

**THE MANIPUR ELECTRIC SUPPLY-LINE
(UNLAWFUL POSSESSION) BILL, 1982**

(As passed by the Legislative Assembly, Manipur on 2-9-82)

AN

Act

to regulate the possession of electric supply-line and to provide for the punishment of the offence of unlawful possession thereof and for matters connected therewith.

BE it enacted by the Legislature of Manipur in the Thirty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Manipur Electric Supply-Line (Unlawful Possession) Act, 1982.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of the State of Manipur.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. In this Act unless the context otherwise requires,—

Definitions.

(a) "electric supply-line" means a wire, conductor or other means used or meant for use for conveying, transmitting or distributing energy (whether by overhead line or underground cable), together with any casting, covering, coating, tube, pipe or insulator enclosing surrounding or supporting the same or any part thereof, or any apparatus connected therewith for the purpose of so conveying, transmitting or distributing such energy, any support, cross arm, stay, strut or safety device erected or set up for that purpose and includes electric transformer;

(b) "Government" means the State Government of Manipur;

(c) "prescribed" means prescribed by rules made under this Act; and

(d) words and expressions used but not defined in this Act and defined in the Indian Electricity Act, 1910, shall have the meaning respectively assigned to them under that Act.

(Act 9 of
1910).

3. No person shall, after the commencement of this Act, sell or purchase any quantity of electric supply-line except with the permission of such authority as may be prescribed:

Prohibition
of sale or
purchase
electric
supply-line.

Provided that it shall be open to any person to sell any electric supply-line in his possession at such price and to such authority as may be prescribed.

4. (1) Whoever contravenes the provisions of section 3 shall be punishable with imprisonment for a term which may extend to six months or with fine which shall not be less than two hundred rupees or with both.

(2) Whoever abets any offence punishable under sub-section (1) shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.

5. Whoever is found, or is proved to have been in possession of any electric supply-line reasonably suspected of having been stolen or unlawfully obtained shall, unless he proves that the electric supply-line came into his possession lawfully, be punishable;—

(a) for the first offence, with imprisonment of either description for a term which may extend to two years, or with fine, or with both and in the absence of special and adequate reasons to be recorded in the judgement, such imprisonment shall not be less than six months and such fine shall not be less than one thousand rupees;

(b) for the second or subsequent offence, with imprisonment of either description for a term which may extend to three years and also with fine and in the absence of special and adequate reasons to be recorded in the judgement such imprisonment shall not be less than one year and such fine shall not be less than two thousand rupees.

6. Whoever is found near any electric supply-line after making preparation to commit theft of the electric supply-line, shall be punishable with imprisonment of either description for a term which may extend to two years or with fine which may extend to one thousand rupees or with both.

7. Every owner or occupier of land or building, or any agent of such owner or occupier in charge of the management of that land or building, who wilfully conives at an offence punishable under section 5 shall be punishable with imprisonment of either description for a term which may extend to two years or with fine and such fine shall not be less than one thousand rupees or with both.

8. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence under this Act shall be cognizable.

9. Every court trying an offence punishable under this Act may order the forfeiture to the Government of any property in respect of which the court is satisfied that an offence under this Act has been committed and may also order the forfeiture of any receptacle, packages or covering in which such property is contained and the animals, vehicles or other conveyances used in carrying the electric supply-line.

10. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Penalty for unlawful possession of electric supply-line and burden of proof in certain cases,

Making preparation to commit theft of electric supply-line,

Punishment for connivances at offence,

Offence under the Act shall be cognizable (Act No. 2 of 1974),

Powers of Court to order for forfeiture of vehicles etc.,

Act to override other laws,

11. No suit or other legal proceeding shall lie against the Government, and no suit, prosecution or other legal proceeding shall lie against any person, for anything in good faith done or intended to be done in pursuance of this Act.

Protection
of action
taken in
good faith.

12. (1) The Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to
make rules.

(2) In particular, and without prejudice to generality of the foregoing power, such rules may provide for the authorities to which, and the prices at which electric supply-line may be sold under section 3.

(3) All rules made under this Act, shall, as soon as may after they are made, be laid before the House of the State Legislature while it is in session, for a total period of not less than 14 days extending in its one session or more than one successive sessions and shall, unless some later date is appointed, take effect from the date of their publication in the Gazette subject to such modification or annulment as the House of the State Legislature may during the said period agree to make, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.
