

# **Rajasthan Electricity Regulatory Commission (Transaction of Business) Regulations, 2005**

RAJASTHAN

India

## **Rajasthan Electricity Regulatory Commission (Transaction of Business) Regulations, 2005**

### **Rule**

### **RAJASTHAN-ELECTRICITY-REGULATORY-COMMISSION-TRANSACTION of 2005**

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Rajasthan Electricity Regulatory Commission (Transaction of Business) Regulations, 2005Published vide Notification No. Secy/RERC/ Reg. 40, dated 11.11.2005No. Secy/RERC/ Reg. 40. - In exercise of powers conferred on it by Section 92 and 181 of the Electricity Act, 2003 and all powers enabling it in that behalf, the Rajasthan Electricity Regulatory Commission hereby makes the following Regulations, namely:-

## **Chapter I General**

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

(1)These Regulations may be called the Rajasthan Electricity Regulatory Commission (Transaction of Business) Regulations, 2005.(2)They shall come into force on the date of their publication in the official gazette.(3)They extend to the State of Rajasthan.

### **2. Definitions.**

(1)In these Regulations, unless the context otherwise requires:(a)"Act" means the Electricity Act, 2003.(b)"Chairperson" means the Chairperson of the Rajasthan Electricity Regulatory Commission.(c)"Commission" means the Rajasthan Electricity Regulatory Commission constituted under Section 82 of the Act.(d)"Member" means a member of the Rajasthan Electricity Regulatory

Commission.(e)"Secretary" means the Secretary of the Rajasthan Electricity Regulatory Commission.(f)"Officer" means an officer of the Commission.(g)"Petition" shall mean and include all petitions, applications, complaints, appeals, replies, rejoinders, supplemental pleadings, other papers and documents.(h)"Proceedings" shall mean and include proceedings of all nature that the commission may hold in the discharge of its function under the Act.(i)"Receiving Officer" means an officer designated by the Commission to receive Petition,(2)Words or expressions occurring in these Regulations and not defined herein above shall bear the same meaning as in the Act.

### **3. Commission's offices, office hours, and sittings.**

- The place of the offices of the Commission may from time to time be as per order in this behalf as notified by the State Government.

#### **4.**

Unless otherwise directed, the headquarters and other offices of the Commission shall be open daily except on Second Saturdays, of each month, Sundays and Government holidays notified by the Government of Rajasthan. The headquarters and other offices of the Commission shall be open at such times as the Commission may direct.

#### **5.**

Where the last day for doing of any act falls on a day on which the office of the Commission is closed and by reason thereof the act cannot be done on that day, it may be done on the next day on which the office is open.

#### **6.**

The Commission may hold sittings for hearing matters at the headquarters or at any other place on days and time to be specified by the Chairperson.

#### **7.**

Language of the Commission. - The proceedings of the Commission shall be conducted either in English or in Hindi. All petitions shall be submitted in Hindi or English.

#### **8.**

Any document or other matters contained in any language other than Hindi or English, may be accepted by the Commission only if the same is accompanied by a translation thereof in Hindi or English.

**9.**

A translation which is agreed to by the parties to the proceedings or which one of the parties may furnish with an authenticity certificate of the person who had translated it to Hindi or English may be accepted by the Commission in appropriate cases as a true translation. The Commission in appropriate cases may direct translation of the petition, pleadings, documents and other material to English or Hindi by an Officer or person designated by the Commission for the purpose.

**10. Seal of the Commission.**

- There shall be separate seal indicating that it is the seal of the Commission.

**11.**

Every order or communication made, notice issued or certified copy granted by the Commission shall be stamped with the seal of the Commission and shall be certified by an Officer designated for the purpose.

**12. Recognition of consumers Associations.**

(1) the Commission may permit any association or other bodies corporate or any group of consumers to participate in any proceedings before the Commission. (2) The Commission may for the sake of timely completion of proceedings, direct bunching of associations/groups referred to above so that they can make collective affidavits. (3) The Commission may as and when considered appropriate notify a procedure for recognition of associations, group, forum or bodies corporate as registered consumer association for purpose of representing before the Commission.

**13.**

(1) The Commission may appoint any officer or any other person to represent consumers, interest if considered necessary. (2) The Commission may direct payment to the Officer or person appointed to represent the consumers interest such fees, costs and expense by such of the parties in the proceedings as the Commission may consider appropriate.

**Chapter II**

**General Regulations Concerning The Proceedings Before The Commission**

**14. Proceedings etc. before the Commission.**

- The Commission may from time to time hold hearings, meetings, discussions, deliberations, inquiries, investigations and consultations, as the Commission may consider appropriate in the

discharge of its functions under the Act. The Secretary any other officer or any other person whom the Commission may appoint, may participate and assist the Commission in its proceedings.

## **15.**

All matters, other than those, which the Commission consider to decide through proceedings, may be decided by the Commission administratively through meetings of the Chairperson and Members or by circulation amongst Chairperson any Member(s) or by such other officers or persons to whom the powers and functions have been delegated.

## **16.**

[(1) The quorum for the proceeding before Commission shall be two, however, the quorum could be one in the following situations:(i)Only one Member is functional due to vacancies in the Commission;(ii)A single Member is functional due to vacancies in the Commission;(iii)Any Member has recused himself from a proceeding/subject matter due to reasons stated by such a Member when Commission has only two functional members and the Commission , agrees that one Member may continue with a proceeding on account of the other Member having recused himself.](2)No member shall exercise his vote on a decision unless he is present during all the substantial hearings of the Commission on such matter.

## **17.**

A party to the proceedings may either appear himself or through a representative, duly authorised by him in writing, in Form -1.

## **18. Initiation of proceedings.**

- the Commission may initiate proceedings suo motu on a petition filed by any affected person.

## **19.**

When the Commission initiates the proceedings in respect of any matter it shall be by a notice issued by the office of the Commission and the Commission may give such orders and directions as may be deemed necessary, for service of notice to the affected parties for the filing of replies and rejoinder in opposition or in support of the matter in issue or for other matters relating to conduct of the proceedings. The commission may, if it considers appropriate, publish a notice inviting comments on the issue involved in the proceedings in such form as the Commission may direct.

## **20.**

In proceedings and inquiries initiated by the Commission suo moto, the Commission may designate an officer of the Commission or any other person whom the Commission considers appropriate to

present the matter in the capacity of a petitioner in the case.

## **21. Petitions and pleadings before the Commission.**

(1) All petitions to be filed before the Commission shall be typewritten, cyclostyled or printed neatly and legibly on one side of white paper and every page shall be consecutively numbered. The Commission may accept petitions filed with Computer Disk or through electronic media on such terms and conditions as the Commission may specify. The contents of the petition should be divided appropriately into separate paragraphs, which shall be numbered serially. The petition shall be accompanied by the such documents and statement as the Commission may be specify (2) All petitions shall be accompanied with fees as prescribed by the Commission through regulations.

## **22. All pleading shall set out clearly and concisely.**

(a) a statement of the relief sought from the Commission; and (b) the reasons why the Commission should grant the requested relief.

## **23. General heading.**

- The general heading in all petitions before the Commission and in all advertisements and notices shall be in Form 2.

## **24. Affidavit in support.**

(1) Petitions filed shall be accompanied with an affidavit if so directed by the Commission and every such affidavit shall be in Form 3. (2) Every affidavit shall be drawn up in the first person and shall state the full name, age, occupation and address of the deponent and the capacity in which he is signing and shall be signed and sworn before a person lawfully authorized to take and receive affidavits. (3) Every affidavit shall clearly and separately indicate the statements which are true to the: (a) knowledge of the deponents; (b) information received by the deponent. (c) belief of the deponent (4) Where any statement in the affidavit is stated to be true to the information received by the deponent, the affidavit shall also disclose the source of the information and include a statement that the deponent believes that information to be true.

## **25. Presentation and scrutiny of the pleadings, etc.**

- All petitions shall be filed in such number of copies as the Commission may specify and, each set of the petition shall be completion all respects.

## **26.**

All petitions shall be presented before the Receiving Officer, in person or by any duly authorised representative at the headquarters or such other filing center or centers as may be notified by the

Commission from time to time and during the time notified. The petitions may also be sent by registered post, acknowledgement due to the Commission at the places mentioned above. Where the petitions are presented by an authorised representative the document authorizing the representative shall be filed alongwith the petition

**27.**

Upon the receipt of the petition, Receiving Officer shall stamp and endorse the date on which the petition has been presented and shall issue an acknowledgement, with stamp and date, to the person filling the petition. In case the petition is received by registered post the date on which the petition is actually received at the office of the Commission shall be taken as the date of the presentation of the petition.

**28.**

The presentation and the receipt of the petition shall be duly entered in the register to the maintained for the purpose by the Commission.

**29.**

The Receiving Officer may reject any petition which does not conform to the provisions of the Act or the Regulations or directions given by the Commission or is otherwise defective or otherwise than in accordance with the regulations or directions of the Commission. Provided that no petition shall be rejected for defect in it the pleadings or in the presentation, without giving an opportunity to the person filing it to rectify the defect within the time specified for the purpose. The Receiving Officer shall advise, in writing the persons filing the petition of the defects in the petition filed within a reasonable time.

**30.**

A person aggrieved by any order of the Receiving Officer in regard to the petition or its presentation may request the matter to be placed before the Secretary of the Commission for appropriate orders.

**31.**

The Chairperson or any member as the Chairperson may designate for the purpose, or the Secretary shall be entitled to call for the petition presented by the purpose and give such directions regarding the presentation and acceptance of the petitions as the consider appropriate.

**32. Admission and Registration of a case.**

- If no scrutiny, the petition is found to be fit for consideration, it shall be duly registered and give number, in the manner to be specified by the Commission.

**33.**

After the petition has been scrutinized and numbered, the petition shall be put up before the Commission for admission.

**33A.**

On perusal of petition the Commission may call for any additional information/ documents which it considers necessary for a decision on the petition.

**34.**

The Commission may admit the petition without requiring the attendance of the petitioner. The Commission shall not pass an order refusing admission without giving the petitioner s an opportunity of being heard. The Commission may issue notice to such other person(s) as it may consider appropriate to hear on admission of the petition.

**35.**

If the Commission admits the petition, it may give such orders and directions, as if it may deem necessary, for service of notices to respondent(s) and other affected parties for the filing of replies and rejoinder in opposition or in support of the petition in such form as the Commission may direct.

**36. Services of notices and processes issued by the Commission.**

- Any notice or process or summons to be issued by the Commission may be served by any one or more of the following modes as may be directed by the Commission. (a) service by the party itself (b) by hand delivery through a messenger including a Courier Service. (c) by registered post with acknowledgement due; (d) by publication in newspaper in cases where the Commission is satisfied that it is not reasonably practicable to serve the notices, processes, etc. on any person in the manner mentioned above, and (e) in any other manner as considered appropriate by Commission.

**37.**

Every notice or process required to be served on or delivered to any person may be sent to the person or his authorised representative at the address furnished by him for service or at the place where the person or his representative ordinarily resides or carries on business or personally works for gain.

**38.**

If in any matter pending before the Commission, a person to be served has authorized a representative to appear on his behalf, such representative shall be deemed to be duly empowered to

take service of the notices and processes on behalf of the party concerned, in all matters and the service on such representative shall be deemed to be service on the person.

**39.**

Where a notice is served on others, by a party to the proceedings, either in person or through registered post, an affidavit giving details date and manner of service of notice.

**40.**

Where any notice of the petition is required to be published, it shall be published within such time as the Commission, in on such each of a daily newspaper in English Language and two daily newspapers in Hindi Language having large circulation in the area.

**41.**

Save as otherwise provided in the Act or in the Regulations and subject to any direction which the Commission may give, the petitioner, applicant or any other person whom the Commission makes responsible for the conduct of the proceedings, shall arrange service of all notices, summons, and other processes required to be served and for advertisement and publication of notices and processes required to be served. The Commission shall, however, be entitled to decide, in each case, the person(s) who shall bear the cost of such service.

**42.**

In default of compliance with the requirements of the Regulations or directions of the Commission as regards the service of notices, summons or processes or the advertisement and publication thereof, the Commission may either dismiss the case or give such other or further directions as it thinks fit.

**43.**

No service or publication required to be done shall be deemed invalid by reason of any defect in the name or description of a person provided that the Commission is satisfied that such service is in other respects sufficient, and no proceeding shall be invalidated by reason of any defect or irregularity unless the Commission, on an objection taken, is of the opinion that substantial injustice has been caused by such defect or irregularity or there are otherwise sufficient reasons for doing so.

**44. Filing of reply, opposition, objections etc.**

- Each person to whom a notice of inquiry or the petition is issued, hereinafter referred as the "respondent" who intends to oppose or support the petition, shall file the reply and documents relied upon within such period and in such number of copies as may be fixed by the Commission. In the



reply filed, the respondent(s) shall specifically admit, deny or explain the facts stated in the notice of inquiry or the petition and may also state such additional facts as he considers necessary for just decision of the case. The reply shall be signed and verified and supported by affidavit in the same manner as in the case of the petition. The respondent shall also indicate whether he wishes to participate in person in the proceedings and be heard.

**45.**

The respondent shall serve a copy of the reply, alongwith the documents duly attested to be true copies, on the petitioner or his authorised representative and file proof of such service with the office of the Commission at the time of filling the reply.

**46.**

Where the respondent states additional facts as may be necessary for the just decision of the case, the Commission may allow the petitioner to file a rejoinder to the reply filed by the respondents. The procedure mentioned above for filling of the reply shall apply mutatis mutandis to the filling of the rejoinder.

**47.**

(1)Every person who intends to file objection or comments in regard to a matter pending before the commission pursuant to the notice published for the purpose (other than the persons to whom notices, processes, etc. have been issued calling for reply) shall deliver to the Receiving Officer the statement of the objection or comments with copies of the documents and evidence, in support thereof, within the time fixed for the purpose.(2)If, on the report received from the Officer, the Commission considers that the participation of any person or persons will facilitate the proceedings and the decision in the matter, it may permit such person or persons, to participate in the proceedings, hereafter called an 'intervener'. The Commission shall determined the statement the extent to which interveners shall be entitled to receive copies of the pleadings.(3)Unless permitted by the Commission, the person filing a reply or objection or comments shall not be entitled to participate in the Proceeding to make oral submission. However, the Commission shall be entitled to take into account the objections and comments filed after giving such opportunity to the parties in the Proceeding as the Commission considers appropriate to deal with the objections and comments.

**48. Hearing of the matter.**

- The Commission may determine the stages, manner the place the date and the time of the hearing in proceedings before it, as the Commission considers appropriate.

## **49.**

(1)The Commission may decide the matter on the pleadings of the parties or may call for the parties to produce evidence by way of affidavit or lead oral evidence in the matter.(2)If the Commission directs evidence of a party to be led by way of oral submission the Commission may, if considered necessary or expedient, grant an opportunity to the other party to cross-examine the person giving evidence.(3)The Commission may, if considered necessary or expedite, direct that the evidence of any of the parties be recorded by an officer or person designated for the purpose by the Commission.(4)The Commission may direct the parties to file in writing, a note of arguments or submission in the matter.

## **50. Power of the commission to call for further information, evidence, etc.**

- The Commission may, at any time before passing order s on the matter, require the parties or any one or more of them or any other person whom the Commission consider appropriate, to produce such documentary or other evidence as the Commission may consider necessary for the purpose of enabling it to pass orders.

## **51.**

The Commission may direct summoning of witnesses, discovery and production of any document or other material objects producible in evidence, requisitioning of any public record form any office, examination by an officer of the Commission of books, accounts or other documents or information in the custody or control of nay person which the Commission considers relevant for deciding the matter before it.

## **52. Reference of issues to others.**

- At any stage of the proceedings, the Commission may refer such issue or issues in the proceedings, as it considers appropriate, to persons including but not limited to, the Officers and consultants of the Commission whom the Commission considers as qualified to give expert advice or opinion.(2)The Commission may nominate, from time to time any person including, but not limited to, the Officers and consultants to visit any place or places for inspection and report on the existence or status of the place or any facilities therein.(3)The Commission, if it thinks fit, may direct the parties to the proceedings to appear before the persons designated in clause (1) or (2) above to present their respective views on the issues or matters referred to him.(4)The report or the opinion, received from such person, shall form a part of the record of the case and the parties shall be given the copies thereof, The parties shall be entitled to file their version other in support or in opposition to the report or the opinion.(5)The Commission shall duly take into account the report or the opinion given by the person and the reply filed by the parties while deciding the matter.

### **53. Procedure to be followed where any party does not appear.**

- Where, on the date fixed for hearing or any other date to which such hearing may be adjourned, any of the party or his authorized representative does not appear when the matter is called for hearing, the Commission may, in its discretion, either dismiss the petition for default when the petitioner or the person who moves the Commission for hearing is in default or proceed ex parte against the respondent(s) if it is proved that the notice, processes or summons had been duly served on the respondent(s).

### **54.**

Where a petition is dismissed in default or decided ex parte, the person aggrieved may file an application within 30 days from the date of such dismissal or being proceeded ex parte, as the case may be, for recall of the order passed, and the Commission may recall the order on such terms as it thinks fit, if the Commission is satisfied that there was sufficient cause for the non-appearance when the petition was called for hearing.

### **55. Orders of the Commission.**

- Orders passed by the Commission in any proceedings, shall be signed by the Chairperson and who heard the matter.

### **56.**

The reasons given by the Commission in support of the orders, including those by the dissenting member, if any, shall form part of the order and shall be available for inspection and supply of copies in accordance with these Regulations.

### **57.**

All orders and decisions issued or communicated by the Commission shall be certified under the signature of the Secretary or an Officer empowered in this behalf by the Chairperson and bear the official seal of the Commission.

### **58.**

All final orders of the Commission shall be communicated to the parties in the proceeding under the signature of the Secretary or an officer empowered in this behalf by the Chairperson or the Secretary.

**58A. [ Review of Commission's Order. [Inserted by Notification No. Secy/RERC/ Reg. 64, dated 23.3.2007 (w.e.f. 11.11.2005).]**

- Any review of the order passed by the Commission will be required to be filed within a period of 30 days from the date of such order. The Commission may however condone the delay beyond a period of 30 days, on merits.] [Substituted by Notification No. Secy /RERC/Reg-101, dated 28.10.2013-Rajasthan Gazette Extraordinary, Part 7, dated 11.1.2013 (w.e.f. 11.11.2005).]

**58B. [ Review Petition before the Commission. [Inserted by Notification No. Secy /RERC/Reg-101, dated 28.10.2013-Rajasthan Gazette Extraordinary, Part 7, dated 11.1.2013 (w.e.f. 11.11.2005).]**

- Any review petition filed before the Commission shall be dealt with expeditiously and decided within 120 days, from the date of admission: Provided that where any review petition could not be disposed of within the said period of 120 days, the Commission shall record reasons in writing, for non disposal of the review petition, within the said period.

**58C. Amendment of orders.**

- Clerical or arithmetical mistakes in the orders or errors arising therein from any accidental slip or omission may at any time be corrected by the Commission either of its own motion or on the application of any of the parties.]

**59. Inspection of records and supply of certified copies.**

- Records of every proceeding shall be, open, as a matter of right, to the inspection of the parties or their authorised representatives at any time either during the proceeding or after the orders are passed, subject to payment of fee and complying with other terms the Commission may direct.

**60.**

Records of every proceeding, except those parts which for reasons specified by the Commission are confidential or privileged, or records otherwise not to be disclosed to any person, shall also be open to inspection by any person other than the parties to the proceedings either during the proceeding or after the orders have been passed, subject to such person complying with such terms as the Commission may direct from time to time including with regard to time, place and manner of inspection and payment of fees.

**61.**

Any person shall be entitled to obtain certified copies of the orders, decisions, directions and reasons in support thereof given by the Commission as well as the pleadings, papers and other parts

of the records of the Commission to which he is entitled to inspect, on payment of fee and complying with other terms which the Commission may direct.

## **62. Interim Orders.**

- The Commission may pass such interim orders as it may consider appropriate at any stage of proceedings.

## **Chapter III**

## **Investigation, Inquiry, Collection Of Information, Etc.**

### **63.**

The Commission may make such order or orders as it thinks fit in terms of Section 96 of the Act for collection of information, inquiry, investigation, entry, search, seizure and without prejudice to the generality of its powers in regard to the following: (a) The Commission may, at any time, direct the Secretary or an Officer or consultants or any other person as the Commission considers appropriate to study, investigate or furnish information with respect to any matter within the purview of the Commission under the Act. (b) The Commission may for the above purpose give such other directions as it may deem fit and specify the time within which the report is to be submitted or information furnished. (c) The Commission may issue or authorize the Secretary or an Officer to issue directions to any person to produce before it and allow to be examined and kept by an Officer of the Commission, specified in this behalf, the books, accounts, etc. or to furnish to an Officer information, etc. as provided in of Section 94 of the Act. (d) The Commission may, for the purpose of collecting any information, particulars or documents which the Commission consider necessary in connection with discharge of its functions under the Act, issue such directions as may be considered necessary, as provided for in Section 96 of the Act. (e) If any such report or information obtained under these Regulations appears to the Commission to be insufficient or inadequate, the Commission or the Secretary or an Officer authorised for the purpose may give directions for further inquiry, report and furnishing of information. (f) The Commission may direct such incidental, consequential and supplemental matters be attended to which may be considered relevant in connection with the above

### **64.**

In connection with the discharge of its functions under the Act the Commission may, if it thinks fit, direct a notice of inquiry to be issued and proceed with the matter in a manner provided under Chapter II of these Regulations.

### **65.**

The Commission may, at any time, take the assistance of any institution, consultants, experts and

such other technical and professional persons, as it may consider necessary, and ask them to study, investigate, inquire into any matter or issue and submit report or reports or furnish any information. The Commission may determine the terms and conditions for engagement of such professionals.

## **66.**

If the report or information obtained in terms of the above Regulations or any part thereof is proposed to be relied upon by the Commission forming its opinion or view in any Proceedings, the parties in the Proceedings shall be given a reasonable opportunity for filing objections and making submissions on the report or information.

## **Chapter IV Miscellaneous**

### **67. Continuance of Proceeding after death, insolvency or liquidation etc.**

(1)Wherein any party relating to the proceedings dies or is adjudicated as an insolvent or in the case of a Company, is liquidated/wound up, the proceedings may continue with the successors-in-interest, the executor, administrator, receiver, liquidator or other legal representative of the party concerned.(2)The Commission may, for reasons to be recorded, treat the proceedings as abated in case the Commission so directs and dispense with the need to bring the successors-in-interest etc., on the record of the case.(3)In case any person wishes to bring on record the successors-in-interest etc., the application for the purpose shall be filed within 90 days from the event requiring the successors-in-interest to come on record.

### **68. Proceedings to be open to public.**

- The Proceedings before the Commission shall be open to the public. However admission to the hearing room shall be subject to availability of sitting accommodation:Provided that the Commission may, if it thinks fit, and for reason to be recorded in writing, order at any stage of the proceedings of any particular case that the public generally or any particular person or group of persons shall not have access to or be or remain in the room or building used by the Commission.

### **69. Publication of petition.**

(1)Where any application, petition, or other matter is required to be published under the Act or these Regulations or as per the directions of the Commission, it shall unless the Commission otherwise orders or Regulation otherwise provide, be advertised not less than 5 days before the date fixed for hearing.(2)Except as otherwise provided, such advertisements shall give a heading describing the subject matter in brief.(3)Advertisement to be published shall be approved by the Officer of the Commission designated for the purpose.

## **70. Confidentiality.**

(1)Records relating to the functions of the Commission, except those parts which for reasons specified by the Commission are confidential or privileged, shall be open for inspection to all, subject to the payment of fees prescribed and complying with the terms as the Commission may direct.(2)The Commission may, on payment of prescribed fees & on such terms and conditions as the Commission considers appropriate, provide for the supply of the certified copies of the documents and papers available with the Commission to any person.(3)The Commission may, by order, direct that any information or documents and other papers and material produced before the Commission or any of its Officers, consultants, representatives or which may come into, or be in their possession or custody, shall be confidential or privileged and shall not be available for inspection or supply of copies. The Commission may also direct that such document, papers or materials shall not be used in any manner except as specifically authorised by the Commission.

## **71. Issue of orders and direction.**

- Subject to the provisions of the Act and these Regulations, the Commission may, from time to time, issue orders and directions in regard to implementation of the Regulations and procedure to be followed and other matters in which the Commission has been empowered by these Regulations to specify or direct.

## **72. Inherent powers of the Commission.**

- Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent powers of the Commission to make such orders as may be necessary for meeting the ends of justice or to prevent the abuse of the process of the Commission.

## **73.**

Nothing in these Regulations shall bar the Commission from adopting, in conformity with the provisions of the Act, a procedure, which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing deems it necessary or expedient for dealing with such a matter or class of matters.

## **74.**

Nothing in these Regulations shall be deemed to bar the Commission to deal with any matter or exercise any power under the Act for which no regulation has been framed, and the Commission may deal with such matters or exercise such power in such manner as it thinks fit.

## **75. General power to amend.**

- The Commission may, at any time and on such terms as to costs or otherwise, as it may think fit, amend by removal of any defect or error in any proceeding before it, and all necessary amendments shall be made for the purpose of determining the real question or issue arising in the Proceedings.

## **76. Power to remove difficulties.**

- If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do anything not being inconsistent with the provisions of the Act, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

## **77. Power to dispense with the requirement of the Regulations.**

- The Commission shall have the power, for reasons to be recorded in writing and with notice to the affected parties, dispense with the requirements of any of the Regulations in a particular case subject to such terms and conditions as it may specify.

## **78. Extension/abridgment of time prescribed.**

- Subject to the provisions of the Act, the time prescribed by these regulations or by order of the Commission for doing any act may be extended (whether it has already expired or not) or abridged for sufficient reason by order of the Commission.

## **79. Effect of non-compliance.**

- Failure to comply with any requirement of these Regulations, directions or guidelines of the Commission shall not invalidate any Proceeding merely by reason of such failure unless the Commission is of the view that such failure has resulted in miscarriage of justice.

## **80. Costs.**

(1) Subject to such conditions and limitation as may be directed by the Commission. the cost of and incidental to all proceedings may be awarded at the discretion of the Commission and the Commission shall have full power to determine by whom or out of what funds and to what extent such costs are to be paid and give all necessary directions for the aforesaid purposes. (2) The costs shall be paid within 30 days from the date of the order or within such time as the Commission may, by order, direct. The order of the Commission awarding costs shall be executed in the same manner as the decree /order of a Civil Court. Appendix- A Form 1 (Authorisation - Reg. 17) Before The Rajasthan Electricity Regulatory Commission, Jaipur Filing No. .... Case No. .... (To be filled in by the Commission Office) In The Matter Of: (Gist of the purpose of the Petition or application) And In The Matter Of: (Names and full address of the petitioners / applicants and names



and full addresses of the respondent)I/We ..... hereby authorise Mr./Ms. ....  
Son/Daughter/ of Mr./Ms. .... whose signatures are attested below, to represent me/us as  
petitioner/applicant/respondent in the above matter.....Signature of the  
authorised representative.....Signature attested.....Signature of  
petitioner/applicant/respondentAppendix- BForm 2(General Heading for Proceedings Reg.  
23)Before The Rajasthan Electricity Regulatory Commission, JaipurFiling No .....Case No.  
.....(To be filled in by the Commission Office)In The Matter Of :(Gist of the purpose of the  
Petition or application)AndIn The Matter Of:(Names and full address of the petitioners/applicants  
and names and full addresses of the respondent)Appendix- CForm 3Before The Rajasthan  
Electricity Regulatory Commission, JaipurFiling No. ....Case No. ....(To be filled  
in by the Commission Office)In The Matter of :(Gist of the purpose of the Petition or  
application)andIn The Matter Of:(Names and full address of the petitioners/applicants and names  
and full addresses of the respondent)Affidavit verifying the Petition/reply/applicationI, AB, son of  
..... aged ..... residing at ..... do solemnly affirm and say as follows:I,I am a  
Petitioner/applicant/respondent etc. in the matter\*orI am duly authorised representative of the said  
petitioner/applicant/respondent & make this affidavit on his behalf\*or

**1. I am a Director/Secretary/partner ..... of M/s. .... and Make  
this affidavit on the behalf of such Company/Firm/..... as a  
petitioner/applicant/respondent in the above matter and am duly authorised  
by the said petitioner/applicant/respondent to make this application on its  
behalf.**

**2. The statement made in paragraphs ..... to ..... of the  
Petition/application/reply herein now shown to me and marked with the letter  
"A" are true to my knowledge and the statements made in paragraphs  
..... to ..... are based on information and I believe them to be  
true.**

I Solemnly affirm, this ..... day of ..... that the contents of above affidavit are true to  
my knowledge & no part of it is false and nothing material has  
been.....