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NEW DELHI, THURSDAY, JANUARY 7, 2010/PAUSA 17, 1931

NOTIFICATION**Gurgaon, 18th December, 2009**

No. JERC-07/2009.--In exercise of the powers conferred on it by Section 181 read with Section 87 of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in that behalf, the Joint Electricity Regulatory Commission for the State of Goa and the Union Territories, hereby makes the following Regulations:

1. Short Title, Commencement and Interpretation

1. These Regulations shall be called the Joint Electricity Regulatory Commission (State Advisory Committee) Regulations, 2009.
2. These Regulations shall come into force on the date of their publication in the official Gazette.
3. These Regulations shall extend to the whole of the State of Goa and Union Territories of Andaman & Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu, Lakshadweep and Puducherry

2. Definitions

1. In these Regulations, unless the context otherwise requires:
 - a) "Act" means the Electricity Act, 2003 (36 of 2003);
 - b) "Commission" means the Joint Electricity Regulatory Commission for the state of Goa and the Union Territories.
 - c) "Committee" means the State Advisory Committee constituted in accordance with the provisions of Section 87 of the Act;

2. Words and expressions used and not defined herein shall have the same meaning as assigned to them in the Act.

3. Term of office of the Members of the Committee

Every Member of the Committee, except the Chairperson and the Member of the Commission shall hold office for a period of two years unless his appointment is terminated earlier in the manner described in these Regulations. On the expiration of the term of any Member, the Commission may in its discretion re-appoint him as such Member.

4. Objects of the State Advisory Committee

The objects of the States Advisory Committee shall be to advise the Commission on-

- i. Major question of policy;
- ii. Matters relating to quality, continuity and extent of service provided by the licensees;
- iii. Compliance by licensees with the conditions and requirements of their license;
- iv. Protection of consumer interest; and
- v. Electricity supply and overall standards of performance by utilities.

5. Secretary of the Committee

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

6. Notice of Meetings

1. Meetings of the Committee shall be convened by its Secretary under the direction of Chairperson of the Committee, at least once in three months. The Secretary shall, ordinarily, give the members of the Committee, not less than 10 days' notice, in writing, of the date, time and place of the meeting. Ordinarily, not less than seven days before the meeting, the Secretary shall send to such members, copies of the Agenda of the meeting.
2. A Member other than the ex-officio Member, who fails to attend three consecutive meetings of the Committee shall forthwith cease to be a Member of the Committee

7. Chairperson at the meetings

The Chairperson of the Commission shall preside over a meeting of the Committee as its Chairperson:

Provided that when the Chairperson has been prevented from attending the meeting of the Committee, of which he has been given due notice, the Member of the Commission, present, shall preside over that meeting, as Chairperson of the meeting.

8. Stay and travelling arrangements for the Members of the Committee

1. The stay and travelling arrangements for the members of the Committee for attending the meetings of the Committee shall be made by the Commission.
2. Members of the Committee other than Government servants shall be paid an honorarium at a rate as may be decided by the Commission from time to time.
3. A member of the Committee, who is a Government servant, shall be entitled to draw traveling allowance, including daily allowance, on the scale admissible to him under the Travelling Allowance Rules of the Government with which he is employed.

9. Proceedings

1. The proceedings of every meeting of the Committee shall be prepared by its Secretary and shall be approved by the Chairperson of the meeting.
2. The agenda for the meetings of the Committee shall broadly be in accordance with the subjects on which the Committee is required to be consulted under the Act.
3. No matter other than that included in the Agenda shall be considered or discussed at a meeting of the Committee except with the special permission of the Chairperson of the meeting.
4. Attendance by proxy shall not be permitted at the meetings of the State Advisory committee.

10. Quorum and Adjourned Meeting

1. Minimum seven members of the Advisory Committee including the ex-officio Members shall constitute Quorum at a meeting of the Committee. If there is no Quorum within thirty minutes of the appointed time for the meeting, no meeting shall be held and the Chairperson of the meeting may then and there adjourn the meeting to such future date, as may be directed by him. No further notice need be given for a meeting so adjourned.
2. If at any time during the progress of the meeting, after its commencement, there ceases to be Quorum, the meeting shall ignore the want of Quorum and shall continue to transact its business.
3. No matter shall be considered at a meeting adjourned under sub-regulation (1) above other than matters scheduled at the meeting from which the adjournment took place, provided that the Chairperson of the meeting may bring or permit or direct a new matter, which in his view is urgent, to be brought before the adjourned meeting, with or without notice.

11. Point of order

Any point of order raised at meeting shall be decided by the Chairperson presiding at the meeting and his decision shall be final.

12. Resignation of Member

A member of the Committee, other than an ex-officio member 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.

13. Removal of Member

1. The Commission may remove any member, 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.
2. The member who is proposed to be removed under sub-regulation (1) above shall be given an opportunity to represent his position to the Chairperson of the Commission.

14. Savings as to Validity of Proceedings

No proceeding of the Committee shall be invalidated by reason merely of a vacancy or vacancies existing in the Committee or by reason of non-receipt of the notice or copy of the Agenda, provided it was duly issued, or by reason of any irregularity in conduct of the business of the meeting.

Explanation: A notice will be deemed to have been duly issued if it is dispatched within the prescribed time to the registered address of the member by post or by messenger.

15. Invitation to Persons other than Members to Attend

To assist the Committee in its deliberations, persons other than Members of the Committee, having special or useful knowledge on a matter of interest to the Committee may be invited by the Chairperson of the Committee to attend any meeting thereof.

16. Consultation

The Commission while deciding issues on which the views of the Committee have been obtained may consider them into account.

17. General

In cases not expressly provided for in these Regulations for conduct of meetings, the decision of the Chairperson presiding at a meeting on matters relating to the conduct of the meeting shall be final.

18. Miscellaneous

1. The Commission may at any time, add, vary, alter, modify or amend any of the provisions of these Regulations.
2. If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or specific order, do or undertake or permit the Committee to do or undertake things, which in the opinion of the Commission are necessary or expedient to remove the difficulty.

(J.S. SEHRAWAT)
Secretary