

Jharkhand State Electricity Regulatory Commission (Miscellaneous Provisions) Order 2003

JHARKHAND

India

Jharkhand State Electricity Regulatory Commission (Miscellaneous Provisions) Order 2003

Rule

JHARKHAND-STATE-ELECTRICITY-REGULATORY-COMMISSION-MIS of 2003

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Jharkhand State Electricity Regulatory Commission (Miscellaneous Provisions) Order 2003 Published vide Notification No. Jharkhand Gazette (Extra Ordinary) dated 18.10.2003 In exercise of the power conferred under Regulations 20, 34 and 46 of Jharkhand State Electricity Regulatory Commission (Conduct of Business) Regulation 2003 and all other power enabling in this behalf, the Jharkhand State Electricity, Regulatory Commission hereby make following order:-

1. Short title and commencement.

- (i) This Order shall be called the Jharkhand State Electricity Regulatory (Miscellaneous Provisions) Order, 2003. (ii) This shall be deemed to have come into effect on 10.07.2003 the date of the publication of Jharkhand State Electricity Regulatory Commission (Conduct of Business) Regulation, 2003. (iii) The words and expressions used in this Order shall have the same meaning as defined in Electricity Act, 2003 and the Jharkhand State Electricity Regulatory Commission (Conduct of Business) Regulation, 2003.

2. Place of office and working hours of the Commission.

- The head office of the Commission, until further order shall be located at 2nd Floor, Rajendra Jawan Bhawan Sainik Bazar, Main Road, Ranchi, 834 001. The working hours of the Commission shall in between 10.00 to 5.00 pm with lunch break from 1.00 pm to 1.30 pm (from 1st October to 31st March it will be between 10.30 am to 5.00 pm with same lunch break).

3. Authentication of orders.

- In addition to the Secretary, the officer who will be authorised to authenticate the judicial orders of the Commission will be intimated separately.

4. Seal of the Commission.

- The Official seal of the Commission shall be as under.

5. Presentation of petitions, applications, replies etc.

- All the petitions, applications, replies etc. and other documents shall be filed before the Secretary of the Commission in the Office of the Commission during the working hours, on all working days.

6. Authority to represent before the Commission.

- (i) A person, who is a party to any proceeding before the Commission may either appear in person or may authorise any other professional, who is a member of a statutory body or any of its officers to present its case before the Commission and do all or any of the acts for the purpose.[Explanation. - A member of a statutory body means a practicing Chartered Accountant, Company Secretary or Cost and Works Accountant.](ii) A legal practitioner appearing and acting in the proceedings on behalf of any person before the Commission shall file a Vakalatnama, duly executed by or on behalf of the person for whom he appears.(iii) Any person other than legal practitioner representing a party before the Commission shall file a memorandum of Appearance in the form in Annexure-1 duly signed by him.

7. Seal of the Commission with receipt stamp.

- (i) The person receiving the petition, application, reply or other documents, affix the receipt stamp with the seal of the Commission on the first page of all the copies and put his/her initials on the Stamp for the purpose.(ii) The person receiving the petition, application, reply or other documents shall enter the details thereof in the Diary Register prescribed as per Annexure-2 and assign a diary number. The same diary number shall be entered on all the copies of the documents so received.(iii) The format of the receipt stamp shall be as under. JSERC, Ranchi. Receipt No: Date: Ref. Clerk

8. Communication of defects.

- (i) If on scrutiny, any petition, application or pleading is found to be defective the defects shall be notified to the party concerned, advising him/her to rectify the defects within a specified time. A standard letter for notifying the defects shall be in the form as per Annexure-3.(ii) If the party concerned rectifies the defects within the time granted, the petition shall be registered and placed before the Commission.(iii) In case the party contests the office objection but the Secretary Is not

satisfied or if the party concerned otherwise fails to rectify them within the time granted, the Secretary shall place the matter before the Chairman for appropriate order.

9. Grant of certified copies.

- (i) Every order granting, refusing or modifying Interim relief and final order shall be communicated to the parties to the petition, free of cost:-Provided that unless ordered otherwise by the Commission, a copy of the final order may not be sent to any party who has not entered appearance.(ii)Any person desirous of obtaining a certified copy of any order of the Commission or any document forming part of the record of proceeding before the Commission, may submit an application in the prescribed form as per Annexure-4.(iii)The application for certified copy shall be accompanied by the fee of Rs. 100/- (Rupees one hundred) in the form of Demand Draft in favour of Secretary, Jharkhand State Electricity Regulatory Commission Ranchi.(iv)A Register of Copy Applications shall be maintained in the form as prescribed in Annexure-5.(v)As far as practicable, the certified copies shall be prepared in the order in which the applications are entered in the Register of Copy Applications.(vi)The certified copies shall be prepared by photocopying process or by typing and when the copy is so made, the person preparing the copy, to satisfy him that the copy prepared faithfully and legibly reproduces the document desired, shall compare it.(vii)An endorsement as under shall be affixed on the reverse on the last page of document (so copied).(a)Sl. No. of the application(b)Name of the applicant(c)Date of presentation of the application(d)Number of pages(e)Copying fee charged.(f)Date on which the copy was ready.(g)Date of delivery(viii)The endorsement shall be made with help of a rubber stamp got prepared for the purpose. The entries shall be made in ink.(ix)An officer of the Commission shall be authorised to issue the certified copies, who shall affix his signature below the endorsement on the reverse of the last page of the certified copy.(x)In all the cases of supplying certified copies, whether supplied free or on the basis of the application submitted by the party, the authorised officer shall affix the seal of the Commission on all the pages of the copy. He shall also append a certificate as under and affix his initial on the last page of the document:-"Certified true copy."(xi)The copying fee payable for obtaining a certified copy shall be Rs. 5.00 per page irrespective of number of words/lines in each page.

10. Inspection of Records.

- (i) The application for inspection of document shall be in the form in Annexure-6 and shall be accompanied by a fee of Rs. 300/-for each inspection for one day, in the form of Demand Draft in favour of Secretary Jharkhand State Electricity Regulatory Commission, Ranchi.(ii)The inspection of records shall be allowed on working days during the working hours in the presence of an officer authorised for that purpose, ordinarily between 14.30 hrs and 17.00 hrs.(iii)The person inspecting the records shall not in any manner cause dislocation, mutilation, tampering or damage to records in the course of inspection.(iv)The officer supervising the inspection may at any time prohibit further inspection if in his opinion any of the records are likely to be damaged in the process of inspection and shall immediately, make a report about the matter to the Secretary/Commission and seek further orders on the matter.(v)A register for inspection of Records in the format as per Annexure-7 shall be maintained.

11. Fee on petition, application etc.

- (i) Every petition/application filed before the Commission shall be accompanied by fee specified in the Schedule. Provided that RLDC and the Consumer Groups registered with the Government of India are exempted from payment of fee prescribed. (ii) The fee shall be payable by means of Demand Draft drawn in favour of Secretary Jharkhand State Electricity Regulatory Commission, Ranchi. (iii) The fee received shall be entered in the register prescribed for the purpose in the form as in Annexure-8.

Schedule

Fee Structure

Sl. No.	Name of petition/application	Provision	Fee
1.	Petition for tariff setting	Section 64(1) read with Section 181 (zg) E Act, 2003	Rs. 4,00,000/-
2.	Any other petition		Rs. 5,000/-
3.	Application for inspection of document	As per para 10 (i) of this order	
4.	Application for obtaining certified copies	As per para 9 of this order.	
5.	Interlocutory application		Rs. 15,000/-

Annexure 1 Before the Jharkhand State Electricity Regulatory Commission, Ranchi

Petition No.....In the matter

of.....Petitioner Versus.....

Respondent(s) Memo of Appearance I.....practising/working.....as.....having been

authorised by.....(particulars of the person authorising), hereby enter appearance on behalf of

and undertake to plead and act for him/it in all matters in the aforesaid case. Place.....Date

.....Signature and Designation Address for correspondence: Annexure 2 Jharkhand State

Electricity Regulatory Commission

2nd. Floor, Rajendra Jawan Bhawan-Sainik Bazar, Main Road, Ranchi 834 001

Telephone: 0651-2210922

Sl. No.	Diary No.	Date of filing	Petition/Application No.	Name and Address of petitioner	Name and Address of the respondent
1	2	3	4	5	6

Subject matter of the application	Date of admission	Particulars of interim orders passes, if any	Date and particulars of final	Details of appeal if any	Remarks
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			order		
7	8	9	10	11	12

Annexure 3Jharkhand State Electricity Regulatory Commission

2nd. Floor, Rajendra Jawan Bhawan-Sainik Bazar, Main Road, Ranchi 834 001

Telephone: 0651-2210922NoDate.....Subject: Petition under para 20(5) of Jharkhand State Electricity Regulatory Commission (Conduct of Business) Regulation 2003-In the matter ofDear Sir,I am directed to refer to your petition/application dated.....filed on.....on the subject noted above and inform you that on scrutiny the following defects have been pointed out:(1)The petition is not in the form prescribed in Jharkhand State Electricity Regulatory Commission (Conduct of Business) Regulation 2003.(2)The name, description and address of the parties have not been furnished in cause title.(3)The following necessary parties have not been impleaded :(a)(b)(c)(4) The petition has not been signed.(5)The petition has not been verified through an affidavit.(6)The affidavit is not in the form prescribed in JSERC's Conduct of Business Regulation.(7)The affidavit has not been signed and sworn before a competent authority.(8)Seven copies of the affidavit were to be filed which has not been done.(9)The copies of the petitions are not complete.(10)English/Hindi translation of the documents and other materials contained in language other than English/Hindi have not been filed.(11)The copies of the documents are not readable and attested.(12)Authenticity of English/Hindi translation of the document has not been furnished.(13)The Vakalatnama/Letter of authorisation has not been filed.(14)The Vakalatnama is not properly executed and necessary court fee has not been paid.(15)The prescribed fee for the petition/application has not been deposited.(16)The index of document has not been filed.(17)The pagination of the document has not been done properly.You are requested to rectify the defects within 14 days from the date of issue of this letter, failing which the petition shall be deemed to have been rejected.Yours faithfully(Secretary)Annexure 4Jharkhand State Electricity Regulatory Commission

2nd. Floor, Rajendra Jawan Bhawan-Sainik Bazar, Main Road,

Ranchi 834 001.Telephone: 0651-2210922Petition

No:.....PetitionerVersus.....
for grant of certified copy

1. Name and address of applicants:

2. Whether the applicant is party to the case.

3. Whether the case is pending or disposed of.

4. Description with date of document of which copy is applied for

5. Number of copies required.

6. Amount of fee deposited and mode of payment.

SignatureFor office use onlyRequest granted/RejectedAdditional copying feePayable/Paid and details thereofSecretaryAnnexure 5Jharkhand State Electricity Regulatory Commission

2nd. Floor, Rajendra Jawan Bhawan-Sainik Bazar, Main Road,

Ranchi 834 001. Telephone: 0651 -2210922Register of Copy Application

Sl. No.	Date of application	Name of applicant	Petition No.	Particulars of the document copy of which is require	Amount received	Details of Demand Draft
1	2	3	4	5	6	7
No. of	Addl. Amount and details		Date of preparation	Date of delivery	Signature of recipient	Remark
8	9		10	11	12	13

Annexure 6Jharkhand State Electricity Regulatory Commission

2nd. Floor, Rajendra Jawan Bhawan-Sainik Bazar, Main Road,

Ranchi 834 001Telephone: 0651 -2210922Petition No:

.....PetitionerVersus.....

for Inspection of Document/RecordsI, hereby apply for grant of permission to inspect the documents/record in the above case. The details are as under:

1. Name and address of person seeking permission.

2. Whether he is party to the case or he is authorised representative of any party. Give necessary details.

3. Details of papers/document to be inspected.

4. Purpose for the inspection.

5. Date and duration of the inspection sought.

6. Amount of fee payable and the mode of payment.

Place:Date:SignatureFor office use onlyPermission granted for inspection
on...../rejected.SecretaryAnnexure 7Jharkhand State Electricity Regulatory Commission

2nd. Floor, Rajendra Jawan Bhawan-Sainik Bazar, Main Road,

Ranchi 834 001. Telephone: 0651 -2210922Register for Inspection of Records

Sl. No.	Name of applicant	Date of application	Records to be inspected	Purpose of inspection	
1	2	3	4	5	
Amount paid with particulars of DD No. with date and Bank		Date on which inspected	Official in whose presence inspection took place	Signature of all inspecting the records	Remarks
6		7	8	9	10