

Orissa Electricity Regulatory Commission (State Advisory Committee) Regulations, 2004

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ORISSA-ELECTRICITY-REGULATORY-COMMISSION-STATE-ADVISORY COMMITTEE REGULATIONS, 2004

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Orissa Electricity Regulatory Commission (State Advisory Committee) Regulations, 2004Published vide Notification No. LAW/LD/Reg.-2/2004, dated 21st May, 2004, Orissa Gazette Extraordinary No. 708 dated 28.5.2004No.LAW/LD/Reg.-2/2004. - In exercise of powers conferred under Section 87 read with Section 181 of the Electricity Act, 2003 (36 of 2003), the Commission hereby makes the following Regulations, namely, in regard to the State Advisory Committee and for matters incidental and ancillary thereto :

1. Short title and commencement.

(1)These Regulations may be called the Orissa Electricity Regulatory Commission (State Advisory Committee) Regulations, 2004.(2)These Regulations shall come into force on the date of its publication in the Official Gazette.

2. Definitions.

(1)In these Regulations unless the context otherwise requires;(a)"Act" means the Electricity Act, 2003;(b)"Commission" means the Orissa Electricity Regulatory Commission;(c)"Committee" means the State Advisory Committee;(d)Words and expressions used and not defined herein but defined in the Act shall have the meaning assigned to them in the Act.

3. Constitution of the Committee.

(1)The Committee shall consist of not more than 21 members (excluding ex-officio members) [* * *] [Deleted vide O.G.E. No. 1263 dated 22.9.2004.] to be nominated by the Commission from time to time consistent with Section 87 of the Electricity Act, 2003 [in consultation with the State Government] [Added vide O.G.E. No. 1263 dated 22.9.2004.].(2)The Members of the Committee shall be nominated for a period of three years.(3)The Managing Director/CEO of the Licensees and Generating Companies operating in the State shall be Special Invitees, and shall attend the meetings of the Committee.(4)The Chairperson of the Commission shall be the ex-officio Chairperson of the Committee and Members of the Commission, the Secretary to Government of Orissa in charge of Department dealing with Consumer affairs and public distribution system shall be the ex-officio members of the Committee.(5)A member other than the ex-officio member, who fails to attend three consecutive meetings of the committee without prior intimation to the Commission and without valid reasons for his absence shall cease to be a member of the Committee.

4. Secretary of the Committee.

(1)The Secretary of the Commission shall be the ex-officio Secretary to the Committee.(2)It shall be the duty of the Secretary to convene the meetings of the Committee with the permission of the Chairperson and to give to the members thereof, unless otherwise specifically directed by the Chairpersons not less than 14 days' notice in writing of the date, time and place and agenda of the proposed meeting.

5. Proceedings of the Committee.

(1)The proceedings of the meetings of the Committee shall be recorded in a minute book to be kept for the purpose and shall be signed by the Chairperson of the meeting at the next succeeding meeting or at any time before such succeeding meeting.(2)The Committee shall meet at least once in every three months.(3)The quorum for the commencement of a meeting of the Committee shall be six.(4)The meeting, after such Commencement with a valid quorum can be continued even if during the meeting the number of participating members reduces below the quorum.(5)If there is no quorum at the commencement of the meeting no business shall be transacted and the Chairperson of the meeting may adjourn the meeting to another date to be fixed by the Chairperson. No quorum shall be necessary at an adjourned meeting.(6)At the adjourned meeting the agenda proposed for the initial meeting shall be considered first before other matters are taken up for consideration.(7)No proceedings of the Committee shall be invalid by reason merely of a vacancy existing in the Committee or by reason of non-receipt of the notice or the agenda papers by any members of the Committee or by reason of any irregularity in the conduct of the business of the meeting.(8)Unless the Commission otherwise notifies, all meetings of the Committee shall be held at the Office of the Commission.(9)The Chairperson of the Committee may call for assistance for any officer of the Commission/expert/consultant for deliberation on any issue, as deemed necessary.(10)Members of the Committee alone have the right to admission, participation and deliberation in the meetings of the Committee.

6. Fees and allowances for members of the State Advisory Committee.

(1) A member of the Committee other than an ex-officio member and special invitees shall be entitled to a fee of Rs.500 (Rupees five hundred only) for each sitting. (2) A member of the Committee attending the meeting of the Committee shall be entitled to allowances for travelling and stay as the Commission may decide from time to time.

7. Resignation of Member.

- A member of the Committee other than an ex-officio member [* * *] [Deleted vide O.G.E. No. 1263 dated 22.9.2004.] may, by a written notice to the Secretary of the Commission resign from his office and it shall come into effect from the day the Chairperson of the Commission accepts the same.

8. Removal of member.

(1) The Commission may remove any member of the Committee other than an ex-officio member, who-(a) has been adjudged as insolvent; or (b) has been convicted of an offence involving moral turpitude; or (c) has become physically or mentally incapable of acting as a member; or (d) has conducted himself in a manner or has so abused his position as to render his continuance as a member prejudicial to public interest or to the objects and purpose of the Act. (e) [has acquired such financial or other interest as is likely to effect prejudicially his function as a member. [Inserted vide O.G.E. No. 1263 dated 22.9.2004.]] (f) has been guilty of proved misbehaviour (g) has failed to attend three consecutive meetings of the committee without pre-intimation to the Commission and without valid reason. Provided that no member shall be removed from his office on any ground specified under Clause 'd' to 'g' unless State Government on a reference being made to it by the Commission in this behalf is satisfied that the member ought on such ground or grounds is to be removed. (2) The member who is proposed to be removed under Sub-clause (1) above shall be given an opportunity to represent his position to the Chairperson of the Commission.

9. Miscellaneous.

(1) Subject to the provisions of the Electricity Act, 2003 and these regulations, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of these Regulations and procedure to be followed on various matters/which the Commission has been empowered by these regulations to direct and matters incidental or ancillary thereto. (2) The Commission may, at any time, add, vary, alter, modify or amend any of the provisions of these regulations. (3) If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, [do such things] [Substituted vide O.G.E. No. 1263 dated 22.9.2004.] 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.