

## Jharkhand State Electricity Regulatory Commission-State Advisory Committee Regulations, 2003]

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**Noti. No. JSERC/SAC/2003 dated 24th October, 2003.**—In exercise of the powers conferred on it by Section 87(a) of Electricity Act, 2003 (Act No. 36 of 2003) and all powers enabling it in that behalf the Jharkhand State Electricity Regulatory Commission hereby makes the following Regulations.

**1. Short title, Commencement and Object.**—(1) These Regulations may be called the "Jharkhand State Electricity Regulatory Commission—State Advisory Committee Regulations, 2003".

(2) The object of these Regulations are:—

- (a) to formulate the objectives for the State Advisory Committee to the Commission.
- (b) to facilitate procedures in the formation of the State Advisory Committee for the Commission, selection of members and the area of interest they should represent etc.
- (c) to formulate regulations for the conduct of business of the advisory Committee.

(3) These Regulations shall come into force on the date of their publication in the Jharkhand Government Gazette.

**2. Definitions.**—1. In these Regulations, unless the context otherwise requires

- (a) 'Act' means the Electricity Act, 2003 (Act 36 of 2003).
- (b) 'Commission' means the Jharkhand State Electricity Regulatory Commission.
- (c) 'Chairman' means the Chairman of the Jharkhand State Electricity Regulatory Commission.
- (d) 'Member' means a Member of the Jharkhand State Electricity Regulatory Commission.
- (e) 'Secretary' means the Secretary of the Jharkhand State Electricity Regulatory Commission.
- (f) 'Officer' means an Officer of the Commission.
- (g) 'Committee' means the Advisory Committee established by the Jharkhand State Electricity Regulatory Commission.

(2) Works or expressions occurring in these Regulations and not defined herein but defined in the Electricity Act, 2003 shall bear the same meaning respectively assigned to them in the Act.

**3. Formation of an Advisory Committee.**—The Commission may, by notification, establish with effect from such date as it may specify in such notification a Committee to be known as 'JSERC State Advisory Committee'.

**4. Chairman.**—The Chairman and Members of the Commission shall also be the *ex-officio* Chairman and Members of the Committee Secretary, Department of Energy, Government of the Jharkhand will also be member.

**5. Members of the Committee.**—(1) The Committee shall not exceed twenty one members (not including those as indicated in Regulation 4) with a view to reflect a balance of various interest groups in the State energy sector as outlined in Section 87(2) of the Electricity Act, 2003. Preference shall be given to the representatives with a significant understanding of the power sector and contribution from the following sectors:—

- (a) Commerce
- (b) Industry
- (c) Transport
- (d) Agriculture
- (e) Labour
- (f) Consumers
- (g) Non-Government Organisations
- (h) Academic & Research bodies
- (i) Licensees and Generating Companies
- (j) State Transmission Utility/Board

**6. Selection and appointment of Advisory Committee Members.**—The Commission shall appoint the candidates to serve on the Committee after consultation with the individuals/representative organisation/bodies of such interest groups. The Commission may choose to limit the number of member to be nominated in each sector, depending upon the important relationship, the concerned sector bears with the electricity industry.

**7. Term of office for the nominated members of the Advisory Committee.**—Members of the Committee shall be nominated for a period of two years term. The Commission shall have the power to re-nominate any member on expiry of his/her term.

**8. Secretary of the Advisory Committee.**—The Secretary of the Commission shall also be the Secretary of the Committee. He shall not be eligible for any extra remuneration on account of this additional work.

**9. Objects of the Advisory Committee.**—The objects of the Advisory Committee shall be to advise the Commission on:—

- (a) major questions of policy.
- (b) matters relating to quality, continuity and extent of service provided by the licensees.



- (c) Compliance by licensees with the conditions and requirements of their licence.
- (d) Protection of consumer interest.
- (e) Energy supply and overall economic and efficiency standards of performance by utilities; and
- (f) On matters which the Commission refers specifically.

**10. Conduct of business by the Advisory Committee.**—The conduct of business by the Committee shall be related on the basis of the following:—

(1) It shall be the duty of the Secretary to convene meetings of the Committee and to give the committee members thereof not less than 7 days notice in writing of the date, time and place of the proposed meeting. If considered necessary, Chairman may reduce the period of notice to transact any urgent business. The notice will also contain the agenda and connected papers, if any, of the meeting.

(2) The members can write to the Secretary, indicating through a brief note, any relevant subject (as referred in Section 9 above) for inclusion in the agenda of the Advisory Committee subsequent meeting.

(3) The Chairman of the Committee shall preside at every meeting of the Committee. In his absence, the senior most Member of the Commission shall act as the Chairman of the meeting.

(4) All meetings of the Committee shall be held at the office premises of the Commission at Ranchi, unless the Commission otherwise notifies.

(5) The discussions in the meeting and consequent conclusions, if any, taken at the meeting shall strictly follow the agenda only, scheduled for the meeting. Only the Chairman can bring in additional subjects to the agenda at the end of the meeting.

(6) The Commission shall meet at least once in every three months.

(7) A notice shall be deemed duly issued if it is sent, by post or by messenger, within the prescribed time to the registered address of a member.

(8) A member of the Committee who fails to attend three consecutive meetings of the Committee shall forthwith cease to be a member for the Committee.

(9) The proceedings of every meeting of the Committee shall be recorded in a minute book kept for the purpose and shall be signed by the Chairman of the meeting. This will be read along with a note on the action taken by the Commission in the next meeting for the information of the members.

(10) The quorum for a meeting of the Committee shall be six. If there is no quorum, the Chairman may adjourn the meeting. No further notice need be given for an adjourned meeting and no quorum is also necessary for the adjourned meeting. If anything after a meeting is commended, a quorum ceases to exist, the meeting shall not be dissolved but shall continue.

(11) No matter shall be considered at an adjourned meeting other than matters remaining from the meeting at which the adjournment took place, provided that, with or without notice, the Chairman may bring or direct to be brought, any new matter, which in his opinion is urgent, before an adjourned meeting of the Advisory Committee.

(12) No proceedings of the Committee shall be invalid by reason solely of vacancies existing in the Committee or by reason of non-receipt of the notice or the agenda paper, provided the notice and agenda were duly issued or by reason of any irregularity in the conduct of the business of the meeting.

(13) The Chairman during any meeting, may direct any member of the Committee whose conduct at the meeting is, in the Chairman's opinion, disorderly, to withdraw. Any such member so ordered shall be deemed to have withdrawn from the meeting whether or not he physically withdraws.

(14) In cases not expressly provided for in these guidelines for the conduct of meetings, the decision of the presiding Chairman on all matters relating to the conduct of business during the meeting shall be final.

**11. Fees and travelling allowances for the Committee Members.**—(1) A member of the Committee shall not be entitled to any remuneration other than that provided in these regulations.

(2) A sitting fee of Rs. 500/- per meeting shall be payable to all the members of the committee except the *ex-officio* members.

(3) A member of the Committee who is a Government servant or an employee of any Public Sector Undertaking shall draw travelling and daily allowances on the scale admissible to him from his parent organisation. The sitting fee alone shall be paid by the Commission.

**12. Resignation.**—Any member of the Committee may, by writing under his hand, address to Secretary of the Commission, resign his office as member of the committee. The Commission will take appropriate action to nominate an alternative member.