

Chhattisgarh State Electricity Regulatory Commission

Civil Lines, G.E. Road, Raipur (C.G.) – 492001

Ph. No.0771-5073555, Fax: 5073553

No. 371 /CSERC/2005

Raipur, Dated:27-06-2005

ORDER

As per regulation 13(1) of the CSERC(Conduct of Business) Regulations, all petitions are to be presented to the Receiving Officer of the Commission. The Commission vide its notification No.397 dated 23-11-2004 had designated the Dy. Secretary of the Commission as Receiving Officer. In modification of Commission's above notification, the Law Officer of the Commission is hereby appointed Receiving Officer under regulation 13(1) of the CSERC(Conduct of Business) Regulations to discharge the duties entrusted under this regulation.

The Dy. Secretary of the Commission, who has been authorized to discharge the responsibilities of Secretary of the Commission, shall decide any matter on which a party is aggrieved by the order of the Receiving Officer and pass appropriate orders as per clause 13(6) of the Regulations aforementioned.

By Order of the Commission

(Ajay Srivastava)
Deputy Secretary

Copy to:-

1. The Secretary, Government of Chhattisgarh, Department of Energy, Mantralaya, DKS Bhavan, Raipur.
2. The Secretary, CSEB, Danganaya, Raipur.
3. The Director, CSERC, Raipur.
4. The Jt. Director, CSERC, Raipur.
5. The Financial Analyst, CSERC, Raipur.
6. The Dy. Director (Engg./Tariff), CSERC, Raipur.
7. The P.S./P.A. to Chairman/Member, CSERC, Raipur.
8. Shri Vivek Ganodwale, Law Officer, CSERC, Raipur.
9. Notice Board.

Chhattisgarh State Electricity Regulatory Commission

Order

Whereas section 181 of the Electricity Act 2003 (for short, 'the Act') empowers the State Regulatory Commissions to make regulations consistent with the provisions of the Act and the rules, generally to carry out the provisions of the Act and lists out the matters to provide for which such regulations may be made;

And whereas sub-section (3) of Sec. 181 requires that 'all regulations made by the State Commission under this Act shall be subject to the condition of previous publication';

And whereas the manner of 'previous publication' has not been defined in the Act;

And whereas the objective of previous publication is apparently to ensure that the draft regulation is circulated to all the stakeholders and they are given an opportunity to submit their objections and suggestions on the proposed regulations;

And whereas the Electricity (Procedure for previous publication) Rules, 2005 made by the Central Government (for short, 'Rules') provides in rule 3 that previous publication 'shall be made in such manner as the Authority or the Appropriate Commission deems to be sufficient';

Now, therefore, the Chhattisgarh State Electricity Regulatory Commission makes the following Order in pursuance of rule 3 of the Rules:

1. Short title and commencement

(1) This order may be called the Chhattisgarh State Electricity Regulatory Commission (Procedure for previous publication of regulations made under section 181 of the Electricity Act, 2003) Order.

(2) It shall come into force with immediate effect.

2. Procedure for previous publication

The following procedure, which the Commission considers sufficient in terms of rule 3(2) of the Rules, shall be followed for previous publication of regulations:

- (a) Information regarding the draft regulation shall be published in at least two largely circulated local newspapers in the form of a notice inviting objections/comments/suggestions. Information shall also be placed on the public notice board of the Commission. This notice shall contain, in brief, the subject matter of the draft regulations.

- (b) The draft regulations shall be placed in the website of the Commission. A copy shall also be available in the Commission's office/library for perusal by interested persons during office hours on working days.
- (c) A copy of the draft regulations shall be given to the (i) State Government in the Energy Department; (ii) to all the members of the State Advisory Committee; and (iii) to all licensees.
- (d) The notice referred to in (a) above shall specify the time period within which objections, comments and suggestions on the draft regulations may be submitted to the Commission. The period shall be two weeks, or more, as the Commission considers necessary in appropriate cases.
- (e) The Commission may, in appropriate cases, hold public hearing on the draft regulations on the basis of the comments/objections received in response to the notice as above, or otherwise.
- (f) The Commission shall consider any objection or suggestion received from any person on the draft regulations before finalising the same.

3. Notification of Regulation

(1) The regulations in the final form, as approved by the Commission, shall be notified in the official gazette. The publication in the official gazette of the regulations shall be conclusive proof that the regulations have been duly made.

(2) On such notification the regulation shall be placed on the website of the Commission. Information to the effect that the regulations have been notified shall also be placed on the public notice board of the Commission. The Commission may also inform the general public through suitable notice in the press.

4. Since the regulations made by the Commission before the Rules came into force have been so made with previous publication in the official gazette, it would not be necessary in respect of such regulations, to follow the procedure as required under clause 2 of the Electricity (Removal of Difficulties) (Ninth) Order, 2005 issued by the Central Government.

5. Any action taken under the regulations made by the Commission before this order comes into force shall not be invalid merely on the ground that the procedures specified in para 2 above has not been complied with.

Sd/-
Member

Sd/-
Chairman