

**JOINT ELECTRICITY REGULATORY COMMISSION FOR
THE STATE OF GOA AND UNION TERRITORIES
GURGAON**

Quorum *

Sh. S.K.Chaturvedi, Chairperson

Petition No. 140/2014

Date of Order 08.08.2014

In the matter of

Petition for seeking clarification in certain provisions of Joint Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2010 and the Joint Electricity Regulatory Commission (Electricity Supply Code) first Amendment Regulations, 2013.

And in the matter of

Electricity Department, Puducherry

..... Petitioner

Present for petitioner

1. Shri K. Mathivanan, Superintending Engineer, ED-Puducherry.
2. Shri A.S. Jitendra Rao, Executive Engineer, ED- Puducherry.
3. Shri T. Chanemougam, Executive Engineer, ED-Puducherry.

Order

The petitioner – ED Puducherry has filed the present petition for seeking clarification from the Commission in some provisions of Joint Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2010 hereinafter referred as the JERC (Electricity Supply Code) Regulations, 2010 and the JERC (Electricity Supply Code) first Amendment Regulations, 2013.

The petition was received in the Commission on 08.07.2014. The petition was examined and found as per JERC (Conduct of Business) Regulations, 2009 and provisions of the Electricity Act, 2003.

The Commission admitted the petition on 10.07.2014. The Commission sent hearing notice to the petitioner for 08.08.2014. The Commission heard the representatives of the petitioner in Court Room of the Commission.

The Commission heard the representatives of the petitioner at length and has gone through the petition and provisions of the JERC (Electricity Supply Code) Regulations, 2010 and the JERC (Electricity Supply Code) first Amendment Regulations, 2013. The Commission noted that the petitioner has filed the present petition for seeking clarification and amendment in some provisions of the JERC (Electricity Supply Code) Regulations, 2010 and the JERC (Electricity Supply Code) first Amendment Regulations, 2013.

The Commission observes that all licensees i.e. State of Goa, UTs of Andaman & Nicobar Islands, Chandigarh, Dadra and Nagar Haveli, Daman & Diu, Lakshadweep and Puducherry are going to be affected from the clarification and amendments sought by the petitioner. Therefore, the Commission is of the opinion that comments, objections and suggestions from all the licensees be called before starting process of amendment and clarification in the JERC (Electricity Supply Code) Regulations, 2010 and the JERC (Electricity Supply Code) first Amendment Regulations, 2013.

Therefore, the Commission directs that notice of this petition be sent to all other licensees. The licensees- State of Goa, UTs of Andaman & Nicobar Islands, Chandigarh, Dadra and Nagar Haveli, Daman & Diu, Lakshadweep and Puducherry are further directed to submit their comments/objections/suggestions on the clarifications and amendments sought by the petition within 30 days from receipt of the notice.

Sd/-
(S.K.Chaturvedi)
Chairman
Member (Vacant)

- * As per Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 "Quorum is two". Whereas as per proviso of Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 if Chairperson or the Member is prevented from attending hearing of which he has been given notice the Member or the Chairman as the case may be attending the meeting shall validly constitute the Quorum. Post of the Member is vacant. According to provisions of Section 93 of the Electricity Act, 2003 no act or proceedings of the appropriate Commission shall be questioned or invalidated merely on the ground of existence of any vacancy or defect in the Constitution of the appropriate Commission. So the Chairperson only constitute a valid Quorum.

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(Keerti Tewari)
Secretary