

Adopted by the Commission on 4th May 2000

In exercise of powers conferred on it by Sub-Section 1 of Section 52 of the UP Electricity Reforms Act 1999 (UP Act No. 24 of 1999) and all powers enabling it on that behalf, the Uttar Pradesh Electricity Regulatory Commission hereby makes the following Regulations, namely:

1. Short title, Commencement and Interpretation:

(1) These Regulations may be called the "Uttar Pradesh Electricity Regulatory Commission (Electricity Advisory Committee) Regulations 2000".

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

2. Definitions:

(1) In these Regulations, unless the context otherwise requires:

(a) "The Act" means the Uttar Pradesh Electricity Reforms Act 1999 (UP Act No. 24 of 1999);

(b) "Chairperson", means ex-officio Chairperson of the Electricity Advisory Committee, as also the Chairperson of the Commission, as is specified in Sub Section 3 of Section 29 of the Act.

(c) "Commission", means the Uttar Pradesh Electricity Regulatory Commission.

(d) "Committee" means the Electricity Advisory Committee, constituted in accordance with provisions of Section 29 of the Act (Annex I);

(e) "Government" means the Government of Uttar Pradesh;

(f) Other expressions have the meanings respectively assigned to them in the Act,

(2) The original Regulation shall be in English, and it will be translated into Hindi.

3. Term of office of members of the Committee: -

Every member of the Committee other than the Chairperson and Members of the Commission, who are, respectively, ex-officio Chairperson and Members of the Committee under Section 29(3) of the Act, shall hold office for a period of one year, unless his appointment is terminated earlier in the manner described in these regulations. On the expiration of the term of office of any member, the Commission may in its discretion re-appoint him as such member, in consultation with the Government.

4. Secretary of the Committee: -

The Secretary to the Commission shall be the Secretary to the committee. He shall not be entitled to any extra remuneration for such work.

5. Notice of Meetings: -

Except as provided by regulation 10(1) below, meetings of the Committee shall be convened by its Secretary under the direction of the Chairperson of the Committee, at least once in three months. The Secretary shall, ordinarily, give to the members of the Committee, not less than ten day's notice, in writing, of the date, time and place of the proposed meeting. Ordinarily, not less than seven days before the date of the meeting, the Secretary shall send to such members copies of the agenda of the meeting.

6. Chairman at meetings of the Committee: -

The ex-officio Chairperson of the Committee and in his absence a member of the Commission deputed by him in this behalf shall preside over a meeting of the Committee, as Chairman of the meeting.

7. Traveling and Daily Allowance to the members of the Committee: -

(1) A member of the Committee shall be entitled only to traveling allowance, including daily allowance, as hereinafter provided in these regulations, for attending the meetings of the Committee and to no other remuneration.

(2) A member of the Committee other than a Government servant shall be entitled to traveling allowance, including daily allowance, for the days he attends the meetings, payable at the rates and according to the rules applicable to a Government servant in the rank of Secretary to the Government of Uttar Pradesh, subject to the proviso that the entitlement of a retired Government Servant on the Committee shall not be below his entitlement at the time of his retirement from the Government.

(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 Traveling Allowance Rules of the Government with which he is employed.

(4) The Secretary of the Committee shall be the controlling authority in respect of such traveling/daily allowance bills

8. Proceedings

(1) The Proceedings of every meeting of the Committee shall be kept to record the opinions expressed, in a minute-book to be kept for the purpose, and shall be signed by the Chairman of the meeting at that very meeting or at the next succeeding 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 Council or of a Committee except with the special permission of the Chairman of the meeting.

9. Quorum and adjourned meeting-

(1) One-third of the members will constitute a 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 Chairman of the meeting, if present, may then and there adjourn the meeting to such future date as may be specified by him. No further notice need be given for a meeting so adjourned.

(2) 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.

(3) No quorum shall be necessary at an adjourned meeting.

(4) No matter shall be considered at meeting adjourned under sub-clause (1) 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.

10. Point of Order: -

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

11. 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.

Explanation: A notice shall be deemed to be duly issued if it is dispatched within the prescribed time to the registered address of a member by post or peon.

12. Consultation: -

The Commission shall examine, and seriously consider the opinions recorded in the relevant proceeding of the Committees meetings, while deciding issues on which the Committee is required to be consulted. This shall constitute the consultation required in the Act.

13. 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, and such persons may take part in the deliberations.

14. General: -

In cases not expressly provided for in these Regulations for the conduct of meetings the decision of the Chairman Presiding at a meeting on all matters relating to the conduct of business at the meeting shall be final.

By order of the Commission,

Secretary to the Commission.

Annex I

Section 29 of the Act

29. Electricity Advisory Committee —

(1) The Commission shall, in consultation with the State Government, constitute a committee to be known as the Electricity Advisory Committee which shall advise the Commission on policy matters and on any other matter relating to quality and continuity of service provided by licensees.

(2) The Electricity Advisory Committee shall consist of such number of persons including ex-officio Chairperson and Members, being not less than fifteen and not more than twenty one, as the Commission may decide. The Commission shall appoint the members on the said Committee in such manner that there shall be at least one member representing each of the interests of licensees, generating companies operating in the State, commerce, industry, transport, agriculture, labour employed in the electricity supply industry and consumers of electricity.

(3) The Chairperson and the other Members of the Commission shall respectively be ex-officio Chairperson and other Members of the Electricity Advisory Committee.

(4) The Electricity Advisory Committee shall meet at least once in every three months.

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