

Electricity Act, 1910

Section 4 - REVOCATION OR AMENDMENT OF LICENCES

1) The 26[State Government may, if in its opinion the public interest so requires 27[and after consulting the State Electricity Board], revoke a licence in any of the following cases, namely: (a) where the licensee, in the opinion of the 26[State Government makes wilful and unreasonable prolonged default in doing anything required of him by or under this Act : (b) where the licensee breaks any of the terms or conditions of his licence the breach of which is expressly declared by such licence to render it liable to revocation; (c) where the licensee, fails, within the period fixed in this behalf by his licence or any longer period which the 28[State Government] may substitute thereof by order under 29[Sec. 4-A-, sub-section (1)]. And before exercising any of the powers conferred on him thereby in relation to the execution of works,- (i) to show, to the satisfaction of the 28[State Government], that he is in a position fully and efficiently to discharge the duties and obligations imposed on him by his licence, or (ii) to make the deposit or furnish the security required by his licence; (d) 30[where in the opinion of the State Government the financial position of the licensee is such that he is unable] fully and efficiently to discharge the duties and obligations imposed on him by his licence; 31[(e) where a licensee, in the opinion of the State Government, has made default in complying with any direction issued under Sec. 22-A-.] 32[(2) Where in its opinion the public interest so permits, the State Government may, on the application or with the consent of the licensee, and after consulting the State Electricity Board, and the Central Government where the Government is interested, and if the licensee is not a local authority, after consulting local authority, if any, concerned, revoke a licence as to the whole or any part of the area of supply upon such terms and conditions as it thinks fit. (3) No licence shall be revoked under sub-section (1) unless the State Government has given to the licensee not less than three months' notice, in writing stating the grounds on which it is proposed to revoke the licence and has considered any cause shown by the licensee within the period of that notice, against the proposed revocation. (4) Where the State Government might under sub-section (1) revoke a licence it may instead of revoking the licence permit it to remain in force subject to such further terms and conditions as it thinks fit to impose and any further terms or conditions so imposed shall be binding upon, and be observed by, the licensee, and shall be of like force and effect as if they were contained in the licence.] STATE AMENDMENT Uttar Pradesh.--(i) For sub-section (2), substitute the following : "(2) Where the State Government might, under sub-section (1) revoke a licence, it may, instead of revoking the licence- (i) permit it to remain in force subject to further terms and conditions as it thinks fit to impose, and any further terms or conditions so imposed shall be binding upon, and be observed by the licensee, and shall be of like force and effect as if they were contained in Revocation or amendment of licences Page 2 of 2 the licence, or(ii) issue any direction for the execution of the work by the licensee or by any other person for, on behalf and at the cost of the licensee and any such direction shall be binding upon the licensee and be complied by him." (ii) After sub-section (2), add the following as a new sub-section (2-A): "(2-A) Any expenditure incurred by such other person in execution of any work under and in pursuance of the directions issued under Cl. (ii) of sub-section (2) shall be realizable from the licensee as an arrear of land revenue". [U.P. Act 29 of 1956, Sec. 3 (w.e.f. 30th September, 1956)."