radio Stations, Central and State Government offices.(b)Nothing in clause 6 shall apply to any factory with a contracted demand of more than 75 KW which before August 6, 1972, worked only in one shift of 8 hours in the day time and changes over to night working between 21.30 hours to 6.00 hours the next day :Provided that if a factory has two shift working of 8 hours each and changes over his evening shift to night working between 21.30 hours to 06.00 hours the next day then the aforesaid cut will be reduced from 25 per cent, to 12 1/2 per cent, in his case.

## **8. Restriction on using electrical energy during certain hours.**

- Except in the case of electrical connections of hospitals, water works, sewage, pumping works, telephone exchanges, essential installation of railways, defence industries and vital defence installations, daily newspaper having a contracted load of not less than 50 KVA, Government presses, milk chilling centres, All India Radio Stations and continuous process industries engaged in the production or manufacture of chemical fertilizers, chemicals, the manufacture of which involves electrolysis, drugs the manufacture of which involves the process of fermentation and the manufacture of which has a contracted load of not less than 1,000 KVA in connection therewith, aluminium, glass, camphor, cement, sugar, vanaspati involving hydrogenation process, man-made fibre, synthetic rubber and such bread as is produced in any unit having a contracted load of not less than 100 KVA :(i)no consumer in an urban area receiving supply of electrical energy direct from the U.P. State Electricity Board or from any licensee who obtains bulk supply of electrical energy from the U.P. State Electricity Board shall on any day during the period November 18, 1972 to November 30, 1972, use such electrical energy from 8 a.m. to 2 p.m.:(ii)no industrial consumer receiving supply electrical energy as aforesaid and who uses three phase motive power in any urban area shall with effect from December 1, 1972, run his installation from 2 p.m. to 8 p.m.Explanation. - For the purposes of this clause "urban area" means an area included in a municipality or a notified area under the provisions of [U.P. Municipality Act, 1916] [Now see the newly introduced Acts in 1994, published by Alia Law Agency, Allahabad.] or a Town Area under the provisions of the [U.P. Town Area Act, 1914] [Now see the newly introduced Acts in 1994, published by Alia Law Agency, Allahabad.] or a city under the provisions of the [Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959] [Now see the newly introduced Acts in 1994, published by Alia Law Agency, Allahabad.] or a cantonment under the provisions of the Cantonment Act, 1924.

## **9. Power of disconnection without notice.**

- Without prejudice to the provisions contained in Section 42 of the Indian Electricity Act, 1910, all Chief Zonal Engineers, Superintending Engineers, Executive Engineers and Assistant Engineers of

U.P. State Electricity Board, Electrical Inspector, Deputy Electrical Inspector and Assistant Electrical Inspector to the State Government or the State Government or the authorised representative of aforesaid licensees are authorised to disconnect supply summarily without any notice such installations as are found on their personal inspection or otherwise to have contravened this Order except the provision of clause 6 thereof. The supply shall remain disconnected for such period not exceeding seven days for each connection consumption as the officer ordering the disconnection deems fit.

## **10. Restrictions on decoration lights, room heating and cinema shows, etc.**

(1) No consumer receiving supply of electrical energy direct from the U.P. State Electricity Board or from any licensee who obtains bulk supply of electrical energy from the U.P. State Electricity Board shall—(a) except with the prior permission of the State Government or any officer authorised by it in this behalf display or cause to be displayed any decorative, ornamental or advertising lights on any shop, commercial establishment or factory except on one board thereon during its hours of business; (b) Use or cause to be used any room heater in any factory, shop or commercial establishment on in any office of the Government or a local authority or a corporation owned or controlled by the Government; (c) with effect from December 1, 1972 perform or cause to be performed any cinema show on any day from 3.30 p.m. to 6.30 p.m. (2) Any consumer referred to in sub-clause (1) who undertakes or has undertaken public street lighting shall so arrange it that only lights on alternate poles are lit on the streets.

## **11. Power to exempt.**

- The State Government may, in public interest, exempt any consumer from the operation of any of the provisions of this Order to such extent and for such period as it thinks fit.

## **12. Rescission and Savings.**

- The Uttar Pradesh Electricity (Regulation of Distribution and Consumption) Order, 1972, published under Notification No. 4383-P/XXIII-P-1, dated August 1, 1972, as amended from time to time, is hereby rescinded and the provisions of Sections 6, 8 and 24 of the General Clauses Act, 1897, shall apply to its rescission as they apply in relation to the repeal of an enactment by an Act of Parliament.

## **Schedule**

(See Clause 3)

Sl. No.	The day of the week on which weekly holiday shall be observed	Districts
(1)	(2)	(3)
1.	Monday	1. Farrukhabad

		2.	Gorakhpur
		3.	Jhansi
		4.	Budaun
		5.	Basti.
2.	Tuesday	1.	Azamgarh
		2.	Bareilly
		3.	Bijnor.
		4.	Bulandshahr.
		5.	Dehra Dun
		6.	Etawah
		7.	Lucknow.
3.	Wednesday	1.	Allahabad
		2.	Agra
		3.	Aligarh
		4.	Mirzapur.
4.	Thursday	1.	Moradabad
		2.	Mathura
		3.	Shahjahanpur
		4.	Rampur
		5.	Sitapur
		6.	Faizabad
		7.	Gonda
		8.	Bahraich
		9.	Lakhimpur-Kheri.
5.	Friday	1.	Muzaffarnagar
		2.	Saharanpur
		3.	Unnao
		4.	Varanasi
6.	Saturday	1.	Meerut
7.	Sunday	1.	Kanpur