

# **Orissa Electricity Regulatory Commission (Appointment of Chairman and Members) Rules, 1996**

ODISHA

India

## **Orissa Electricity Regulatory Commission (Appointment of Chairman and Members) Rules, 1996**

### **Rule**

### **ORISSA-ELECTRICITY-REGULATORY-COMMISSION-APPOINTMENT-OF of 1996**

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Orissa Electricity Regulatory Commission (Appointment of Chairman and Members) Rules, 1996  
Published vide Notification No. R & R 1.1/96-7585, dated 9th May, 1996  
No. R & R 1.1/96-7585  
- In exercise of the powers conferred by Section 55 read with Sub-section (6) of Section 3 of the Orissa Electricity Reform Act, 1995 (Orissa Act 2 of 1996), the State Government hereby make the following rules, namely :

#### **1. Short title and commencement.**

(1) These Rules may be called the Orissa Electricity Regulatory Commission (Appointment of Chairman and Members) Rules, 1996.  
(2) They shall come into force on the date of their publication in the Official Gazette.

#### **2. Definitions.**

(1) In these rules, unless the context otherwise requires-  
(a) "Act" means the Orissa Electricity Reform Act, 1995;  
(b) "Chairman" means the Chairman of the Orissa Electricity Regulatory Commission established under Section 3 of the Act;  
(c) "Convener" means the convener of the Selection Committees as provided under Clause (b) of Sub-section (2) of Section 3 of the Act;  
(d) "Member" means the Member of the Orissa Electricity Regulatory commission established under Section 3 of the Act.  
(2) The words and expressions used but not defined in these rules shall have the same meaning as respectively assigned to them in the Act.

### **3. Method and manner of selection appointment and Members of the Commission.**

(1)The Selection Committee shall meet expeditiously to select persons for appointment of Members of the Commission in accordance with the provisions of the Act.(2)In the case of recruitment of first three members of the Commission, Convenor shall take all necessary steps for convening the meeting of the selection committee to recommend the names of suitable persons having qualification and experience mentioned in Section 5 of the Act.(3)The selection committee shall send letter of request for recommending names of suitable candidates, to such of the departments of State and Central Government, public and private undertakings engaged in Generation, Transmission, Distribution and supply of Electricity, Industrial Organisations, Chamber of Commerce, Judicial Authority, financial Institution, Educational Institution and other Organisation or authority, as the Committee deems fit.(4)The selection committee shall prepare a list of suitable candidates out of the names received as per request made under Sub-rule (3) or otherwise available to the selection committee for consideration and selection. The criteria for selection of members shall be as may be decided by the selection committee from time to time subject to provisions of Section 5 of the Act. The Selection committee shall satisfy itself that the candidate is not liable to be disqualified for appointment as member under Sub-section (3) of Section 5 of the Act.(5)In the case of an impending vacancy in the office of a Member, the Secretary of the commission shall notify the same to the convenor well in advance and in any date, ninety days before the date on which the vacancy will arise.(6)In the case of vacancy in the office of a member, other than the impending vacancy, immediately upon the occurring of the vacancy, the Secretary of the commission shall notify the same to the Convenor.(7)The chairman or any member of the Selection Committee or any other person shall also be entitled to bring to the notice of the convenor about the impending or other vacancy, as the case may be, and to take effective steps for filling up the vacancy.(8)Immediately upon receiving the intimation of the vacancy or otherwise upon the knowledge of the vacancy, the convenor shall intimate in writing the other members of the selection committee and in, consultation with them shall finalise the date, time and place of the meeting of the selection committee to consider and recommend the persons for appointment of member to fill up the vacancy.(9)The selection committee shall consider the qualification and experience required of a candidate for each vacant post in the commission in accordance with the provisions mentioned in Section 5 of the Act.(10)The Convenor shall notify, the State Government in writing the names of two candidates selected by the selection committee against each vacancy.(11)The Convenor shall supply all information received from the selected persons under Sub-section (4) of Section 5 and other details about the qualification and experience of such persons to State Government, so that it shall satisfy itself that the recommended candidates do not have any financial or other interest as mentioned in Sub-section (3) of Section 5 of the Act.(12)The State Government shall notify, in the Official Gazette, the name (s) of the person (s) finally selected and appointed as member or members and also communicate the name(s) to the members of the selection committee and the members and secretary of the commission within thirty days from the date of the receipt of the intimation from the convenor.(13)Subject to the provisions of the Act and these rules the selection committee shall make its own procedure for the conduct of its proceedings.

#### **4. Method and manner of Recruitment of Chairman of the commission.**

(1) On the recommendation of the selection committee, the State Government shall designate one of the members as chairman of the commission.

#### **5. Undertaking, oath of office and secrecy.**

- The Chairman or member of the commission shall before assumption of his office give an undertaking that -(a) he is not disqualified in any manner as provided under the Act for appointment as member or chairman of the commission. (b) he ceased to have any interest in any of the employment prohibited under the provisions of the Act; and (c) [ \* \* \* ] [Deleted vide O.G.E. No. 292, dated 26.2.2004.] [ \* \* \* ] [Schedule deleted vide O.G.E. No. 292, dated 26.2.2004.]