

Tamil Nadu Electricity Regulatory Commission - State Advisory Committee Regulations, 2004

TAMILNADU

India

Tamil Nadu Electricity Regulatory Commission - State Advisory Committee Regulations, 2004

Rule

TAMIL-NADU-ELECTRICITY-REGULATORY-COMMISSION-STATE-ADV of 2004

- Published on 8 January 2004
- Commenced on 8 January 2004
- [This is the version of this document from 8 January 2004.]
- [Note: The original publication document is not available and this content could not be verified.]

Tamil Nadu Electricity Regulatory Commission - State Advisory Committee Regulations, 2004Published vide Notification No. TNERC/SACR/2/2, dated 8.1.2004 - No. 6 (2)7499/2004In exercise of the powers conferred on it by sub-section (1) of section 87 of the Electricity Act, 2003 (Act 36 of 2003) and all powers enabling it in that behalf the Tamil Nadu Electricity Regulatory Commission hereby makes the following regulations. These regulations supersede "Tamil Nadu Electricity Regulatory Commission - State Advisory Committee Regulations, 2002" published in Notification No. TNERC/SACR/2/1, dated 5th July 2002 in the Gazette, dated July 17,2002 of Government of Tamil Nadu.

1. Short title, commencement.

(1)These regulations may be called the Tamil Nadu Electricity Regulatory Commission - State Advisory Committee Regulations, 2004.(2)These regulations shall [come into force on the date] [Published in the Tamil Nadu Government Gazette on the 18th February 2004 and from that date, these regulations came into force.] of their publication in the Tamil Nadu Government Gazette.

2. Definitions.

(1)In these regulations, unless the context otherwise requires, -(a)'Act' means the Electricity Act, 2003 (Act 36 of 2003);(b)'Commission' means the Tamil Nadu Electricity Regulatory Commission(c)'Chairperson' means the Chairperson of the Tamil Nadu Electricity Regulatory Commission;(d)'Member' means a member of the Tamil Nadu Electricity ' Regulatory

Commission;(e)'Secretary' means the Secretary of the Tamil Nadu Electricity Regulatory Commission;(f)Officer' means an officer of the Commission;(g)'Committee' means the State Advisory Committee established by the Tamil Nadu Electricity Regulatory Commission.(2)Words or expressions occurring in these regulations and not defined herein but defined in the Electricity Act, 2003 shall bear the same meaning assigned to them in that Act.

3. Formation of an Advisory Committee.

- The Commission may, by notification, establish with effect from such date, a Committee to be known as 'TNERC State Advisory Committee'.

4. Members of the Committee.

- Section 87 (2) of the Act, which pertains to the members of the Committee reads as "The State Advisory Committee shall consist of not more than twenty one members to represent the interests of commerce, industry, transport, agriculture, labour, consumers, non-governmental organisations and academic and research bodies in the electricity sector".

5. Chairperson and Ex officio members.

- Pertaining to the Chairperson and ex officio members of the Committee, section 87(3) of the Act reads as "The Chairperson of the State Commission shall be the ex officio Chairperson of the members of the State Commission in charge of the Ministry or Department dealing with Consumer Affairs and Public Distribution System shall be the ex officio members of the Committee".

6. Selection and appointment of Advisory Committee members.

- The Commission shall appoint the candidates to serve on the Committee, after consultation with the individuals / representative organisations / bodies of such interest groups. The Commission may choose to limit the number of members to be nominated in each sector, depending upon the important relationship, the concerned sector bears with the electricity industry. The Commission may also nominate members from other stakeholders in electricity, over and above the interested sectors indicated in section 87(2) of the Act but not exceeding the total number of members which is twenty one.

7. Term of office for the nominated members of the Advisory Committee.

- Members of the Committee shall be nominated for a maximum period of three-year term and one third of the members shall retire annually. The Commission shall have the power to re-nominate any member on expiry of his / her term.

8. Special invitees to the Advisory Committee meetings.

- The Commission may, from time to time, invite persons with expertise in specific areas to attend the State Advisory Committee meeting as special invitees and solicit their views / opinions and also pay suitable honorarium as it deems fit.

9. Secretary of the Advisory Committee.

- The Secretary of the Commission shall also be the Secretary of the Committee. He shall not be eligible for any extra remuneration on account of this additional work.

10. Objects of the Advisory Committee.

- The objects of the State Advisory Committee as envisaged in section 88 of the Act shall be to advise the Commission on -(a)major questions of policy;(b)matters relating to quality, continuity and extent of service provided by the licensees;(c)compliance by licensees with the conditions and requirements of their licence;(d)protection of consumer interest;(e)energy supply and overall economic and efficiency standards of performance by utilities.

11. Conduct of business by the Advisory Committee.

- The conduct of business by the Committee shall be regulated on the basis of the following:-(1)It shall be the duty of the Secretary to convene meetings of the Committee and to give the Committee members thereof not less than 14 days notice in writing of the date, time and place of the proposed meeting. If considered necessary, Chairperson may reduce the period of notice to transact any urgent business. The notice will also contain the agenda and connected papers, if any, of the meeting.(2)The members can write to the Secretary, indicating through a brief note, any relevant subject (as referred in regulation 9 above) for inclusion in the agenda of the subsequent meeting.(3)The Chairperson of the Committee shall preside at every meeting of the Committee. In his absence, the senior most member of the Commission shall act as the Chairperson of the meeting.(4)All meetings of the Committee shall be held at the office premises of the Commission at Chennai, unless the Commission otherwise notifies.(5)The discussions in the meeting and consequent conclusions, if any, taken at the meeting shall strictly follow the agenda only, scheduled for the meeting. Only the Chairperson can bring in additional subjects to the agenda at the end of the meeting.(6)[The Commission shall convene a meeting of the State Advisory Committee, as and when required, to discuss and advise the Commission on any of the matters specified in Section 88 of the Electricity Act, 2003 (Central Act 36 of 2003) after giving notice to all members as provided in sub-regulation (1) at the venue and time as it thinks convenient.] [Substituted by Notification No. VI(2)/209/7012. dated 11.06.2012.](7)A notice shall be deemed duly issued if it is sent, by post or by messenger, within the prescribed time to the registered address of a member.(8)A member of the Committee who fails to attend three consecutive meetings of the Committee shall forthwith cease to be a member of the Committee.(9)The proceedings of every meeting of the Committee shall be recorded in a minute book kept for the purpose and shall be signed by the Chairperson of the

meeting. This will be read along with a note on the action taken by the Commission in the next meeting for the information of the members.(10)The quorum for a meeting of the Committee shall be six. If there is no quorum, the Chairperson may adjourn the meeting. No further notice need be given for an adjourned meeting and no quorum is also necessary for the adjourned meeting. If, at any time, after a meeting is commenced, a quorum ceases to exist, the meeting shall not be dissolved but shall continue.(11)No matter shall be considered at an adjourned meeting other than matters remaining from the meeting at which the adjournment took place, provided that, with or without notice, the Chairperson may bring, or direct to be brought, any new matter which in his opinion is urgent, before an adjourned meeting of the Advisory Committee.(12)No proceedings of the Committee shall be invalid by reason solely of vacancies existing in the Committee, or by reason of non-receipt of the notice or the agenda paper, provided the notice and agenda were duly issued, or by reason of any irregularity in the conduct of the business of the meeting.(13)The Chairperson, during any meeting, may direct any member of the Committee whose conduct at the meeting is, in the Chairperson's opinion, disorderly, to withdraw. Any such member so ordered shall be deemed to have withdrawn from the meeting, whether or not he physically withdraws.(14)In cases not expressly provided for in these guidelines for the conduct of meetings, the decision of the presiding Chairperson on all matters relating to the conduct of business during the meeting shall be final.

12. Fees and travelling allowances for the committee members.

(1)A member of the Committee shall not be entitled to any remuneration other than that provided in these regulations.(2)A sitting fee of Rs.1000/- per meeting shall be payable to all the members of the committee except the ex-officio members.(3)A members of the committee who is a Government servant or an employee of any public sector undertaking shall draw travelling and daily allowances on the scale admissible to him from his parent organisation. The sitting fee alone shall be paid by the Commission,(4)[(i) For the members other than those who are governed by sub-regulation (3) above, the payment of daily allowance shall be at the rates specified by the Commission from time to time which may also be indicated in their appointment orders. The payment of Travelling Allowance shall be as follows:(ii)For the members who reside outside Chennai, 2nd Air-conditioned class train fare from the nearest Railway Station of the place where he normally resides and Chennai and back shall be reimbursed by the Commission towards the Travelling Allowance.]

13. Resignation.

- Any member of the Committee may, by writing under his hand, addressed to Secretary of the Commission, resign his office as member of the Committee. The Commission will take appropriate action to nominate an alternative member.[Substituted by Notification No. VI(2) 1210 12012, dated 05.07.2012.]