



महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

गुरुवार, सप्टेंबर १४, २०००/भाद्र २३, शके १९२२

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग चार-क

महाराष्ट्र शासनाव्यतिरिक्त इतर वैधानिक प्राधिका-यांनी तयार केलेले (भाग एक, एक-अ व एक-ल यांमध्ये प्रसिद्ध केलेले वैधानिक नियम व आदेश यांव्यतिरिक्त इतर) वैधानिक नियम व आदेश; यात भारत सरकार, उच्च न्यायालय, पोलीस आयुक्त, संचालक (दारूबंदी व उत्पादन शुल्क), जिल्हादंडाधिकारी व निवडणूक आयोग, निवडणूक न्यायाधिकरण, निवडणूक निर्णय अधिकारी व निवडणूक आयोगाखालील इतर प्राधिकारी यांनी तयार केलेले वैधानिक नियम व आदेश यांचा समावेश होतो.

MAHARASHTRA ELECTRICITY REGULATORY COMMISSION

World Trade Centre, Centre No. 1, 13th Floor, Cuffe Parade, Mumbai 400 005

No. MERC. 84/2000/1005.—In exercise of the powers conferred on it by sub-section (1) of Section 24 of the Electricity Regulatory Commissions Act, 1998 (No. 14 of 1998) and all powers enabling in this behalf, the Maharashtra Electricity Regulatory Commission hereby makes the following regulations.

REGULATIONS

1. *Short title, commencement and interpretation.*—(i) These regulations may be called the Maharashtra Electricity Regulatory Commission (State Advisory Committee) Regulations, 2000.

(ii) They shall come into force on the date of their publication in the Official Gazette.

(iii) They extend to the State of Maharashtra.

2. *Definition.*—(i) In these Regulations, unless the context otherwise requires :

(a) 'Act' means the Maharashtra Electricity Regulatory Commissions Act, 1998 (Act 14 of 1998)

(b) 'Commission' means the Maharashtra Electricity Regulatory Commission, a body corporate, established under section 17(1) of the Act, consisting of its Chairperson and Members.

(c) 'Regulations' means these regulations.

(d) 'Chairman' means the Chairman of the Commission.

(e) 'Member' means the Member of the Commission.

(f) 'Secretary' means the Secretary of the Commission.

(g) 'State Advisory Committee' means the State Advisory Committee constituted in accordance with the provisions of Section 24 of the Act.

(h) 'Functions' means and includes all works relating to the activities of the State Advisory Committee under the Act.

(i) 'Member of the State Advisory Committee' means a Member of the State Advisory Committee under sub-section 2 of Section 24 of the Act.

(j) 'Proceedings' means and includes proceedings of all nature that the State Advisory Committee may hold in the discharge of its functions under the Act.

(k) 'Year' means the calendar year.

(l) 'State Government' means the Government of Maharashtra.

(m) 'Appendix' means the Appendix appended to these Regulations.

(n) Words and expression used in these Regulations, but not defined, unless the context is otherwise, shall have the same meaning as respectively assigned to them in the Act.

3. *Terms of Office of Members of the Committee.*—(i) The State Advisory Committee (Committee) shall be constituted in accordance with sub-section 2 of Section 24 of the Act. Every Member of the Committee other than the Chairman and Members of the Commission who are respectively ex-officio Chairman and Members of the Committee under sub-section 3 of Section 24 shall hold office for a period of 3 years, unless he ceases to be a Member earlier. On expiration of the term of office of any Member, he shall be eligible for reappointment at the discretion of the Commission.

(ii) A member shall cease to be member of the Committee by reasons of death or resignation.

4. *Functions of the Committee.*—The Committee shall carry out functions as mentioned in Section 25 of the Act, annexed as Appendix - I.

5. *Chairman of the Committee.*—The Chairman of the Commission shall be the Chairman of the Committee and shall preside over its meetings. In the event of

inability of the Chairman to preside over the meeting for any reason, a Member of the Commission shall preside over the meetings of the Committee.

6. *Secretary of the Committee.*—The Secretary of the Commission shall be Secretary of the Committee.

7. *Meetings of the Committee.*—The Committee shall meet at least four times in a year. The interval between the two meetings shall not exceed three months. The meetings of the Committee shall be held at the Headquarters of the Commission.

8. *Notice of the Meeting.*—The meetings of the Committee shall be convened under the direction of the Chairman of the Commission by giving 15 days clear notice in writing to all the Members. The agenda of the meeting shall accompany such notice.

9. *The agenda of the meeting.*—(i) The agenda for the meeting shall be in accordance with the subjects on which the Committee is required to be consulted under the Act. No matter other than that included in the agenda shall be considered or discussed at the meeting of the Committee except with the specific permission of the Chairman of the meeting. The ruling of the Chairman as regards whether a matter is related to the scope and function of the Committee or otherwise, shall be final and binding on the Committee.

(ii) If a Member desires to bring a subject for discussion in the meeting of the Committee, he shall notify the Secretary in writing accordingly before 21 days of the ensuing meeting.

10. *Proceedings of the Meeting.*—The proceedings of every meeting of the Committee shall be kept recording the opinions expressed. The copies of the minutes shall be circulated along with the notice of the next meeting.

11. *Quorum and adjourned meetings.*—(i) The quorum for a meeting of the Committee shall be one third of its members. If at any time during the progress of a meeting, after its commencement, there ceases to be quorum, the meeting shall ignore the want of quorum and shall continue to transact its business.

(ii) The meeting shall be adjourned for 30 minutes, if there is no quorum at the appointed time of the meeting. The adjourned meeting shall be held after 30 minutes and shall not require quorum.

(iii) No matter shall be considered at meeting adjourned under sub-clause (ii) other than matters scheduled at the meeting from which the adjournment took place, provided that the Chairman of the meeting may bring or permit or direct a new matter, which in his opinion is urgent, to be brought before the adjourned meeting, with or without notice.

(iv) The ruling of the Chairman presiding over the meeting, on any point of order raised at the meeting shall be final and binding on the Committee.

12. *Consultation.*—The Commission shall examine, and seriously consider the opinions recorded in the relevant proceedings of the Committees meetings, while

deciding issues on which the Committee is required to be consulted. This shall constitute the consultation required under the Act.

13. *Invitation to persons other than Members to attend.*—The Chairman may invite persons other than Members of the Committee, having special or useful knowledge on a matter of interest to the Committee to assist it in its deliberations.

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 of copy of the agenda, provided it was duly issued, or by reason of any irregularity in the conduct of the business of the meeting.

15. *Traveling allowance and daily allowance to the Members of the Committee.*—
(i) A Member of the Committee other than a Government Servant shall be entitled to traveling allowance and daily allowance for attending the meeting payable at the scale and according to the rule applicable to a Grade I Officer of the Government of Maharashtra.

(ii) A Member of the Committee who is Government servant shall draw traveling allowance and daily allowance from his department.

(iii) The Secretary of the Commission shall be the controlling authority in respect of such traveling/daily allowance bills.

16. *General.*—The decision of the Chairman of the Commission in the matter of interpretation of these Regulations and relating to the conduct of business at the meetings of the Committee shall be final.

APPENDIX – I

(Para 4 of the Regulations)

The functions assigned to the State Advisory Committee (Section 25 of the Electricity Regulatory Commission Act, 1998)

The objects of the State Advisory Committee shall be to advise the Commission on :—

- (1) Major questions of policy.
- (2) Matters relating to quality, continuity and extent of service provided by the licensees.
- (3) Compliance by licensees with the conditions and requirements of their license.
- (4) Protection of consumer interest and
- (5) Energy supply and overall standards of performance by utilities.

Place : Mumbai
Date : September 13, 2000

Amitabh Rajan. (IAS)
Secretary.

शासकीय मध्यवर्ती मुद्रणालय, मुंबई