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NOTIFICATIONS BY HEADS OF DEPARTMENTS, Etc.,

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ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

CONSTITUTION OF STATE ADVISORY COMMITTEE AND ITS
FUNCTIONING REGULATION, 2004.

Regulation No. 2 of 2004

INTRODUCTION:

Section 87 of the Electricity Act, 2003 provides for the establishment of the State Advisory Committee. The said Section also provides broadly for the composition of such State Advisory Committee.

Under the State Reforms Act, the State Commission had established the Commission Advisory Committee, but the State Advisory Committee now needs to be established or reorganized in line with Section 87 of the Electricity Act, 2003.

In exercise of powers conferred under Section 87 read with Section 181 of the Electricity Act, 2003 (36 of 2003), the Commission hereby makes the following

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Regulation in regard to the State Advisory Committee and for matters incidental and ancillary thereto, namely: -

1 Short title and commencement

- (1) This Regulation may be called the Andhra Pradesh Electricity Regulatory Commission (Constitution of State Advisory Committee and its functioning) Regulation, 2004.
- (2) This Regulation shall come into force from the date of publication in the Andhra Pradesh Gazette.

2 Definitions

- (1) In this Regulation unless the context otherwise requires;
 - (a) "Act" means the Electricity Act, 2003;
 - (b) "Commission" means the Andhra Pradesh Electricity Regulatory Commission;
 - (c) "Committee" means the State Advisory Committee;
 - (d) "State" means the State of Andhra Pradesh;
 - (e) Words and expressions used and not defined herein but defined in the Act shall have the meaning assigned to them in the Act.

3 Constitution of the Committee

- (1) The Committee shall consist of not more than 21 members to be nominated by the Commission from time to time consistent with Section 87 of Act.
- (2) The Members of the Committee shall be nominated for a period of three years.
- (3) A member other than the ex-officio member, who fails to attend three consecutive meetings of the Committee without prior intimation to the Commission and without valid reasons for his absence shall cease to be a member of the Committee.
- (4) The Chairperson of the Commission shall be the ex-officio Chairperson of the Committee and members of the Commission and the Secretary to State Government in charge of the Ministry or Department dealing with consumer affairs and public distribution system shall be the ex-officio members of the Committee.

4 Secretary of the Committee

- (1) The Secretary of the Commission shall be the ex-officio Secretary to the Committee.

- (2) It shall be the duty of the Secretary to convene the meetings of the Committee with the permission of the Chairperson and to give to the members thereof, unless otherwise specifically directed by the Chairperson, not less than 14 days' notice in writing of the date, time and place of the proposed meeting.

5. Proceedings of the Committee

- (1) The proceedings of the meetings of the Committee shall be recorded in a minute book to be kept for the purpose and shall be signed by the Chairperson of the meeting at the next succeeding meeting or at any time before such succeeding meeting.
- (2) The Committee shall meet at least once in every three months.
- (3) The quorum for the commencement of a meeting of the Committee shall be six.
- (4) The meeting, after such Commencement with a valid quorum can be continued even if during the meeting the number of participating members reduces below the quorum.
- (5) If there is no quorum at the commencement of the meeting no business shall be transacted and the Chairperson of the meeting may adjourn the meeting to another date. No quorum shall be necessary at an adjourned meeting.
- (6) At the adjourned meeting the agenda proposed for the meeting which was adjourned shall be considered first before other matters are taken up for consideration.
- (7) No proceedings of the Committee shall be invalid by reason merely of a vacancy existing in the Committee or by reason of non-receipt of the notice or the agenda papers by any member of the Committee or by reason of any irregularity in the conduct of the business of the meeting.
- (8) Unless the Commission otherwise notifies, all meetings of the Committee shall be held at the Office of the Commission.

6. Fees and allowances for members of the State Advisory Committee

- (1) A member of the Committee other than an ex-officio member shall be entitled to a fee of Rs. 500 (Rupees five hundred only) for each sitting.
- (2) A member of the Committee attending the meeting of the Committee shall be entitled to allowances for traveling and stay as the Commission may decide from time to time.

7. Resignation of Member

A member of the Committee other than an ex-officio member may, by a written notice to the Secretary of the Commission resign from his office and it shall come into effect from the day the Chairperson of the Commission accepts the same.

8. Removal of member

- (1) The Commission may remove any member of the Committee other than an ex-officio member, who:
 - (a) has been adjudged as insolvent; or
 - (b) has been convicted of an offence involving moral turpitude; or
 - (c) has become physically or mentally incapable of acting as a member; or
 - (d) has conducted himself in a manner or has so abused his position as to render his continuance as a member prejudicial to public interest or to the objects and purpose of the Act.
- (2) The member who is proposed to be removed under sub-clause (1) above shall be given an opportunity to represent his position to the Chairperson of the Commission.

9. Miscellaneous

- (1) Subject to the provisions of the Electricity Act, 2003 and this regulation, the Commission may, from time to time, issue orders and practice directions with regard to the implementation of this Regulation and procedures to be followed.
- (2) The Commission may, at any time, add, vary, alter, modify or amend any of the provisions of this Regulation.
- (3) If any difficulty arises in giving effect to any of the provisions of this Regulation, the Commission may, by general or special order, do or undertake or permit the Committee to do or undertake things which in the opinion of the Commission is necessary or expedient for removing the difficulties.
- (4) Subject to the provisions of the Electricity Act, 2003 and this Regulation, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of this Regulation and procedure to be followed and various matters, which the Commission has been empowered by this Regulation to direct and matters incidental or ancillary thereto.

10. Repeal

The Andhra Pradesh Electricity Regulatory Commission (Constitution of Commission Advisory Committee and its functioning) Regulations, 1999, shall stand repealed from the date of this Regulation coming into force.

(BY ORDER OF THE COMMISSION)

S. SURYA PRAKASA RAO,
Secretary,
A.P. Electricity Regulatory Commission.