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Electricity Act, 1910

Section 49A - OFFENCES BY COMPANIES

1) If the person committing an offence under this Act is a company, every person who at the time of offence was committed was in charge of, and was responsible to the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence. (2)

Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director or manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

STATE AMENDMENT Uttar Pradesh.-Insert Sec. 49-B after Sec. 49-A of the Act of 1910: "49-B. Certain offences to be cognizable and non-bailable.-Any offence under Sec. 39 or Sec. 40 shall be cognizable and non-bailable within the meaning of the Code of Criminal Procedure, 1973, (2 of 1974)." [U.P Act 8 of 1986, Sec. 5, w.e.f. 4th January. 1986].