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THE KARACHI ELECTRICITY CONTROL ACT, 1952
ACT NO. LVII OF 1952
[14 December, 1952]

An Act to provide for the continuance of powers to control the production, distribution, use and consumption of electrical energy.

WHEREAS it is necessary to provide for the continuance of powers to control the production, distribution, use and consumption of electrical energy in the '[Karachi Division];

It is hereby enacted as follows: —

1. Short title, extent and commencement.—(1) This Act may be called the Karachi Electricity Control Act, 1952.

(2) It extends to the '[Karachi Division].

(3) It shall come into force at once, and shall be deemed to have taken effect in the '[Karachi Division] immediately on the expiry of the Sind Electricity Control Act, 1947 (Sind Act III of 1947).

2. Definition of “licensee”. In this Act “licensee” shall have the meaning assigned to it in clause (h) of section 2 of the Electricity Act, 1910 (IX of 1910).

3. Control of production, distribution, etc., of electrical energy—(1) The '[Provincial Government] so far as it appears to it to be necessary or expedient for maintaining supplies and services essential to the life of the community may by order provide for—

(a) regulating or prohibiting the production, distribution, use or consumption of electrical energy;

(b) regulating the rates which may be charged by any undertaking for supplying electrical energy and for relaxing any maximum or minimum limits otherwise imposed on such rates;

(c) the levy by a licensee, notwithstanding any stipulation to the contrary contained in any agreement, of a surcharge under specified circumstances on the price charged in respect of supply of electrical energy;

(d) collecting any information or statistics for the purpose of any of the matters mentioned in the preceding clauses;

(e) any incidental or supplementary matter for which it thinks expedient for the purpose of any such order to provide including, in particular—

'Subs. by A. O., 1964, Art. 2 and Sch.

(i) the entering and inspection of premises to which the order relates with a view to securing compliance therewith;

(ii) the grant or issue of a licence, permit, certificate or other document and the charging of a fee therefor.

(2) An order made under sub-section (1) may apply either to persons or undertakings generally or to any particular person or undertaking or class of persons or undertakings and either to the whole or any part of any undertaking, and so as to have effect either generally or in any particular area.

4. Delegation of Powers.—(1) The '[Provincial Government] may by order direct that any power conferred on it by section 3 shall, in such circumstances and under such conditions if any, as may be specified in the direction, be exercised by any officer or authority subordinate to it.

(2) All orders made before the commencement of this Act under the authority of the *[Federal Government] delegating or purporting to delegate any power or duty to any person or authority in the Federal Capital in respect of any of the matters specified in section 3 shall be deemed to be made under section 3 of this Act, and shall have effect accordingly.

5. Continuance of existing orders. Any order made under the Sind Electricity Control Act, 1947 (Sind Act III of 1947), or which might have been made under that Act if that Act had continued to be in force after the date of its expiry and purporting to be in force immediately before the commencement of this Act shall so far as it is not inconsistent with the provisions of this Act be deemed to have been made under the provisions of this Act and shall have effect accordingly subject to the provisions of this Act.

6. Penalty, etc.—(1) If any person contravenes any order made or deemed to be made under section 3 of this Act, he shall be punishable with imprisonment for a term which may extend to six months or with fine or with both.

(2) Where the person guilty of the contravention is a company or other body corporate, the managing director, manager, secretary, or other principal officer managing its business shall be deemed to be guilty of the contravention and be punishable accordingly.

7. Saving as to orders.—(1) No order made or deemed to be made under section 3 of this Act shall be called in question in any Court.

(2) Where an order purports to have been made and signed by any officer or authority in exercise of any of the powers conferred by or deemed to be conferred by or under the Sind Electricity Control Act, 1947 (Sind Act III of 1947), or this Act, a Court shall presume that such order was so made and signed by that officer or authority.

8. Protection of action under this Act.—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything done or intended to be done in good faith in pursuance of any order made or deemed to have been made under this Act.

'Subs. by A. O., 1964, Art. 2 and Sch.

Subs. by F.A.O., 1975 Art. 2 and Table.

(2) No suit or other legal proceeding shall lie against the '[Government]' for any damage caused or likely to be caused by anything in good faith done or intended to be done in pursuance of any order made or deemed to have been made under this Act.

9. Cognizance of offences. No Court shall take cognizance of any offence punishable under this Act except on a report in writing of the facts constituting the offence made by such public servant as may be authorised by the '[Provincial Government]' in this behalf.

10. Effect of inconsistent provisions with other enactments. Any order made or deemed to be made under the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law.

11. Service of orders. Every order made under this Act shall so far as may be, be served in the manner prescribed under section 53 of the Electricity Act, 1910 (IX of 1910).

12. Repeal. The Sind Electricity Control Act, 1947 (Sind Act III of 1947), in its extension to the Capital of the Federation, is hereby repealed.

'Subs. by A.O., 1964, Art., 2 and Sch.