

# THE ELECTRICITY (REMOVAL OF DIFFICULTY) FOURTH ORDER, 2005<sup>1</sup>

Whereas the provisions of the Electricity Act, 2003 (36 of 2003) (hereinafter referred to as the Act) came into force on the 10th June, 2003;

And whereas 'generating station' has been defined in sub-section (30) of section 2 of the Act as any station for generating electricity, including any building and plant with step-up transformer, switch yard, switch-gear, cables or other appurtenant equipment, if any used for that purpose and the site thereof, a site intended to be used for a generating station, and any building used for housing the operating staff of a generating station, and where electricity is generated by water-power, includes penstocks, head and tail works, main and regulating reservoirs, dams and other hydraulic works, but does not in any case include any sub-station;

And whereas no licence is required for a generating company to establish, operate and maintain a generating station as per the provisions of the section 7 of the Act;

And whereas providing the housing to the operating staff of a generating station in the vicinity of the generating station is essential for operation and maintenance of the generating station and forms an integral part of the generating station;

And whereas difficulties have arisen regarding the requirement of licence for supplying power to the housing colonies or townships housing the operating staff of the generating stations by the generating companies;

Now, therefore, the Central Government in exercise of its powers conferred by section 183 of the Act hereby makes this order in respect of supply of electricity by the generating companies to the housing colonies of its operating staff, not inconsistent with the provisions of the Act, to remove difficulties, namely:—

**1. Short title and commencement.**—(1) This order shall be called the Electricity (Removal of Difficulty) Fourth Order, 2005.

(2) It shall come into force on the date<sup>2</sup> of its publication in the Official Gazette.

**2. Supply of electricity by the generating companies to the housing colonies of its operating staff.**—The supply of electricity by a generating company to the housing colonies of, or townships housing, the operating staff of its generating station will be deemed to be an integral part of its activity of generating electricity and the generating company shall not be required to obtain licence under this Act for such supply of electricity.

1. Vide S.O. 793(E), dated 8th June, 2005, published in the Gazette of India, Extra., Pt. II, Sec. 3(ii), dated 8th June, 2005.

2. Came into force on 8-6-2005.