

# **The Procedure For Conducting Inquiry Against A Member Of Appropriate Commission Rules, 2004**

UNION OF INDIA

India

## **The Procedure For Conducting Inquiry Against A Member Of Appropriate Commission Rules, 2004**

### **Rule**

### **THE-PROCEDURE-FOR-CONDUCTING-INQUIRY-AGAINST-A-MEMBER of 2004**

- Published on 21 June 2004
- Commenced on 21 June 2004
- [This is the version of this document from 21 June 2004.]
- [Note: The original publication document is not available and this content could not be verified.]

The Procedure For Conducting Inquiry Against A Member Of Appropriate Commission Rules, 2004 Published vide Notification G.S.R. 370(E), dated 21.6.2004, published vide Notification Gazette of India, Extraordinary, Part 2, Section 3(i), dated 21.6.2004.

### **9.**

/480 Notification No. L-7/2004-CERC dated 29.7.2004. - In exercise of the powers conferred by clause (1) of sub-section (2) of section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules for regulating the procedure for conducting an inquiry against a Member of the Appropriate Commission, namely:-

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

(1) These rules may be called The Procedure for Conducting Inquiry Against a Member of Appropriate Commission Rules, 2004. (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 Electricity Act, 2003; (b) "section" means section of the Act; (c) "Registrar" means Registrar of the Appellate Tribunal. (2) Words and expression used herein and not defined but defined in the Act shall have the

meaning respectively assigned to them in the Act.

### **3. Procedure for conducting inquiry.**

(1)The Appropriate Government shall make a reference alongwith imputation of charges and other relevant information for the purpose of conducting such inquiry to the Chairperson of the Appellate Tribunal in pursuance of the provisions of sub-section (2) of section 90 of the Act.(2)On receipt of a reference under sub-rule (1), Chairperson of the Appellate Tribunal shall issue a notice to the Member concerned to appear before him on the time and date specified in the notice.(3)A copy of the charges preferred against the Member shall be supplied alongwith the notice.(4)The Chairperson of the Appellate Tribunal may seek assistance of an expert of expert agency for investigating into the charges against the Member.(5)For the purpose of discharging his functions under these rules, the Chairperson of the Appellate Tribunal may summon such witnesses or records as he may consider necessary.(6)After hearing the views of the Member, Chairperson shall forward his findings to the Appropriate Government.