

THE KERALA ALTERNATIVE ENERGY SOURCES BILL

A Bill to make it obligatory for the State to utilize on a systematic and regular basis the alternative energy sources available in the State to increase substantially the quantum

of energy generated in the State and distribute the same in a satisfactory manner to the public at reasonable cost. Be it enacted in the Fifty-ninth Year of the Republic of India.

1. *Short title, extent and commencement of the Act.*—(a) This Act may be called The Kerala Alternative Energy Sources Act—

(b) It extends to the whole of the State

(c) It shall come into force on such date as the Government may notify in the Gazette.

2. *Unless the context requires otherwise, the words.—*

(a) “Alternative energy sources” mean and include among others sun shine, waves, wind and bio waste, geo thermal etc., among others.

(b) “Board” means the Kerala Electricity Board constituted under Electricity Supply Act, 1948.

(c) “Agency” means the autonomous body constituted by the Government with the name, Agency for Non-Conventional Energy and Rural Technology (ANERT).

(d) “Advisory Committee” means the Committee constituted by the Government at State level to advise the Agency on policy matters under Clause (b) of Section 4.

(e) “Supervisory Committee” means the Committee constituted by the Government at District levels to supervise the implementation of the various provisions in the Act and projects set up in accordance with the provisions of this Act under clause (e) of Section 4.

(f) “Government” means Government of Kerala.

(g) “Person” means and includes individual or individuals whether incorporated or not, firms and other institutions Governmental or private.

3. *Duty of the State to utilize alternative sources of energy.—*

(1) The Government shall as early as possible at any rate on or before six months from the date this Act comes into force, commence and continue production of energy from ‘Alternative sources of energy’ as defined in clause (a) of Section 2 of the Act and supply such energy to the consumers at a no-profit and no-loss price to be fixed by the Government.

(2) The State shall also encourage any person interested in utilizing the Alternative energy sources for producing energy and using it for himself and

supplying to other consumers if there is excess by granting attractive financial assistance in the form of subsidies or otherwise, for buying necessary equipments for production of energy from such sources.

(3) The State shall also take necessary steps to get financial assistance from the Union Government for granting subsidies for establishing more and more projects for producing energy from alternative sources.

4. The Agency to have the power of management and control of production and distribution of energy produced from alternative energy sources in accordance with the Rules framed in this behalf under the Act.

(a) The Government may confer on the "Agency" the authority for establishing necessary and sufficient projects / systems to produce energy from alternative sources at Panchayat, Municipal and State levels and distribute justly the same to consumers fixing a rate as prescribed in the Rules framed under the Act using the supply system established by the Board to the extent possible. For the purpose of effectively carrying out the obligations under the Act, the Agency may appoint necessary officers and staff from time to time.

(b) The Government shall constitute an Advisory Committee at State level, consisting of engineers either in service or retired and one or more persons known to have rendered social service and given expert public advice with commitment to social welfare, who are experts in the field of exploitation of alternative energy sources and its preservation, distribution and user to advise the Agency on all policy matters relating to production and distribution of energy. The Head of the Agency shall be the Chairperson of the Advisory Committee.

(c) The terms and conditions of service of the members of the Committee shall be as prescribed by the Government as per Rules.

(d) In the matter of establishing projects and systems to produce energy from alternative sources and its supply to the consumers the Agency shall be guided by the advice tendered by the Committee constituted by the Government as per Clause (b) above.

(e) The Agency may also constitute District level supervisory committees in the manner specified in the Rules to supervise the steps taken to implement the provisions of this Act and to perform the duties assigned to it by the Agency.

5. Steps to be taken to propagate production and use of energy from alternative sources.—For propagating the production and use of energy produced from alternative energy sources, the Government shall:—

(1) Through the Agency put up installations for producing solar energy at suitable places for providing home lighting systems, street lighting systems and solar lanterns.

(2) Encourage the use of solar water heaters, bio-gas generators both domestic and industrial and solar cookers especially in temples, wedding halls and all other places where cooking takes place on a large scale.

(3) Establish wind farms, bio-gas plants and wave energy conversion plants where ever found feasible on a large scale so that alternative energy sources like wind, bio waste and waves are not left unexploited to the detriment of the people.

6. Rule making power of the State.—(1) The Government may by notification in the Gazette, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the forgoing power such rules may be made with respect to the following:

(a) The powers and duties to be exercised and performed by the Board in the matter of implementing the provisions in this Act.

(b) The manner of constitution of the Advisory Committee and conferment of powers on it.

(c) Constitution of District level supervisory committees and their rights and duties.

(d) The terms and conditions of service of the Advisory Board and supervisory committees.

(e) Eligibility conditions to be satisfied for getting subsidies.

(f) The authorities to fix the price of energy and its revision from time to time.

Statement of Objects and Reasons

Kerala is mainly dependent on Hydro-electric power for the energy needs of the people. Hydro-electric power is generated by water collection in reservoirs during the rainy season. When monsoon fails and rainfall is insufficient to fill the reservoirs, generation of electric power comes to a grinding halt with disastrous consequences. No State can prosper if the industries are left without power. It is, therefore, necessary to explore alternate sources of energy from wind, waves and solar. To educate people on the need to use alternate sources of energy is a must. Also it is necessary to create a body—‘Agency for Non-conventional Energy and Rural Technology’ (ANERT) to manage and control the production of alternate energy and distribution thereof. This Bill seeks to achieve the said purpose.
