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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

GOVERNMENT OF INDIA
MINISTRY OF POWER

New Delhi, the 8th March, 2004.

Notification

G.S.R. 177(E) - In exercise of the powers conferred by clauses (j) and (k) of Sub-Section (2) of Section 176 of the Electricity Act, 2003 (36 of 2003) the Central Government hereby makes the following rules, namely:-

- 1. Short title and commencement.** - (1) These rules may be called the Central Electricity Regulatory Commission (Salary, Allowances and other Conditions of Service of Chairperson and Members) Rules, 2004.
(2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Definitions.** - In these rules, unless the context otherwise requires, -
 - (a) "Act" means the Electricity Act, 2003; and
 - (b) words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.
- 3. Oath of office and secrecy.** - The Chairperson and Members shall, before entering upon his office, subscribe to an oath of office and secrecy before the Minister-in-charge of the Ministry of Power. The oath of office and secrecy shall be administered in the following form:-

Oath of secrecy

I,.....do swear in the name of God and solemnly affirm that I shall not directly or indirectly, communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as Chairperson/Member of the Central Electricity Regulatory Commission except as may be required for the due discharge of my duties as such Chairperson/Member.

Oath and affirmation of allegiance to Constitution

I,..... having been appointed Chairperson/Member of the Central Electricity Regulatory Commission, do swear in the name of God and solemnly affirm that I shall bear true faith and allegiance to the Constitution of India as by law established, that I shall uphold the sovereignty and integrity of India, that I shall duly and faithfully and to the best of my ability, knowledge and judgement perform the duties of my office without fear or favour, affection or ill will and that I will uphold the Constitution and the laws of the land

4. **[Pay.** – (1) The Chairperson shall be entitled to receive a pay of four lakh fifty thousand rupees per mensem and the whole-time Members shall receive a pay of four lakh rupees per mensem, without facility of Government accommodation and staff car:

Provided that where the Chairperson has been a Judge of the Supreme Court or Chief Justice of a High Court, he shall be entitled to receive pay as admissible to a Judge of the Supreme Court or the Chief Justice of a High Court, as the case may be.

(2) The pay of Chairperson and whole-time Members as per sub-rule (1) shall stand revised in accordance with the orders issued by the Ministry of Finance (Department of Expenditure) from time to time.]¹

5. **[Dearness allowance.** – Where the Chairperson is or has been a Judge of the Supreme Court or Chief Justice of a High Court, he shall be entitled to receive dearness allowance at the rate admissible to a Judge of the Supreme Court or the Chief Justice of a High Court, as the case may be.]²

6. **Leave.** - The Chairperson or a Member shall be entitled to thirty days earned leave for every year of service. The payment of leave salary, during leave, shall be governed under the provisions of rule 40 of Central Civil Services (Leave) Rules, 1972. A person may be entitled to encashment of fifty per cent of earned leave to his credit at any time.

7. **Leave sanctioning authority.** - In the case of the Chairperson, the Minister-in-charge of the Ministry of Power, and in the case of a Member, the Chairperson, shall be the leave sanctioning authority.

8. **Provident fund.** - The Chairperson and a Member shall be governed by the provisions of the Contributory Provident Fund (India) Rules, 1962 and no option to subscribe under the provisions of the General Provident Fund Rules (Central Services), 1960 shall be available. Additional pension and gratuity shall not be admissible for service rendered in the Commission.

9. **Travelling allowances.** – (1) The Chairperson and a Member while on tour within India or on transfer (including the journey undertaken by self and family to join the Commission or on the expiry of term with the Commission to proceed to his home town with family) shall be entitled to the journey allowance, daily allowance and transportation of personal effects at the same scales and at the same rates as are applicable to a Group ‘A’ Officer of the Central Government drawing [pay in level-17 in the pay matrix (Rs.225000)]³.

(2) Foreign tours to be undertaken by the Chairperson or a Member shall require prior approval of the Minister-in-charge of the Ministry of Power []⁴ and clearance from the Ministry of External Affairs from political angle and from the Ministry of Home Affairs for acceptance of foreign hospitality, if any, under the provisions of the Foreign Contribution (Regulation) Act, 1976 :

Provided that the daily allowance and provision for hotel accommodation during the period of tour abroad, shall be in accordance with such orders of the Central Government as are applicable to a Group “A” officer of the Central Government, drawing [pay in level-17 in the pay matrix (Rs.225000)]⁵.

¹ Initially Substituted vide Amendment Rules, 2010 w.e.f. 19.03.2010 and later Substituted vide Amendment Rules,2018 w.e.f. 24.05.2018

² Substituted vide Amendment Rules,2010 w.e.f. 19.03.2010.

³ Initially Substituted vide Amendment Rules, 2010 w.e.f. 19.03.2010 and later Substituted vide Amendment Rules,2018 w.e.f. 24.05.2018.

⁴ Omitted vide Amendment Rules,2010 w.e.f. 19.03.2010.

⁵ Initially Substituted vide Amendment Rules, 2010 w.e.f. 19.03.2010 and later Substituted vide Amendment Rules,2018 w.e.f. 24.05.2018.

- 10. Leave travel concession.** - The Chairperson and a Member shall be entitled to leave travel concession at the same scale and at the same rate as applicable to Group 'A' Officers of the Central Government drawing [pay in level-17 in the pay matrix (Rs.225000)]⁶:

Provided that if the Chairperson has been a Judge of the Supreme Court or a Chief Justice of a High Court, he shall be entitled to leave travel concession at the same scale and at the same rate as applicable to a Judge of the Supreme Court or the Chief Justice of High as the case may be.

- 11. [Accommodation.** - Where the Chairperson has been a Judge of the Supreme Court or a Chief Justice of a High Court, he shall be entitled to accommodation as is admissible to a Judge of the Supreme Court or a Chief Justice of a High Court, as the case may be.]⁷

- 12. [Transport.** - Where the Chairperson has been a Judge of the Supreme Court or a Chief Justice of a High Court, he shall be entitled to transport facility as is admissible to a Judge of the Supreme Court or a Chief Justice of a High Court, as the case may be.]⁸

- 13. Medical treatment.** - The Chairperson and a Member shall be entitled to medical reimbursement and facility as may be applicable to a Group "A" officer of the Central Government drawing an equivalent pay.

- 14. [Telephone facility.** - The Chairperson and a full-time Member shall be eligible for telephone facility as admissible to a Group 'A' officer of the Central Government drawing pay in the [pay in level-17 in the pay matrix (Rs.225000)]⁹:

Provided that where the Chairperson has been a Judge of the Supreme Court or a Chief Justice of a High Court, he shall be entitled to Telephone facility as admissible to a Judge of the Supreme Court or a Chief Justice of a High Court, as the case may be.]¹⁰

- 15. Other conditions of services.** - Other conditions of service of the Chairperson and a Member, with respect to which no express provision has been made in these rules, shall be such as are admissible to a Group "A" officer of the Central Government drawing [pay in level-17 in the pay matrix (Rs.225000).]¹¹

[Provided that where the Chairperson has been a Judge of the Supreme Court or a Chief Justice of a High Court, the other conditions of service of the Chairperson, with respect to which no express provision has been made in these rules shall be as applicable to a Judge of the Supreme Court or a Chief Justice of a High Court, as the case may be.]¹²

Sd/-

(Ajay Shankar)

Joint Secretary to the Government of India
(F. No. 23/22/2003-R&R)

⁶ Initially Substituted vide Amendment Rules, 2010 w.e.f. 19.03.2010 and later Substituted vide Amendment Rules,2018 w.e.f. 24.05.2018.

⁷ Substituted vide Amendment Rules,2010 w.e.f. 19.03.2010.

⁸ Substituted vide Amendment Rules,2010 w.e.f. 19.03.2010.

⁹ Initially Substituted vide Amendment Rules, 2010 w.e.f. 19.03.2010 and later Substituted vide Amendment Rules,2018 w.e.f. 24.05.2018.

¹⁰ Substituted vide Amendment Rules,2010 w.e.f. 19.03.2010.

¹¹ Initially Substituted vide Amendment Rules, 2010 w.e.f. 19.03.2010 and later Substituted vide Amendment Rules,2018 w.e.f. 24.05.2018.

¹² Inserted vide Amendment Rules,2010 w.e.f. 19.03.2010.


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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

GOVERNMENT OF INDIA
MINISTRY OF POWER

New Delhi, the 23rd March, 2004.

Notification

G.S.R. 206(E). - In exercise of the powers conferred by clause (c) of Sub-Section (2) of Section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules regarding payment of fees for application for grant of licence under Sub-Section (1) of Section 15, namely:

1. **Short title and commencement.** – (1) These rules may be called the Fees for Making Application for Grant of Licence Rules, 2004.

(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** - (1) In these rules unless the context otherwise requires,-
 - (a) “Act” means the Electricity Act, 2003;
 - (b) “section” means a section of the Act; and
 - (c) expression used and not defined in these rules but defined in the Electricity Act, 2003 (36 of 2003), shall have the meanings respectively assigned to them in that Act.
3. **Fees for making application for grant of licence.** - (1) Every application under Section 14 for grant of licence by the Central Electricity Regulatory Commission, shall be accompanied by a fee of rupees one lakh only.

(2) The fee shall be remitted through demand draft in favour of the Assistant Secretary, Central Electricity Regulatory Commission .

Sd/-
(Ajay Shankar)
Joint Secretary to the Government of India
(F.No. 23/19/2003-R&R)


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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

GOVERNMENT OF INDIA
MINISTRY OF POWER

New Delhi, the 6th April, 2004

Notification

G.S.R. 254(E). - In exercise of the powers conferred by clause (a) of Sub-Section (2) of Section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules stipulating the time for inviting suggestions and objections by the Central Electricity Authority on the draft National Electricity Plan, namely:-

1. **Short title and commencement.** – (1) These rules may be called the National Electricity Plan Notification Rules, 2004.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** - (1) In these rules unless the context otherwise requires,-
 - (a) “Act” means the Electricity Act, 2003;
 - (b) Words and expression used here in and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.
- [3. **Notification of draft National Electricity Plan.**- (1) A draft National Electricity Plan prepared under the provisions of Sub-Section (4) of Section 3 of the Act shall be published on the website of the Authority for inviting suggestions and objections of licensees, generating companies and general public and notice to this effect shall be published in at least two daily newspapers;
(2) For inviting suggestions and objections, a period of sixty days, from the date of publication of such draft Plan, shall be provided by the Authority.”
(3) The final National Electricity Plan shall be notified on the website of the Authority.]¹

Sd/-
(Ajay Shankar)
Joint Secretary to the Government of India
(F.No. 23/17/2003-R&R)

¹ Substituted vide Amendment Rules, 2023 w.e.f. 30.06.2023.


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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

Ministry of Power
Government of India

New Delhi, 13th April, 2004.

Notification

G.S.R. 259(E).- In exercise of the powers conferred by clause (r) of Sub-Section (2) of Section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules, namely:

- 1. Short title and commencement.** – (1) These rules may be called the Appellate Tribunal for Electricity (Salaries, Allowances and other Conditions of Service of Chairperson and Members) Rules, 2004.
(2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Definitions.** – In these rules, unless the context otherwise requires, -
 - (a) “Act” means the Electricity Act, 2003;
 - (b) “Appellate Tribunal” means the Appellate Tribunal for Electricity established under Section 110 of the Act;
 - (c) “Chairperson” means the Chairperson the Appellate Tribunal appointed under Section 113 of the Act;
 - (d) “Member” means a Member of the Appellate Tribunal appointed under Section 113 of the Act;
 - (e) Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.
- 3. Salary, allowances, payable to the Chairperson.** – The Chairperson shall be entitled to a monthly salary and to such allowances and other benefits, as are admissible to a Judge of the Supreme Court:
Provided that in case a person appointed as the Chairperson is in receipt of any pension, the pay of such Chairperson shall be reduced by the gross amount of pension drawn by him:
Provided further that the Chairperson shall be entitled to draw allowances on the original basic pay before such fixation of pay.
- 4. Contribution to contributory provident fund.** – The Chairperson shall be entitled to subscribe to the Contributory Provident Fund which shall be governed by the Contributory Provident Fund Rules, (India), 1962.
- 5. Other conditions of service.** – The other conditions of service of Chairperson shall be governed by the Supreme Court Judges (Conditions of Service) Act, 1958 and the rules made there under.

- 6. Salary and allowances payable to Member.** – A Member of the Appellate Tribunal shall be entitled to a monthly salary, and such allowances and other benefits as are admissible to a serving Judge of the High Court of Delhi:

Provided that in case a person appointed as the Member is in receipt of any pension, the pay of such Member shall be reduced by the gross amount of pension drawn by him:

Provided further that the Member shall be entitled to draw allowances on the original basic pay before such fixation of pay.

- 7. Contribution to contributory provident fund.** – The Member shall be entitled to subscribe to the Contributory Provident Fund which shall be governed by the Contributory Provident Fund Rules (India), 1962.
- 8. Other conditions of service of Member.** – The other conditions of service of a Member shall be governed by the High Court Judges (Salaries and conditions of Service) Act, 1954, and the rules made there under for a serving Judge of the High Court of Delhi.
- 9. Oath of office and secrecy.** – Every person appointed as the Chairperson or a Member shall, before entering upon his office make and subscribe and oath of office and secrecy, []¹ in Form I and Form II respectively annexed to these rules.
- 10. Declaration of financial or other interest.** – Every person, on his appointment as the Chairperson or Member, as the case may be, shall give a declaration in Form III annexed to these rules, to the satisfaction of the Central Government, that he does not have any such financial or other interest as is likely to affect prejudicially his functions as such Chairperson or Member, as the case may be.
- 11. Residuary provision.** – Matter relating to the terms and conditions of service of the Chairperson or Member with respect to which no express provision has been made in these rules, shall be referred by the Appellate Tribunal to the Central Government for its decision.

FORM-I

(See Rule 9)

Form of Oath of Office for the Chairperson/Members of the Appellate Tribunal for Electricity)

I, _____, having been appointed as the Chairperson/Member (*cross out portion not applicable*) do solemnly affirm and do swear in the name of God that I will faithfully and conscientiously discharge my duties as the Chairperson/Member (*cross out portion not applicable*), of the Appellate Tribunal for Electricity, to the best of my ability, knowledge and judgement, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of the land.

Dated:

(Name of the Chairperson/Member)

APPELLATE TRIBUNAL FOR ELECTRICITY

¹ Omitted vide Amendment Rules, 2008 w.e.f. 29.09.2008.

FORM-II

(See rule 9)

Form of Oath of Secrecy for the Chairperson/Members of the Appellate Tribunal for Electricity.

I, _____, having been appointed as the Chairperson/a Member (Cross out portion not applicable) do solemnly affirm and swear in the name of God that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as the Chairperson/a Member (cross out portion not applicable) of the Appellate Tribunal for Electricity except as may be required for the due discharge of my duties as the Chairperson/a Member (cross out portion not applicable).

Dated:

(Name of the Chairperson/Member)

APPELLATE TRIBUNAL FOR ELECTRICITY

FORM-III

(See rule 10)

Declaration against acquisition of any adverse financial or other interest

I, _____, having been appointed as the Chairperson/Member (*cross out portion not applicable*) of the Appellate Tribunal for Electricity, do solemnly affirm and declare that I do not have, nor shall have in future any financial or other interest which is likely to affect prejudicially my functioning as the Chairperson/Member (*cross out portion not applicable*) of the Appellate Tribunal for Electricity.

Dated

(Name of the Chairperson/Member)

APPELLATE TRIBUNAL FOR ELECTRICITY

F.No.23/12/2003-R&R (Vol.III) (Pt.III)
AJAY SHANKAR, Jt. Secy.


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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

Notification

New Delhi, the 16th April, 2004

G.S.R. 265(E).- In exercise of the powers conferred by clause (u) of Sub-Section (2) of Section 176 of the Electricity Act, 2003 (36 of 2003) the Central Government hereby makes the following rules prescribing the appellate authority for preferring appeal against the orders of the assessing officer, namely:-

1. **Short title and commencement.** – (1) These rules may be called Appeal to the Appellate Authority Rules, 2004.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.**– In these rules, unless the context otherwise requires,-
 - (a) “Act” means the Electricity Act, 2003 ;
 - (b) “section” means a section of the Act.(2) Words and expression used and not defined in these rules but defined in the Act, 2003 shall have the meanings respectively assigned to them in Act.
3. **[Appellate Authority** - For the purpose of appeal under Section 127, the State Government may, by notification in the Official Gazette, constitute an Appellate Authority consisting of one or more persons such that one of the persons shall have knowledge of matters related to assessment of electricity charges and none of them shall be directly related to the affairs of the territorial jurisdiction of the licensee or supplier of the electricity.]¹

Sd/-

(Ajay Shankar)

Additional Secretary to the Government of India
F.No. 23/63/2003-R&R

¹ Substituted vide Amendment Rules, 2016 w.e.f. 07.09.2006.


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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

GOVERNMENT OF INDIA
MINISTRY OF POWER

New Delhi, the 21st June, 2004.

Notification

G.S.R. 371(E) - In exercise of the powers conferred by clause (y) of Sub-Section (2) of Section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules regarding the manner of delivery of notice, order or document under the Act, namely :

1. **Short title and commencement.** – (1) These rules may be called the Means of delivery of Notice, Order or Document Rules, 2004.

(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** - (1) In these rules unless the context otherwise requires,-
 - (a) “Act” means the Electricity Act, 2003;
 - (b) “section” means a section of the Act.
(2) Words and expression used and not defined in these rules but defined in the Electricity Act, 2003 (36 of 2003), shall have the meanings respectively assigned to them in that Act.
3. **Means of delivery of notice, order or document.** - Every notice, order or document by or under this Act required, or authorised to be addressed to any person may in addition to the means provided in Sub-Section (1) of Section 171 may also be delivered by any of the following means:-
 - (a) through special messenger and obtaining signed acknowledgement; or
 - (b) by telegraphic message, or
 - (c) by fax, or
 - (d) by e-mail.

Sd/-
(Ajay Shankar)
Joint Secretary to the Government of India
(F.No. 23/7/2004-R&R)


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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

GOVERNMENT OF INDIA
MINISTRY OF POWER

New Delhi, the 21st June, 2004

Notification

G.S.R. 370(E) - In exercise of the powers conferred by clause (1) of Sub-Section (2) of Section 176 of the Electricity Act, 2003 (36 of 2003) the Central Government hereby makes the following rules for regulating the procedure for conducting an inquiry against a Member of the Appropriate Commission, namely:-

1. **Short title and commencement.** – (1) These rules may be called the procedure for conducting Inquiry against a Member of Appropriate Commission Rules, 2004.

(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** - (1) In these rules unless the context otherwise requires,-
 - (a) “Act” means the Electricity Act, 2003;
 - (b) “Section” means section of the Act;
 - (c) “Registrar” means Registrar of the Appellate Tribunal.
(2) Words and expression used herein and not defined but defined in the Act shall have the meaning respectively assigned to them in the Act.
3. **Procedure for conducting inquiry.** – [(1) The Central Government or the State Government, either suo motu or on a complaint, shall make a reference along with imputation of charges and other relevant information for the purpose of conducting such inquiry to the Chairperson of the Appellate Tribunal in pursuance of the provisions of Sub-Section (2) of Section 90 of the Act.
 - 1(A) On receipt of a reference under sub-rule (1) from the State Government, the Chairperson of the Appellate Tribunal shall send a copy of the reference to the Central Government for its views before issuing notice under sub-rule (2).
 - 1(B) On receipt of a reference pertaining to any State Commission under sub-rule (1) from the Central Government, the Chairperson of the Appellate Tribunal shall send a copy of the

reference to the concerned State Government for its views before issuing notice under sub-rule (2).]¹

- (2) [The Chairperson of the Appellate Tribunal shall consider the views received within four weeks from State Government or Central Government and shall after suitably incorporating the views, issue a notice, to the Member concerned to appear before him on the time and date specified in the notice.]²
- (3) A copy of the charges preferred against the Member shall be supplied along with the notice.
- (4) The Chairperson of the Appellate Tribunal may seek assistance of an expert or expert agency for investigating into the charges against the Member.
- (5) For the purposes of discharging his functions under these rules, the Chairperson of the Appellate Tribunal may summon such witnesses or records as he may consider necessary.
- (6) After hearing the views of the Member, Chairperson shall forward his findings to the Appropriate Government.

Sd/-

(Ajay Shankar)

Joint Secretary to the Government of India
(F.No. 23/61/2003-R&R)

¹ Substituted vide Amendment Rules,2021 w.e.f. 31.12.2021.

² Substituted vide Amendment Rules,2021 w.e.f. 31.12.2021.


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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

Government Of India
Ministry of Power

New Delhi, the 31st August, 2004.

Notification

G.S.R. 563(E) - In exercise of the powers conferred by clause (v) of Sub-Section (2) of Section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules regulating the procedure for holding the inquiry by an adjudicating officer, namely: -

1. **Short title and commencement.** - (1) These rules may be called the Procedure for Holding Inquiry by Adjudicating Officer Rules, 2004.
 - (2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** - (1) In these rules unless the context otherwise requires, -
 - (a) “Act” means the Electricity Act, 2003;
 - (b) “adjudicating officer” means the adjudicating officer appointed under Sub-Section (1) of Section 143 of the Act;
 - (c) “section” means a section of the Act.(2) Words and expression used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in that Act.
3. **Procedure for holding Inquiry by adjudicating officer.** - (1) Whenever the Central Commission appoints an adjudicating officer, a copy of the appointment order shall be provided to the person concerned.
 - (2) In holding an inquiry under the Act, the adjudicating officer shall, in the first instance, issue a notice to the person concerned requiring him to show cause within twenty one days from the date of issue of such notice, as to why an inquiry should not be held against him.
 - (3) Every notice under sub-rule (2) shall indicate the nature of contravention alleged to have been committed.
 - (4) If, after considering the cause, if any, shown by concerned person or where no cause is shown, the adjudicating officer is of the opinion that an inquiry should be held, he shall for reasons to be recorded in writing, issue a notice for fixing a date for the appearance of that person either personally or through an authorised representative.
 - (5) The adjudicating officer shall provide an opportunity to the concerned person to produce such evidence as he may consider relevant and necessary for the inquiry.

- (6) If any person fails, neglects or refuses to appear before the adjudicating officer as required under Sub-rule (2), the adjudicating officer may proceed with the inquiry in the absence of such person after recording the reasons for doing so.
- (7) The adjudicating officer, while holding an inquiry, shall follow as far as possible the same procedure as is followed in the proceedings of the Central Commission in exercise of its powers and in discharge of its functions under the provisions of the Act.
- (8) The adjudicating officer shall complete the inquiry within sixty days from the date of his appointment.
- (9) Where the inquiry may not be completed within the period of sixty days, the adjudicating officer may, after recording reasons in writing, seek extension of time from the Central Commission for a further period of sixty days.

Sd/-

(Ajay Shankar)

Additional Secretary to the Government of India

F.No. 23/31/2003-R&R


सत्यमेव जयते

भारत का राजपत्र The Gazette of India

EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 28th October, 2004

NOTIFICATION

G.S.R. 721(E) – In exercise of the powers conferred by clause (s) of sub-section (2) of section 176 of the Electricity Act, 2003, the Central Government hereby makes the following rules regulating the method of recruitment to certain posts in the Appellate Tribunal for Electricity, namely:-

- 1. Short title and commencement** – (1) These rules may be called the Appellate Tribunal for Electricity Salary, Allowances and other Conditions of Service of the Officers and Employees Rules, 2004.


सत्यमेव जयते

भारत का राजपत्र The Gazette of India

EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 22nd March, 2021

NOTIFICATION

G.S.R. 208(E). - In exercise of the powers conferred by clause (s) of sub-section (2) of Section 176 of the Electricity Act, 2003 (36 of 2003), and in supersession of the Appellate Tribunal for Electricity Salary, Allowances and other Conditions of Service of the Officers and Employees Rules, 2004, the Central Government hereby makes the following rules regulating the method of recruitment to certain posts in the Appellate Tribunal for Electricity, namely :-

1. **Short title and commencement.** - (1) These rules may be called the Appellate Tribunal for Electricity Salary, Allowances and other Conditions of Service of the Officers and Employees Rules, 2021.
(2) They shall come into force on the date of their publication in the Official Gazette
2. **Application.** - These rules shall apply to the posts specified in column 1 of the Schedule-I annexed to these rules.
3. **Number of posts, classification and level in pay matrix.** - The number of said posts, their classification and level in pay matrix attached thereto, shall be as specified in columns(2) to (4) of the said Schedule-I.
4. **Method of recruitment, age limit, qualifications, etc.** - The method of recruitment, age limit, qualifications and other matters relating thereto shall be as specified in columns(5) to (13) of the aforesaid Schedule-I.
5. **Disqualification.** - No person -
 - i. who has entered into or contracted a marriage with a person having a spouse living; or
 - ii. who having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the said post.

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

6. **Power to relax.** - Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.
7. **Saving.** - Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for Scheduled Castes, the Scheduled Tribes, Other Backward Class, the ex-servicemen and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.
8. **Other conditions of service.** - (1) Officers and employees of the Appellate Tribunal for Electricity shall be entitled to the medical facilities as specified in Schedule II annexed to these rules.
(2) Other conditions of service of the officers and employees of the Appellate Tribunal for Electricity, for which no specific provisions have been provided, shall be regulated in accordance with such rules as are, from time to time, applicable to officers and employees of the Central Government drawing the pay and allowances in corresponding level in pay matrix.

Schedule-I

[see rule 2,3, and 4]

Name of post .	Number of post .	Classification.	Level in the pay matrix.	Whether Selection post or Non-Selection post.	Age-limit for direct recruits.	Educational and other qualifications required for direct recruits.	Whether age and educational qualifications prescribed for direct recruitment will apply in the case of promotees.	Period of probation, if any.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1. Registrar.	01 (2021) *Subject to variation depending on workload.	Equivalent to Group "A" post in the Central Government.	Level - 14 (Rs.1,44,200 - 2,18,200/-).	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.

Method of recruitment whether by direct recruitment or by promotion or by deputation / absorption and percentage of	In case of recruitment by promotion or deputation/absorption grades from which promotion/deputation/absorption to be made.	If a Departmental promotion committee exists, what is its composition.	Circumstances in which Union Public Service Commission to be consulted.

vacancies to be filed by various methods.			
(10)	(11)	(12)	(13)
Deputation	<p>Deputation : Officers of the Central Government or State Government or Supreme Court or High Court or District Court possessing degree in law from a Recognised University or equivalent;</p> <p>(a) Holding analogous post on regular basis; or</p> <p>(b) With two years regular service in the post in level 13 A in the pay matrix; or</p> <p>(c) With Three years regular service in the post in level 13 in the pay matrix; or</p> <p>(d) Holding the post of District Judge or Additional District Judge or Registrar or Additional Registrar, on regular basis; or</p> <p>(e) With five years regular service in the post of Joint Registrar of a High Court.</p> <p>Note 1:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same or other organisation or Department of Central Government shall be five years.</p> <p>Note 2:- The maximum age limit for appointment by deputation shall not exceed 56 years as on the closing date of receipt of applications.</p>	<p>Search-Cum-Selection Committee consisting of :-</p> <p>i) Chairperson, APTEL - Chairman</p> <p>ii) Senior most Technical Member, APTEL - Member</p> <p>iii) Additional Secretary or above in the Ministry of Law and Justice, Legislative Department to be nominated by the Secretary, Legislative Department - Member</p>	Not applicable.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
2. Deputy Registrar.	02 (2021) *subject to variation depe	Equivalent to Group "A" post in the Central	Level - 12 (Rs.78,800-2,09,200/-).	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.

	ndin g on work load.	Gover nment.						
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(10)	(11)	(12)	(13)
<p>Deputation / absorption Officer appointed on deputation basis and willing to get permanently absorbed on the said post, may on completion of two years of service on deputation terms, exercise his/her option for permanent absorption on the said post and the appointing authority may in its discretion, take such decision, as it considers appropriate.</p>	<p>Officers of the Central Government or State Government or High Court or District Court or Autonomous Bodies or Tribunal or Recognised Universities of Central or State Government, possessing degree in law from a Recognised University or equivalent;</p> <p>(a) Holding analogous post on regular basis; or</p> <p>(b) With Five years regular service in the post in level 11 in the pay matrix; or</p> <p>(c) With ten years combined regular service in the post in level 10 and level 11 in the pay matrix; or</p> <p>(d) Holding the post of Additional Registrar or Joint Registrar or Deputy Registrar in a High Court, on regular basis; or</p> <p>(e) With five years regular service as Judicial Officer in a High Court.</p> <p>Note 1:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years.</p> <p>Note 2:- The maximum age limit for appointment</p>	<p>DPC-CUM-Selection Committee consisting of :-</p> <p>i) Chairperson, APTEL - Chairman</p> <p>ii) Judicial Member or in his absence Senior-most Member, APTEL - Member</p> <p>iii) Registrar, APTEL - Member</p> <p>iv) Group-"A" Officer of the level-13 or above in the Pay Matrix from any other Ministry or Department of the Central Government - Member</p>	<p>Not applicable.</p>

	by deputation shall not exceed 56 years as on the closing date of receipt of applications.		
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
3. Director (Adminis- tration).	01 (202 1) *sub ject to varia- tion depe- ndin- g on wor- kloa- d.	Equiv- alent to Group "A" post in the Centra- l Gover- nment .	Level - 12 (Rs.7 8,800 - 2,09, 200/-).	Not Appli- cable .	Not Appli- cable .	Not Appli- cable .	Not Appli- cable .	Not Appli- cable .

(10)	(11)	(12)	(13)
By Promotion failing which by deputation.	<p>Promotion Administrative-Cum- Accounts Officer with five years regular service in the post of level 11 in the pay matrix.</p> <p>(a) having five years experience in the area of Administration, Personnel Management, Establishment matters, accounting and protocol;</p> <p>(b) possessing Bachelor"s degree from a Recognised University or equivalent.</p> <p>Note 1:- The eligibility list for promotion shall be prepared with reference to the date of completion of the required qualifying service in the post in the feeder grade.</p> <p>Deputation :- Officers of the Central Government or State Governments or Public Sector Undertakings or Autonomous Bodies or Tribunals :-</p>	<p>DPC/Selection Committee Consisting :-</p> <p>i) Chairperson, APTEL - Chairman</p> <p>ii) Senior-most Technical Member, APTEL - Member</p> <p>iii) Registrar, APTEL - Member</p> <p>iv) Group-"A" Officer of the level-13 or above in the Pay Matrix from any other Ministry or Department of the Central Government - Member</p>	Not applicable

	<p>(a) (i) holding analogous post on regular basis; or (ii) with five years regular service in the post in level 11 in the pay matrix; or (iii) with eight years combined regular service in the post in level 9 and level 10 in the pay matrix.</p> <p>(b) having five years experience in the area of Administration, Personnel Management, Establishment matters accounting and protocol in officers of the Central or State Government or Public Sector Undertakings or Autonomous Bodies or Tribunals; and</p> <p>(c) possessing Bachelor's degree from a recognised University or equivalent.</p> <p>Note 1:- The officer of the Appellate Tribunal for Electricity in the feeder category who is in the direct line of promotion shall not be eligible for consideration for appointment by deputation. Similarly, the deputationists shall not be eligible for consideration for appointment by promotion.</p> <p>Note 2:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years.</p> <p>Note 3:- The maximum age limit for appointment by deputation shall not exceed 56 years as on the closing date of receipt of applications.</p>		
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
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4.Admini- strative- Cum- Accounts - Officer.	01 (202 1) *sub ject to varia tion depe ndin g on wor kloa d.	Equiv alent to Group "A" post in the Centra l Gover nment .	Level - 11 (Rs.6 7,700 - 2,08, 700/-).	Not Appli cable .	Not Appli cable .	Not Appli cable .	Not Appli cable .	Not Appli cable .
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(10)	(11)	(12)	(13)
By Deputation/absorption. Note :- Officer appointed on the post of Administrative- Cum-Accounts Officer on deputation basis and willing to get permanently absorbed on the said post, may on completion of two years of service on deputation terms, exercise his/her option for permanent absorption on the said post and the appointing authority may in its discretion, take such decision, as it considers appropriate	For <u>deputation/absorption</u> :- Officer of the Central Government or State Government or Public Sector Undertakings or Autonomous Bodies. (a) (i) holding analogous post on regular basis; or (ii)with five years regular services in the post in level 9 or level 10 or both combined in the pay matrix or equivalent; (iii)with six years regular service in the post in level 8 in the pay matrix or equivalent; (b) possessing a Bachelor"s degree from a recognised University or equivalent and having five years experience in Administrative, Accounts, Establishment maters and protocol in office of the Central	DPC/Selection Committee consisting of :- i) Chairperson, APTEL - Chairman ii) Senior-most Technical Member, APTEL - Member iii) Registrar, APTEL - Member iv) Group-"A" Officer of the level of Deputy Secretary from any other Ministry or Department of the Central Government - Member	Not applicable.

	<p>Government Bodies.</p> <p>Desirable : A pass in Subordinate Audit/Accounts Service (SAS) or equivalent examination conducted by any of the recognised Accounts Department of the Central/State Government.</p> <p>Note 1:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years.</p> <p>Note 2:- The maximum age limit for appointment by deputation shall not exceed 56 years as on the closing date of receipt of applications.</p>		
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
5. Principal Private Secretary.	05 (2021) *subject to variation depending on workload.	Equivalent to Group "A" post in the Central Government	Level - 11 (Rs.67,700-2,08,700/-).	Selection.	Not Applicable.	Not Applicable.	Not Applicable.	Two years for officers who are promoted from Group B to this post.

(10)	(11)	(12)	(13)
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<p>By promotion failing which by deputation/absorption. Note:- Officer appointed on the post of Principal Private Secretary on deputation basis and willing to get permanently absorbed on the said post, may on completion of two years of service on deputation terms, exercise his/her option for permanent absorption on the said post and the appointing authority may in its discretion, take such decision, as it considers appropriate.</p>	<p><u>Promotion :-</u> Private Secretary with six years regular service in level 8 in the pay matrix or Court Master with seven years regular service in level 7 in the pay matrix, and possessing speed of 120 words per minute in stenography (English).i) Chairperson, APTEL - Chairman Note 1:- The eligibility list for promotion shall be prepared with reference to the date of completion of the required qualifying service in respective post in the feeder grade. Note 2 :- Eligible candidates have to undergo the skill test of stenography (English) @ 120 words per minute for 5 minutes and qualify the test. <u>Deputation/absorption:</u> Officer of the Central Government or State Government or High Court or District Court or Autonomous Bodies or Public Sector Undertakings or Tribunals or Recognised Universities of Central or State Government. (a) (i) holding analogous post on regular basis; or (ii)with five years regular services in the post in level 9 in the pay matrix or equivalent; (iii)with six years regular service in the post in level 8 in the pay matrix or equivalent; and (b) possessing speed in stenography of 120</p>	<p>DPC/Selection Committee consisting of :- i) Chairperson, APTEL - Chairman ii) Judicial Member or in his absence Senior-most Technical Member, APTEL - Member iii) Registrar, APTEL - Member iv) Group-"A" Officer of the level of Deputy Secretary from any other Ministry or Department of the Central Government - Member</p>	<p>Not applicable.</p>
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	<p>words per minute (English); and (c) Having knowledge of computers.</p> <p>Note 1:- The officer of the Appellate Tribunal for Electricity in the feeder category who is in the direct line of promotion shall not be eligible for consideration for appointment by deputation. Similarly, the deputationists shall not be eligible for consideration for appointment by promotion.</p> <p>Note 2:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years.</p> <p>Note 3:- The maximum age limit for appointment by deputation shall not exceed 56 years as on the closing date of receipt of applications.</p>		
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
6. Private Secretary .	05 (2021) *subject to variation depending on work load.	Equivalent to Group "B" post in the Central Government.	Level - 8 (Rs.47,600-1,51,100/-).	Non-Selection .	Not Applicable.	Not Applicable.	Not Applicable.	Not applicable.

(10)	(11)	(12)	(13)
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<p>By promotion failing which by deputation/absorption. Note:- Officer appointed on the post of Private Secretary on deputation basis and willing to get permanently absorbed on the said post, may on completion of two years of service on deputation terms, exercise his/her option for permanent absorption on the said post and the appointing authority may in its discretion, take such decision, as it considers appropriate.</p>	<p><u>Promotion :-</u> Personal Assistant with six years regular service in level 6 in the pay matrix and possessing speed of 100 words per minute in stenography (English). Note 1:- The eligibility list for promotion shall be prepared with reference to the date of completion of the required qualifying service in respective post in the feeder grade. Note 2 :- Eligible candidates have to undergo the skill test of stenography (English) @ 100 words per minute for 5 minutes and qualify the test. <u>Deputation/absorption:</u> Officer of the Central Government or State Government or High Court or District Court or Autonomous Bodies or Public Sector Undertakings or Tribunals or Recognised Universities of Central or State Government. (a) (i) holding analogous post on regular basis; or (ii)with six years regular services in the post in level 6 in the pay matrix or equivalent; (b) possessing speed in stenography of 100 words per minute (English); and (c) Having knowledge of computers. Note 1:- The officer of the Appellate Tribunal for Electricity in the feeder category who is in the direct line of promotion shall not be</p>	<p>DPC/Selection Committee consisting of :- i) Registrar, APTEL - Chairman ii) Director (Admn., APTEL - Member iii) Admn.-Cum-Accounts Officer, APTEL - Member iv) A Group-"A" Officer of the level of Under Secretary from any other Ministry or Department of the Central Government - Member</p>	<p>Not applicable</p>
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	<p>eligible for consideration for appointment by deputation. Similarly, the deputationists shall not be eligible for consideration for appointment by promotion.</p> <p>Note 2:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years.</p> <p>Note 3:- The maximum age limit for appointment by deputation shall not exceed 56 years as on the closing date of receipt of applications.</p>		
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
7.C our t Ma ster	04 (202 1) *subj ect to variat ion depe nding on work load.	Equiva lent to Group "B" post in the Central Govern ment.	Level - 7 (Rs.44 ,900- 1,42,4 00/-).	Non- Sele ction	Not exceed ing 30 years (Upper age limit is relaxa ble for Govern ment servan ts upto five years in accord ance with the orders issued by Govern ment from	Essenti al : Degree in Law with at least 55% marks from any recogni sed Univer sity. Skill test norms. Dictati on of 10 minute s duratio n at the speed	Not Appli cable.	Not appli cable.

					time to time. The crucial date for determining the age limit shall be the closing date for receipt of application.	of 80 words per minute in shorthand (English) and Transcription at the speed of 40 words per minute in typewriting in English. Computer training course of at least 6 months duration from a recognised institution.		
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(10)	(11)	(12)	(13)
By promotion failing which by deputation/absorption failing both by direct recruitment. Note:- Officer appointed on the post of Court Master on deputation basis and willing to get permanently absorbed on the said post, may on completion of two years of service on	Promotion :- Personal Assistant with five years regular service in level 6 in the pay matrix and possessing speed of 100 words per minute in stenography (English). Note 1:- The eligibility list for promotion shall be prepared with reference to the date of	DPC/Selection Committee consisting of :- i) Registrar, APTEL - Chairman ii) Director (Admn., APTEL - Member iii) Admn.-Cum-Accounts Officer, APTEL - Member iv) A Group-"A" Officer from any	Not applicable.

<p>deputation terms, exercise his/her option for permanent absorption on the said post and the appointing authority may in its discretion, take such decision, as it considers appropriate.</p>	<p>completion of the required qualifying service in respective post in the feeder grade.</p> <p>Note 2 :- Eligible candidates have to undergo the skill test of stenography (English) @ 100 words per minute for 5 minutes and qualify the test.</p> <p>Deputation/absorption: Officer of the Central Government or State Government or High Court or District Court or Autonomous Bodies or Public Sector Undertakings or Tribunals or Recognised Universities of Central or State Government.</p> <p>(a) (i) holding analogous post on regular basis; or (ii) with five years regular services in the post in level 6 in the pay matrix or equivalent;</p> <p>(b) possessing Bachelor's degree from a Recognised university or equivalent;</p> <p>(c) possessing speed in stenography of 100 words per minute (English); and</p> <p>(d) Having knowledge of computers.</p> <p>Note 1:- The officer of the Appellate Tribunal for Electricity in the feeder category who is in the direct line of promotion shall not be eligible for consideration for appointment by</p>	<p>other Ministry or Department of the Central Government - Member</p>	
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	<p>deputation. Similarly, the deputationists shall not be eligible for consideration for appointment by promotion.</p> <p>Note 2:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years.</p> <p>Note 3:- The maximum age limit for appointment by deputation shall not exceed 56 years as on the closing date of receipt of applications.</p>		
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
8. Accountant.	01 (2021) *subject to variation depending on workload.	Equivalent to Group "B" post in the Central Government.	Level - 6 (Rs.35,400-1,12,400/-).	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.

(10)	(11)	(12)	(13)
By deputation/absorption. Note :- Officer appointed on the post of Accountant on deputation basis and willing to get permanently absorbed on the said post, may	<u>Deputation/absorption:-</u> Officer of the Central Government or State Government or High Court or District Court or Autonomous Bodies or Public Sector Undertakings or Tribunals or Recognised	DPC/Selection Committee consisting of :- i) Registrar, APTEL – Chairman ii) Director (Admn., APTEL – Member	Not applicable.

<p>on completion of two years of service on deputation terms, exercise his/her option for permanent absorption on the said post and the appointing authority may in its discretion, take such decision, as it considers appropriate.</p>	<p>Universities of Central or State Government. (a) (i) holding analogous post on regular basis; or (ii) with six years regular services in the post in level 5 in the pay matrix or equivalent; or (iii) with ten years regular services in the post in level 4 in the pay matrix or equivalent; (b) Having knowledge of Accounts and Establishment work; (c) Having knowledge of computers. Note 1:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years. Note 2:- The maximum age limit for appointment by deputation shall not exceed 56 years as on the closing date of receipt of applications.</p>	<p>iii) Admn.-Cum-Accounts Officer, APTEL – Member iv) A Group-"A" Officer from any other Ministry or Department of the Central Government – Member</p>	
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
9.Assistant.	01 (2021) *subject to variation depending on workload.	Equivalent to Group "B" post in the Central Government.	Level - 6 (Rs.35,400-1,12,400/-).	Not applicable.	Not applicable.	Not applicable.	Not Applicable.	Not applicable.

(10)	(11)	(12)	(13)
<p>By deputation/absorption. Note:- Officer appointed on the post of Assistant on deputation basis and willing to get permanently absorbed on the said post, may on completion of two years of service on deputation terms, exercise his/her option for permanent absorption on the said post and the appointing authority may in its discretion, take such decision, as it considers appropriate.</p>	<p>Deputation/absorption:- Officer of the Central Government or State Government or High Court or District Court or Autonomous Bodies or Public Sector Undertakings or Tribunals or Recognised Universities of Central or State Government. (a) (i) holding analogous post on regular basis; or (ii) with six years regular services in the post in level 5 in the pay matrix or equivalent; or (iii) with ten years regular services in the post in level 4 in the pay matrix or equivalent; (b) Having knowledge of Accounts and Establishment work; (c) Having knowledge of computers. Note 1:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years. Note 2:- The maximum age limit for appointment by deputation shall not exceed 56 years as on the closing date of receipt of applications.</p>	<p>DPC/Selection Committee consisting of :- i) Registrar, APTEL - Chairman ii) Director(Admn., APTEL - Member iii) Admn.-Cum-Accounts Officer, APTEL - Member iv) A Group-"A" Officer from any other Ministry or Department of the Central Government - Member</p>	<p>Not applicable.</p>

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
10. Judicial Assi	01 (2021) *subj	Equivalent to Group "B"	Level - 6 (Rs.35 ,400-	Not applicable.	Not applicable.	Not applicable.	Not Applicable.	Not applicable.

stant (Filing).	ect to variation depending on workload.	post in the Central Government.	1,12,400/-).					
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(10)	(11)	(12)	(13)
By deputation/absorption. Note :- Officer appointed on the post of Judicial Assistant (Filing) on deputation basis and willing to get permanently absorbed on the said post, may on completion of two years of service on deputation terms, exercise his/her option for permanent absorption on the said post and the appointing authority may in its discretion, take such decision, as it considers appropriate.	Deputation/absorption:- Officer of the Central Government or State Government or High Court or District Court or Autonomous Bodies or Public Sector Undertakings or Tribunals or Recognised Universities of Central or State Government. (a) (i) holding analogous post on regular basis; or (ii) with six years regular services in the post in level 5 in the pay matrix or equivalent; or (iii) with ten years regular services in the post in level 4 in the pay matrix or equivalent; (b) possessing degree in law from a Recognised University or equivalent (c) Having knowledge of computers. Note 1:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years. Note 2:- The maximum age limit for appointment	DPC/Selection Committee consisting of :- i) Registrar, APTEL – Chairman ii) Director (Admn., APTEL – Member iii) Admn.-Cum-Accounts Officer, APTEL – Member iv) A Group-"A" Officer from any other Ministry or Department of the Central Government – Member	Not applicable.

	by deputation shall not exceed 56 years as on the closing date of receipt of applications.		
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
11. Personal Assistant.	05 (2021) *subject to variation depending on work load.	Equivalent to Group "B" post in the Central Government.	Level - 6 (Rs.35,400-1,12,400/-).	Non-Selection.	Not exceeding 30 years (Upper age limit is relaxable for Government servants upto five years in accordance with the orders issued by Government from time to time. The crucial date for determining the age limit shall be the closing date for receipt of	Essential : Degree in Law with at least 55% marks from any Recognised University. Skill test norms. Dictation of 10 Minutes duration at the speed of 80 words per minute in shorthand (English) and Transcription at the speed of 40 words per minute in typewriting in English.	Not Applicable.	Two years for those who are promoted from Group-C to this post. Two years for Direct Recruit.

					application.	Computer training course of at least 6 months duration from a Recognised institution.		
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(10)	(11)	(12)	(13)
<p>By promotion failing which by deputation/absorption failing both by direct recruitment.</p> <p>Note:- Officer appointed on the post of Personal Assistant on deputation basis and willing to get permanently absorbed on the said post, may on completion of two years of service on deputation terms, exercise his/her option for permanent absorption on the said post and the appointing authority may in its discretion, take such decision, as it considers appropriate.</p>	<p>Promotion:- Stenographer Grade D with ten years regular service in level 4 in the pay matrix and possessing speed of 80 words per minute in stenography (English).</p> <p>Note 1:- The eligibility list for promotion shall be prepared with reference to the date of completion of the required qualifying service in respective post in the feeder grade.</p> <p>Note 2 :- Eligible candidates have to undergo the skill test of stenography (English) @ 80 words per minute for 5 minutes and qualify the test.</p> <p>Deputation/absorption: Officer of the Central Government or State Government or High Court or District Court or Autonomous Bodies or Public Sector Undertakings or Tribunals or Recognised Universities of Central or State Government.</p> <p>(a) (i) holding analogous post on regular basis; or</p>	<p>DPC/Selection Committee consisting of :-</p> <p>i) Registrar, APTEL - Chairman</p> <p>ii) Director(Admn., APTEL - Member</p> <p>iii) Admn.-Cum-Accounts Officer, APTEL - Member</p> <p>iv) A Group-"A" Officer from any other Ministry or Department of the Central Government - Member</p>	Not applicable.

	<p>(ii) with ten years regular services in the post in level 4 in the pay matrix or equivalent;</p> <p>(b) possessing speed in stenography (English) of 80 words per minute;</p> <p>(c) Having knowledge of computers.</p> <p>Note 1:- The officer of the Appellate Tribunal for Electricity in the feeder category who is in the direct line of promotion shall not be eligible for consideration for appointment by deputation. Similarly, the deputationists shall not be eligible for consideration for appointment by promotion.</p> <p>Note 2:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years.</p> <p>Note 3:- The maximum age limit for appointment by deputation shall not exceed 56 years as on the closing date of receipt of applications.</p>		
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
12. Librarian.	01 (2021) *subject to variation depending on	Equivalent to Group "B" post in the Central Government.	Level - 6 (Rs.35,400 - 1,12,400/-).	Not Applicable.	Not exceeding 30 years (Upper age limit is relaxable for	Essential : (i) Bachelor's Degree in Library Science or Library and Information Science from a	Not Applicable.	Two years for Direct Recruitment.

	work load.				Government servants upto five years in accordance with the orders issued by Government from time to time. The crucial date for determining the age limit shall be the closing date for receipt of application.	Recognised University or Institute; (ii) Two years professional experience in a Library under the Central Government or State Government or Autonomous or Statutory Organisation/PSU/University . Desirable : Diploma in Computer Application from a Recognised University or Institute.		
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(10)	(11)	(12)	(13)
By deputation/absorption failing both by direct recruitment. Note :- Officer appointed on the post of Librarian on deputation basis and willing to get permanently absorbed on the said post, may on	<u>Deputation/absorption :-</u> Officers of the Central Government or State Government or High Court or District Court or Autonomous Bodies or Public Sector Undertakings or Tribunals or Recognised Universities of Central or State Government:-	DPC/Selection Committee consisting of :- i) Registrar, APTEL – Chairman ii) Director(Admn., APTEL – Member iii) Admn.-Cum-Accounts Officer,	Not applicable.

<p>completion of two years of service on deputation terms, exercise his/her option for permanent absorption on the said post and the appointing authority may in its discretion, take such decision, as it considers appropriate.</p>	<p>(a) (i) holding analogous post on regular basis; or (ii) with six years regular service in the post in level 5 in the pay matrix or equivalent; or (iii) with ten years regular service in the post in level 4 in the pay matrix or equivalent;</p> <p>(b) (i) possessing a degree in Library Science from a Recognised University or equivalent (ii) having five years experience as Librarian or Assistant Librarian in the Library of the Central Government or State Government or High Court or Recognised University or any other Government Department or equivalent. (c) Having knowledge of computers.</p> <p>Note 1:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years. Note 2:- The maximum age limit for appointment by deputation shall not exceed 56 years as on the closing date of receipt of applications.</p>	<p>APTEL – Member iv) A Group-"A" Officer from any other Ministry or Department of the Central Government – Member</p>	
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
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13. Stenographer Grade-D.	01 (2021) *subject to variation depending on work load.	Equivalent to Group "C" post in the Central Government.	Level - 4 (Rs.25,500-81,100/-).	Non-Selection .	Between 18-27 Years (Relaxable for Government Servant upto 40 years in case of general candidates and upto 45 years in case of candidates belonging to the Scheduled Castes and the Scheduled Tribes in accordance with the instructions or orders issued by the Central Government from	Essential : (i) 12th class pass from a Recognised Board or equivalent; (ii) Skill Test Norms : Dictation of 10 minutes duration at the speed of 80 words per minute in Shorth and (English) and transcription at the speed of 50 words per minute in typewriting (English) on computer.	Not Applicable.	Two years for Direct Recruitment .
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					time to time). The crucial date for determining the age limit shall be the closing date for receipt of application.			
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(10)	(11)	(12)	(13)
<p>By deputation/absorption failing both by direct recruitment.</p> <p>Note:- Officer appointed on the post of Stenographer Grade-D on deputation basis and willing to get permanently absorbed on the said post, may on completion of two years of service on deputation terms, exercise his/her option for permanent absorption on the said post and the appointing authority may in its discretion, take such decision, as it considers appropriate</p>	<p><u>Deputation/absorption :-</u> Officers of the Central Government or State Government or High Court or District Court or Autonomous Bodies or Public Sector Undertakings or Tribunals or Recognised Universities of Central or State Government:- (a) (i) holding analogous post on regular basis; or (ii) with eight years regular services in the level 2 in the pay matrix or equivalent; and (b) possessing the qualifications prescribed for direct recruits under column 7</p> <p>Note 1:- The period of deputation including the period of deputation in another ex-cadre post</p>	<p>DPC/Selection Committee consisting of :- i) Director (Admn.), APTEL - Chairman ii) Admn.-Cum-Accounts Officer, APTEL - Member iii) A Group-"A" Officer from any other Ministry or Department of the Central Government - Member</p>	Not applicable.

	held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years. Note 2:- The maximum age limit for appointment by deputation shall not exceed 56 years as on the closing date of receipt of applications.		
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
14. Cashier .	01 (2021) *subject to variation depending on workload.	Equivalent to Group "C" post in the Central Government.	Level - 2 (Rs.19,900-63,200/-).	Not applicable.	Not applicable.	Not applicable.	Not Applicable.	Not applicable.

(10)	(11)	(12)	(13)
By deputation/absorption. Note:- Officer appointed on the post of Cashier on deputation basis and willing to get permanently absorbed on the said post, may on completion of two years of service on deputation terms, exercise his/her option for permanent absorption on the said post and the appointing authority may in its discretion, take such decision, as	<u>Deputation/absorption</u> :- Officers of the Central Government or State Government or High Court or District Court or Autonomous Bodies or Public Sector Undertakings or Tribunals or Recognised Universities of Central or State Government :- (a) (i) holding analogous post on regular basis; or (ii) with three years regular services in the post in the level	DPC/Selection Committee consisting of :- i) Director (Admn.), APTEL – Chairman ii) Admn.-Cum-Accounts Officer, APTEL – Member iii) A Group-"A" Officer from any other Ministry or Department of the Central Government - Member	Not applicable.

<p>it considers appropriate.</p>	<p>1 in the pay matrix or equivalent; and (b) possessing 10+2 pass certificate from a Recognised Board or equivalent; (c) having knowledge of cash and accounts work; and (d) having knowledge of computer.</p> <p>Note 1:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years.</p> <p>Note 2:- The maximum age limit for appointment by deputation shall not exceed 56 years as on the closing date of receipt of applications.</p>		
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
15.L ower Divi sion Cler k.	01 (2021) *subj ect to variat ion de pend ing on workl oad.	Equiva lent to Group "C" post in the Central Govern ment.	Level - 2 (Rs.19 ,900- 63,20 0/-).	Not applic able.	Betwe en 18- 27 Years (Relax able for Gover nment Servan t upto 40 years in case of genera l candid ates and	Essent ial : (i) 12th class pass from a Recog nised Board or equiva lent; (ii) Skill Test Norm s: Englis h	Not Appli cable.	Two yea rs for Dir ect Rec ruit.

					<p>upto 45 years in case of candidates belonging to the Scheduled Castes and the Scheduled Tribes in accordance with the instructions or orders issued by the Central Government from time to time).</p> <p>The crucial date for determining the age limit shall be the closing date for receipt of application</p>	<p>typing with the speed of 35 words per minute; or Hindi typing with the speed of 30 words per minute (Time allowed 10 minutes) on computer.</p>		
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(10)	(11)	(12)	(13)
<p>By deputation/absorption failing both by direct recruitment.</p> <p>Note:- Officer appointed on the post of Lower Division Clerk on deputation basis and willing to get permanently absorbed on the said post, may on completion of two years of service on deputation terms, exercise his/her option for permanent absorption on the said post and the appointing authority may in its discretion, take such decision, as it considers appropriate</p>	<p><u>Deputation/absorption :-</u></p> <p>Officers of the Central Government or State Government or High Court or District Court or Autonomous Bodies or Public Sector Undertakings or Tribunals or Recognised Universities of Central or State Government:-</p> <p>(a) (i) holding analogous post on regular basis; or</p> <p>(ii) with three years regular services in the post in the level 1 in the pay matrix or equivalent; and</p> <p>(b) possessing the qualifications prescribed for direct recruits under column 7</p> <p>Note 1:- The period of deputation including the period of deputation in another ex-cadre post held immediately preceding the appointment in the same or other organisation or Department of Central Government shall be five years.</p> <p>Note 2:- The maximum age limit for appointment by deputation shall not exceed 56 years as on the closing date of receipt of applications.</p>	<p>DPC/Selection Committee consisting of :-</p> <p>i) Director (Admn.), APTEL – Chairman</p> <p>ii) Admn.-Cum-Accounts Officer, APTEL - Member</p> <p>iii) A Group-"A" Officer from any other Ministry or Department of the Central Government - Member</p>	<p>Not applicable.</p>

[F. No. 46/13/2017-R&R]
GHANSHYAM PRASAD, Jt. Secy.


सत्यमेव जयते

भारत का राजपत्र The Gazette of India

EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 16th January, 2017

NOTIFICATION

G.S.R. 39(E).—In exercise of the powers conferred by clause (s) of sub-section (2) of section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules further to amend the Appellate Tribunal for Electricity Salary, Allowances and other Conditions of Service of the Officers and Employees Rules, 2004, namely:-

1. Short title and commencement.— (1) These rules may be called the Appellate Tribunal for Electricity Salary, Allowances and other Conditions of Service of the Officers and Employees (Amendment) Rules, 2017.

(2) They shall come into force from the date of their notification in the Official Gazette.

2. In the Appellate Tribunal for Electricity Salary, Allowances and other Conditions of Service of the Officers and Employees Rules, 2004, -

(a) for the word “Schedule” wherever it occurs, the word and figure “Schedule I” shall be substituted;

(b) for rule 8, the following rule shall be substituted, namely:-

“8 Other conditions of service.— (1) Officers and employees of the Appellate Tribunal for Electricity shall be entitled to the medical facilities as specified in Schedule II annexed to these rules.

(2) Other conditions of service of the officers and employees of the Appellate Tribunal for Electricity, for which no specific provisions have been provided, shall be regulated in accordance with such rules as are, from time to time, applicable to officers and employees of the Central Government drawing the pay and allowances in corresponding pay scales”;

(c) the Schedule shall be numbered as Schedule I and after Schedule I as so numbered, the following Schedule shall be inserted, namely:-

[SCHEDULE III]

[see rule 8(1)]

MEDICAL FACILITIES

1. Definitions.— In this Schedule, unless the context otherwise requires-
 - (a) **“competent authority”** means the Chairperson of the Appellate Tribunal and includes any other officer so designated by him in this behalf;
 - (b) **“employee”** means any person appointed in accordance with these rules who is on the rolls of the Appellate Tribunal and also includes the employees who have superannuated from the said Tribunal after rendering not less than five years of regular service, having been permanently absorbed in the said Tribunal;
 - [(c) **“empanelled hospital and diagnostic centre”** means the Government Hospitals or Diagnostic Centers including all recognized Private Hospital or Diagnostic Centers under Central Government Health Scheme for Specialized and General Purpose Treatment and Diagnostic Procedures recognized vide Ministry of Health and Family Welfare O.M. No. 24/2001/JD(M)/CGHS/Delhi/CGHS(P), dated 7.9.2001 as amended from time to time.]¹
 - [(d) **“Family”** means a Government servant's wife or husband, as the case may be, and parents, sisters, widowed sisters, widowed daughters, minor brothers, children, stepchildren divorced or separated daughters and stepmother wholly dependent upon the Government servant and are normally residing with the Government servant.]²
 - (e) **“pay”** means basic pay plus non-practicing allowance plus stagnation increment, if any:

Provided that for employees who have superannuated and are eligible for medical facilities, “pay” means the last pay drawn before the superannuation;
 - (f) **“Authorised or Notified Medical Practitioner”** means a registered medical practitioner having a degree recognised under the Indian Medical Council Act, 1956 (102 of 1956), or a registered Medical Practitioner holding Degree or Diploma in Ayurveda or Unani or Siddha or Homoeopathy of not less than four years duration from a University or Statutory Board or Council or Faculty of Indian Medicine and Homoeopathy, included in the Schedules to the Indian Medicine Central Council Act, 1970 (48 of 1970) and the Homoeopathy Central Council Act, 1973 (59 of 1973), as the case may be;
 - (g) words and expressions used in these rules but not defined, and defined in the Act, shall have the same meaning as assigned to them in the Act.
2. Maintenance of list of Authorised Medical Practitioners.— (1) A list of Authorised Medical Practitioners shall be prepared and maintained by Appellate Tribunal, area-wise, on the request of the employees and based on relevant documentary proof including prescription with registration number of the concerned Registered Medical Practitioner.

(2) If an employee is receiving treatment from the out-patient department of an empanelled hospital or Central Government Health Scheme recognised hospital, the attending physician shall be treated as a deemed authorised or Notified Medical Practitioner for the Appellate Tribunal.

¹ Substituted vide Amendment Rules,2022 w.e.f. 29.12.2022.

² Substituted vide Amendment Rules,2022 w.e.f. 29.12.2022.

INDOOR TREATMENT

3. **Entitlement of room charges.**— (1) The entitlement for room facility, such as General Ward, Semi-private Ward, Private Ward or Day Care, in case of hospitalisation shall be the same as may be specified by the Central Government Health Scheme from time to time.
- (2) The entitlement for room rent for General Ward, Semi-private Ward, Private Ward and Day Care shall be as per the Central Government Health Scheme rates, as amended from time to time.
- (3) The employees of the Appellate Tribunal shall be entitled for medical treatment including the cost of treatment, pathological, radiological, scanning, hospital accommodation, nursing home facilities, etc., as per the package rates prescribed vide Ministry of Health and Family Welfare O.M. No. 24/2001/JD(M)/CGHS/Delhi/CGHS(P) dated 7th September, 2001, as amended from time to time.
- (4) The employees of the Appellate Tribunal may get medical treatment in any of the empanelled hospital or diagnostic centre on the advice of Authorised or Notified Medical Practitioner or attending physician, and in case of emergency they may directly go to any private or recognised private hospital or diagnostic centre nearest to their place of residence.
- (5) The charges paid for clinical tests, etc, to a private non-recognised hospital or diagnostic centre shall be reimbursable as per rates prescribed for Central Government Health Scheme beneficiaries and where there are no rates prescribed, the expenses incurred shall be reimbursed on actual basis.
- (6) If during treatment in an empanelled hospital or diagnostic centre, special nursing becomes necessary, the employee or a member of his family shall be entitled to such special nursing as may be deemed essential for the recovery or for the prevention of serious deterioration in the condition of the patient having regard to the nature of the disease, and the amount to be reimbursed for such special nursing shall be limited to the amount, which is in excess of twenty-five per cent. of the pay of the employee concerned for the period for which special nursing was necessary, for which a certificate from the Medical Officer-in-charge, countersigned by the Medical Superintendent shall be produced.
- (7) Package rates for duration of indoor treatment shall be as follows:
- (a) 12 days for specialised procedure;
- (b) 7-8 days for other procedures;
- (c) 3 days for laparoscopic surgery;
- (d) 1 day for day care or minor procedures (out-patient).
4. **Submission of claims.**— (1) Final claims for reimbursement of medical expenses for a particular spell of illness shall ordinarily be preferred within three months from the date of completion of the treatments shown in the prescription issued by the attending physician.
- (2) All claims for reimbursement shall be accompanied with prescription and cash memos or vouchers duly signed by the Medical Officer indicating the registration number.
- (3) The application for medical claims shall be submitted in the Form given at **Appendix A.**
- (4) All expenses on indoor treatment shall initially be met by the employee himself and shall claim for medical reimbursement on completion of the treatment.

- (5) Normally the recognised private hospitals or diagnostic centres, who entered into agreement with the Appellate Tribunal, shall charge the rates approved for the package rate and they shall also extend credit facility in emergency cases as specified in the Memorandum of Agreement signed with private hospitals or diagnostic centres to the employees of the Appellate Tribunal undertaking treatment in their hospital or diagnostic centre, and submit the bill for reimbursement as per approved rates to the Appellate Tribunal:

Provided that in case of hospital or diagnostics centres insisting for immediate payment of the cost of treatment, room rent, medicines, various test, etc., the Appellate Tribunal may sanction advance payment to the extent of ninety per cent. of approximate expenses as per package rate prescribed for Central Government Health Scheme beneficiaries and issue an account payee cheque in the name of the hospital concerned, and the balance payment shall be made on submission of final claim by the beneficiary.

OUTDOOR TREATMENT

5. **Entitlements.**— [The employees shall be entitled to the reimbursement of medical expenses as per Central Government Health Scheme rates as amended from time to time.]³
6. **Treatment abroad.**— For treatment during foreign visit, reimbursement shall be limited to entitlement in accordance with the provisions of the Central Services (Medical Attendance) Rules, 1944.
7. **When both husband and wife are Government servants.**— Where husband and wife both are employed in the Central Government or State Government or Public Sector Undertakings or Autonomous bodies or Statutory bodies or Local bodies, etc., a joint declaration shall be furnished by the employees to the effect that his or her spouse is not availing medical facility provided by his or her employer.
8. **Submission of claims.**— (1) The employees are required to prefer the claims within three months from the date of completion of treatment.
- (2) The employees are also required to submit the following, namely:-
- (i) original prescription with registration number of the Authorised or Notified Medical Practitioner; and
 - (ii) original bills or cash memos of medicines or tests.
- (3) The application for medical claims shall be submitted in the Form given at **Appendix B.**
9. **Other conditions.**— (1) Inadmissible medicines as specified in Schedule I and Schedule II of sub-clause (iii) of clause (h) of rule 2 of the Central Services (Medical Attendance) Rules, 1944 are not reimbursable.
- (2) The competent authority in the Appellate Tribunal shall be empowered to disallow any claims or part of the claim which does not satisfy the required condition for such claim.
- (3) The expenditure on account of reimbursement of medical claims in any month shall be monitored by applying the benchmark of an amount equivalent to one-twelfth of the budgetary provision for medical expenses (for indoor as well as outdoor treatment) for that particular year and in the event of such expenditure exceeding the aforesaid benchmark ceiling in any particular month,

³ Substituted vide Amendment Rules, 2022 w.e.f. 29.12.2022.

the Chairperson of the Appellate Tribunal shall be the competent authority to approve such expenditure in excess of the benchmark ceiling.

10. **Interpretation.** — Wherever clarification or interpretation or relaxation and extension of any of the provisions of this regulation arise, the Appellate Tribunal may refer the matter to the Central Government and the decision of the Central Government shall be final in such matters.

Appendix - A

APPELLATE TRIBUNAL FOR ELECTRICITY
FORM OF APPLICATION FOR MEDICAL CLAIMS

Form of application for claiming refund of medical expenses incurred in connection with medical attendance or treatment of the Employees of Appellate Tribunal for Electricity or their families for treatment in a Hospital:

1. Name and designation of the Employee
(in Block Letters)
 - (i) Whether married or unmarried
 - (ii) If married, the place where wife/husband is employed
2. Pay of the Employee as defined in the Fundamental Rules and any other emoluments which should be shown separately
3. Place of duty
4. Actual residential address
5. Name of the patient and his/her relationship to the employee
6. Place at which the patient fell ill
7. Details of the amounts claimed
Name of the Hospital

Charges for Hospital treatment, indicating separately the charges for-

- (i) Accommodation (State whether it was according to the status or pay of the employees and in cases where the accommodation is higher than the status of the employee, a certificate should be attached to the effect that the accommodation to which he was entitled was not available)
- (ii) Diet
- (iii) Surgical operation or medical treatment or confinement
- (iv) Pathological, Bacteriological, Radiological or other similar tests, indicating –
 - (a) The name of the hospital or laboratory at which undertaken; and
 - (b) Whether undertaken on the advice of the Medical Officer in charge of the case at the hospital. If so, a certificate to the effect should be attached.
- (v) Medicines
- (vi) Special medicines
(Cash memos and the Essentiality Certificate should be attached)
- (vii) Ordinary nursing
- (viii) Special nursing, i.e., nurses, specially engaged for the patient. State whether they are employed

on the advice of the Medical Officer in charge of the case at the hospital or at the request of the Employee or patient. In the former case a certificate from the Medical Officer in charge of the case and countersigned by the Medical Superintendent of the Hospital should be attached.

- (ix) Ambulance charges –
(state the journey – to and fro – undertaken)
 - (x) Any other charges, e.g., charges for electric light, fan, heater, air-conditioning, etc. State also whether the facilities referred to are a part of the facility normally provided to all patients and no choice was left to the patient.
8. Total amount claimed
 9. Less advance taken on
 10. Net amount claimed
 11. List of enclosures

DECLARATION TO BE SIGNED BY THE GOVERNMENT SERVANT

I hereby declare that the statements in the application are true to the best of my knowledge and belief and that the person for whom medical expenses were incurred is wholly dependent upon me.

Date

Signature of the Employees

APPELLATE TRIBUNAL FOR ELECTRICITY**FORM OF APPLICATION FOR REIMBURSEMENT OF MEDICAL CLAIM**

1. Name and Designation _____
2. Basic Pay + Dearness Allowance _____
3. Name of the patient _____
and relationship _____
4. Place at which patient _____
Fell ill _____
5. Name of the Doctor/ _____
Hospital _____

CLAIM DETAILS	AMOUNT CLAIMED		AMOUNT ADMITTED
	Rs.	P.	Rs P.
a) Consultation Charges: number and dates of consultations			
b) Special Consultations number and dates of consultations			
c) Pathological Charges:			
d) Cost of Medicines S. No. Cash Memo No. Date			
Rupees (In words)			

I hereby declare that the statements in the application are true to the best of my knowledge and belief and that the person for whom medical expenses were incurred is wholly dependent upon me.

List of encl:

Date:

Signature of the Employee.”.

[F. No. 46/5/2015-R&R]

JYOTI ARORA, Jt. Secy.


भारत का राजपत्र
The Gazette of India

EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 22nd December, 2004.

Notification

G.S.R. 1(E). - In exercise of the powers conferred by clause (w) of Sub-Section (2) of Section 176 of the Electricity Act, 2003 (36 of 2003) the Central Government hereby makes the following rules regarding the form and time of service of notices of electrical accidents, namely:

1. Short title and commencement. – [(1) These rules may be called the Intimation of Accidents (Form and Time of Service of Notice) Rules, 2005.]¹
 - (2) They shall come into force on the date of their publication in the Official Gazette.
2. Definitions. - (1) In these rules unless the context otherwise requires,-
 - (a) “Act” means the Electricity Act, 2003;
 - (b) “Inspector” means the Chief Electrical Inspector or the Electrical Inspector appointed under Sub-Section (1) of Section 162 of the Act.(2) Words and expression used and not defined in these rules but defined in the Electricity Act, 2003 (36 of 2003), shall have the meanings respectively assigned to them in that Act.
3. Intimation of accidents. - (1) If any accident occurs in connection with the generation, transmission, supply or use of electricity in or in connection with, any part of the electric lines or other works of any person and the accident results in or is likely to have resulted in loss of human or animal life or in any injury to a human being or an animal, such person or any authorized person of the generating company or licensee, not below the rank of a Junior Engineer or equivalent shall send to the Inspector a telegraphic report within 24 hours of the knowledge of the occurrence of the fatal accident and a report in writing in **Form A** within 48 hours of the knowledge of occurrence of fatal and all other accidents. Where possible a telephonic message should also be given to the Inspector immediately, if the accident comes to the knowledge of the authorized officer of the generating company/licensee or other person concerned.
 - (2) For the intimation of the accident, telephone numbers, fax numbers and addresses of Chief Electrical Inspector or Electrical Inspectors, District Magistrate, police station, Fire Brigade and nearest hospital shall be displayed at the conspicuous place in the generating station, sub-station, enclosed sub-station/switching station and maintained in the Office of the in-

¹ Substituted vide Amendment Rules, 2005 w.e.f. 11.08.2005.

charge/owner of the Medium Voltage (MV)/High Voltage (HV)/Extra High Voltage (EHV) installations.

Form A

Form for reporting electrical accidents

1. Date and time of accident.
2. Place of accident.
(Village/Town, Tehsil/Thana, District and State).
3. System and voltage of supply (Whether Extra High Voltage (EHV)/High Voltage (HV)/Low Voltage (LV) Line, sub-station/generation station/consumer's installations/service lines/other installations).
4. Designation of the Officer-in-charge of the generating company/licensee in whose jurisdiction the accident occurred.
5. Name of owner/user of energy in whose premises the accident occurred.
6. Details of victim(s):

(a) Human

Sl.No	Name	Father's Name	Sex of victim	Full Postal address	Approximate age	Fatal/non-fatal
1	2	3	4	5	6	7

(b) Animal

Sl.No.	Description of animal(s)	Number(s)	Name(s) of owner(s)	Address(es) of owner(s)	Fatal/non-fatal
1	2	3	4	5	6

7. In case the victim(s) is/are employee(s) of supplier:-
 - (a) designation of such person(s);
 - (b) brief description of the job undertaken, if any;
 - (c) whether such person/persons was/were allowed to work on the job.
8. In case the victim(s) is/are employee(s) of a licensed contractor, -
 - (a) did the victim(s) possess any electric workmen's permit(s), supervisor's certificate of competency?
If yes, give number and date of issue and the name of issuing authority;
 - (b) name and designation of the person who assigned the duties of the victim(s).
9. In case of accident in the system of the generating company/licensee, was the permit to work (PTW) taken?
10. (a) Describe fully the nature and extent of injuries, e.g., fatal/disablement (permanent or temporary) of any portion of the body or burns or other injuries.
(b) In case of fatal accident, was the post mortem performed?
11. Detailed causes leading to the accident.
(To be given in a separate sheet annexed to this form).

12. Action taken regarding first aid, medical attendance etc. immediately after the occurrence of the accident (give details).
13. Whether the District Magistrate and Police Station concerned have been informed of the accident (if so, give details).
14. Steps taken to preserve the evidence in connection with the accident to extent possible.
15. Name and designation(s) of the person(s) assisting, supervising the person(s) killed or injured.
16. What safety equipments were given to or used by the person(s) who met with this accident (e.g. rubber gloves, rubber mats, safety belts and ladders etc.)?
17. Whether isolating switches and other Sectionalizing devices were employed to deaden the sections for working on the same? Whether working Section was earthed at the site of work?
18. Whether the work on the live lines was undertaken by authorised person(s)? If so, the name and the designation of such person(s) may be given.
19. Whether artificial resuscitation treatment was given to the person(s) who met with the electric accident? If yes, how long was it continued before its abandonment?
20. Names and designations of persons present at, and witnessed, the accident.
21. Any other information/remarks.

Place:
Time:
Date:

Signature
Name
Designation
Address of the person reporting
(F.No. 23/2/2004-R&R)

Sd/-
Ajay Shankar,
Additional Secretary to the Government of India.


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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)
Government of India
Ministry of Power

New Delhi, dated 28th January, 2005

Notification

G.S.R. 48(E). - In exercise of the powers conferred by clause (o) of Sub-Section (2) of section 176 of the Electricity Act, 2003 (No. 36 of 2003), the Central Government hereby makes the following rules, namely: -

1. **Short title and commencement.** – [(1) These rules may be called the Central Electricity Regulatory Commission (Preparation of Annual Report) Rules, 2005]¹
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** - In these rules, unless the context otherwise requires: -
 - (a) “Act” means the Electricity Act, 2003;
 - (b) “Schedule” means the Schedule annexed to these rules;
 - (c) Words and expressions used and not defined but defined in the said Act shall have the meanings respectively assigned to them in the said Act.
3. **Preparation of annual report.** – (1) Every year the Central Commission shall prepare an Annual Report giving/containing a summary of its activities during the previous year commencing from the 1st day of April to the 31st day of March of the following year in the form specified in the Schedule.
(2) The Annual Report shall give an account of the activities during the previous financial year, containing inter alia -
 - (a) A statement of goals and objectives of the Central Commission;
 - (b) Annual targets set for various activities in the background of clause (a) together with a brief review of actual performance with reference to those targets and including in particular a report on the number of cases filed before the Central Commission during the year, number of cases disposed of, time taken to dispose of the cases and number of cases pending;
 - (c) Important additions/ changes in the regulations of the Central Commission;

¹ Substituted vide Amendment Rules, 2005 w.e.f. 11.08.2005.

- (d) Functioning of the Central Advisory Committee and other consultation with the stakeholders;
 - (e) Trends of important parameters such as capital cost, cost of electricity, new investment, efficiency gains;
 - (f) Number and details of cases in which orders/regulations of the Commission were challenged in Courts/Appellate Tribunal and the outcome of such cases.
 - (g) Resolution of disputes including the disputes pending at the end of the year.
4. **Submission of annual report.** – The copies of the Annual Report shall be forwarded by the Central Commission to the Central Government by the end of October each year.

SCHEDULE

THE CENTRAL ELECTRICITY REGULATORY COMMISSION (PREPARATION OF ANNUAL REPORTS) RULES, 2004

(See rule – 3)

FORM OF ANNUAL REPORT OF THE CENTRAL ELECTRICITY REGULATORY COMMISSION

1. The commission in brief.
2. The mandate of the commission
3. Mission statement.
4. The year in retrospect.
5. Annual accounts of the commission showing receipts and expenditure.
6. Out come of regulatory process in terms of benefits to consumers and development of sector.
7. Work plan for the year ahead.

[F.No. 23/74/2003-R&R]
AJAY SHANKAR, Add. Secy.


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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

Government of India

Ministry Of Power

New Delhi, the 16th February, 2005

Notification

G.S.R. 75 (E). - In exercise of the powers conferred by Sub-Section (1) of Section 176 [and in pursuance of] sub- Sections (2) and (3) of Section 166 of the Electricity Act, 2003 (No.36 of 2003), the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement.** – (1) These rules may be called the Forum of Regulators Rules, 2005.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** - In these rules, unless the context otherwise requires,-
 - (1) “Forum” means ‘Forum of regulators’ as constituted under rule 3;
 - (2) “Act” means the ‘Electricity Act, 2003 (No.36 of 2003).
 - (3) Words and expressions used herein and not defined, but defined in the Act, shall have the meanings respectively assigned to them in the said Act.
3. **Constitution of the Forum.** - (1) The Forum shall consist of the Chairperson of the Central Commission and Chairpersons of the State Commissions. The Chairperson of the Central Commission shall be the Chairperson of the Forum of Regulators.
 - (2) The Secretary to the Central Commission shall be the *ex-officio* Secretary to the Forum.
 - (3) Secretarial assistance to the Forum shall be provided by the Central Commission.
 - (4) The headquarter of the Forum will be located at New Delhi.
4. **Functions of the Forum.** - The Forum shall discharge the following functions, namely:-
 - (i) (a) **Data collection and analysis-** Analysis of the tariff orders and other orders of the Central Commission and State Commissions, highlighting, the departures from the provisions of the Act and the tariff policy, if any, whether the tariff orders and true up have been done timely, and whether the tariff reflects all prudent costs, and whether the subsidy payable has been appropriately accounted for and paid according to Section 65 of the Act;
 - (b) **Subsidy accounting** – (i) Preparation of the Quarterly Statements, for each distribution licensee in the country, pointing out whether demands for subsidy are raised by distribution companies every quarter based on accurate accounts of the energy consumed

by the subsidised category and the per unit subsidy payable, and whether the said subsidy is paid under Section 65 of the Act, gap in subsidy due and paid as well as other relevant details.

- (ii) Computation of subsidy due shall be in accordance with Standard Operating Procedure issued by Ministry of Power from time to time and this statement shall be submitted by the Forum to the Central Government and the concerned State Commission within thirty days from the end date of each quarter.
- (c) **Monitoring of renewable purchase compliance-** (i) The compliance of targets, by each of the distribution licensees, captive consumption and consumers procuring power through open access, for purchase of electricity from renewable sources as determined by the Central Government or by State Commission, whichever is higher, in accordance with the provisions of the Act and rules, regulations, guidelines made thereunder.
- (ii) An annual report comprising data and analysis thereof for compliance of the targets for purchase from renewables shall be submitted to the Central Government by 31st May of next financial year.¹
- (ii) harmonization of regulation in power sector;
 - (iii) laying of standards of performance of licensees as required under the Act.
- (iv) sharing of information among the members of the Forum on various issues of common interest and also of common approach.
 - (v) undertaking research work in-house or through outsourcing on issues relevant to power sector regulation;
 - (vi) evolving measures for protection of interest of consumers and promotion of efficiency, economy and competition in power sector; and
 - (vii) such other functions as the Central Government may assign to it, from time to time.
5. **Finances of the Forum.** - (1) The Central Commission may take necessary financial contributions from the State Commissions for carrying out the activities of the Forum.
- (2) The Central Commission will keep separate accounts for the activities of the Forum.
6. **Meetings of the Forum.** - (1) The Forum shall meet at least twice in a year.
- (2) The Forum will frame its own rules of business for the conduct of its meetings.
- 7 **Annual Report.** - The Forum of Regulators shall prepare every year, an annual report, giving a summary of its activities during the previous financial year and copies of the report shall be forwarded to the Central Government.

[F.No.23/35/2003-R&R]
AJAY SHANKAR, Addl. Secy..

¹ Substituted vide Amendment Rules,2022 w.e.f. 08.09.2022.


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EXTRAORDINARY PART II – SECTION 3(i)

Government of India
Ministry Of Power

New Delhi, the 2nd March, 2005

Notification

G.S.R. 158(E). – In exercise of the powers conferred by clause (d) of Sub-Section (2) of Section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules regarding the constitution and functions of the National Load Despatch Centre, namely:-

1. **Short title and commencement.** – (1) These rules may be called the National Load Despatch Centre Rules, 2004.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** – (1) In these rules unless the context otherwise requires, –
 - (a) “Act” means the Electricity Act, 2003;
 - (b) Words and expressions used herein and not defined but defined in the Act shall have the meaning respectively assigned to them in the Act.
3. **Constitution of National Load Despatch Centre.** – (1) There shall be a centre at the national level to be known as National Load Despatch Centre for optimum scheduling and despatch of electricity among the Regional Load Despatch Centres.
(2) The National Load Despatch Centre shall be located at New Delhi with a backup at its centre in Kolkata.
4. **Functions of National Load Despatch Centre.** – The National Load Despatch Centre shall be the apex body to ensure integrated operation of the national power system and shall discharge the following functions, namely :-
 - (a) supervision over the Regional Load Despatch Centres;
 - (b) scheduling and despatch of electricity over inter-regional links in accordance with grid standards specified by the Authority and grid code specified by Central Commission in coordination with Regional Load Despatch Centres;
 - (c) coordination with Regional Load Despatch Centres for achieving maximum economy and efficiency in the operation of National Grid;
 - (d) monitoring of operations and grid security of the National Grid;
 - (e) supervision and control over the inter-regional links as may be required for ensuring stability of the power system under its control;

- (f) coordination with Regional Power Committees for regional outage schedule in the national perspective to ensure optimal utilization of power resources;
- (g) coordination with Regional Load Despatch Centres for the energy accounting of inter-regional exchange of power;
- (h) coordination for restoration of synchronous operation of national grid with Regional Load Despatch Centres;
- (i) coordination for trans-national exchange of power;
- (j) providing operational feed back for national grid planning to the Authority and the Central Transmission Utility;
- (k) levy and collection of such fee and charges from the generating companies or licensees involved in the power system, as may be specified by the Central Commission.
- (l) dissemination of information relating to operations of transmission system in accordance with directions or regulations issued by Central Electricity Regulatory Commission and the Central Government from time to time.

[F.No.23/24/2003-R&R]

AJAY SHANKAR, Addl. Secy.


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EXTRAORDINARY PART II – SECTION 3(i)

Government of India

Ministry of Power

New Delhi, the 23rd March, 2005.

Notification

G.S.R. 188(E). - In exercise of the powers conferred by Sub-Section (1) of, and clause (b) of sub-Section (2) of, Section 176 of the Electricity Act, 2003 (Act 36 of 2003), the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement.** - (1) These rules may be called the Distribution of Electricity Licence (Additional Requirements of Capital Adequacy, Creditworthiness and Code of Conduct) Rules, 2005.

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

2. **Definitions.** - In these rules, unless the context otherwise requires, -

(a) 'Act' means the Electricity Act, 2003;

(b) Words and expression used and not defined in these rules but defined in the Electricity Act, 2003 (36 of 2003), shall have the meanings respectively assigned to them in that Act.

3. **Requirements of capital adequacy and creditworthiness.** - (1) The Appropriate Commission shall, upon receipt of an application for grant of licence for distribution of electricity under Sub-Section (1) of Section 15 of the Electricity Act, 2003, decide the requirement of capital investment for distribution network after hearing the applicant and keeping in view the size of the area of supply and the service obligation within that area in terms of Section 43.

(2) The applicant for grant of licence shall be required to satisfy the Appropriate Commission that on a norm of 30% equity on cost of investment as determined under sub-rule (1), he including the promoters, in case the applicant is a company, would be in a position to make available resources for such equity of the project on the basis of networth and generation of internal resources of his business including of promoters in the preceding three years after excluding his other committed investments.

[Explanation. - For the purposes of this sub-rule, it is hereby clarified that for grant of a license for distribution of electricity within the same area in terms of sixth proviso to Section 14 of the Act, the entire area covering either a Municipal Corporation as defined in article 243Q of the Constitution or three adjoining revenue districts, or a smaller area as may be notified by the Appropriate Government shall be the minimum area of supply.]¹

¹ Initially Substituted vide Amendment Rules, 2022 w.e.f. 08.09.2022 and later Substituted vide Amendment Rules, 2022 w.e.f. 28.11.2022.

4. **Requirement of Code of Conduct.** - The applicant for grant of licence shall satisfy the Appropriate Commission that he has not been found guilty or has not been disqualified under any of the following provisions within the last three years from the date of the application for the grant of licence:

- (a) Section 203, Section 274, Section 388B or Section 397 of the Companies Act, 1956;
- (b) Section 276, Section 276B, Section 276BB, Section 276C, Section 277 or Section 278 of the Income tax Act, 1961;
- (c) Section 15C, Section 15G, Section 15H or Section 15HA of the Securities and Exchange Board of India Act 1992;
- (d) clause (b), (bb), (bbb), (bbbb), (c) or (d) of Sub-Section (1) of Section 9 of the Excise Act, 1944;
- (e) Section 132 or Section 135 of the Customs Act 1962,

and that the applicant is not a person in whose case licence was suspended under Section 24 or revoked under Section 19 of the Act, within the last three years from the date of application:

Provided that where the applicant is a company, it shall satisfy the Appropriate Commission in addition to provisions of this rule that no petition for winding up of the company or any other company of the same promoter has been admitted under Section 443 (e) of the Companies Act, 1956 on the ground of its being unable to pay its debts.

[F.No.23/18/2003-R&R]
AJAY SHANKAR, Addl. Secy..


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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

MINISTRY OF POWER

Notification

New Delhi, the 08th June, 2005.

G.S.R.379(E). – In exercise of powers conferred by Section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement. - (1) These rules shall be called The Electricity Rules, 2005.

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

2. Definitions. - In these rules, unless the context otherwise, requires:-

(a) "**Act**" means the Electricity Act, 2003;

[(aa) "**central pool**" means pool of category specific power from Inter State Transmission System connected renewable energy sources being procured by the authorised intermediary procurers under Section 63 of the Act and as per provisions of bidding guidelines notified by the Central Government, from time to time for supply to the end procurers of more than one State so that such power from renewable energy sources can be supplied to all end procurers from the concerned pool at uniform tariff under these rules.

(ab) "**end procurer**" means the persons to whom a license to undertake distribution and retail supply of electricity has been granted under Section 15 of the Act or is designated by the State Government to procure power on behalf of the licensees undertaking distribution and retail supply of electricity or open access consumer;

(ac) "**implementing agency**" means the Central Agency as notified by the Central Government from time to time for the implementation of "uniform renewable energy tariff for central pool" under these rules.

(ad) "**intermediary procurer**" means company, designated by an order made by the Central Government under these rules as an intermediary between the end procurer and the generating company to purchase electricity from generating companies and resell it to the end procurer by aggregating the purchases or otherwise under guidelines issued by the Central Government from time to time;

(ae) "**renewable energy**" means the electricity generated from renewable energy sources;

(af) "**renewable energy sources**" means the hydro, wind, solar, bio-mass, bio-fuel, bio-gas, waste including municipal and solid waste, geothermal, tidal, forms of oceanic energy, or combination thereof, with or without storage and such other sources as may be notified by the Central Government from time to time;

(ag) **"uniform renewable energy tariff"** means the tariff, computed by Implementing Agency separately on a monthly basis for each category of central pool like that Solar Power Central Pool, Wind Power Central Pool, at which the intermediary procurer shall sell power from renewable energy from that central pool to all the end procurers under these rules;]¹

(b) the words and expressions used and not defined herein but defined in the Act shall have the meaning assigned to them in the Act.

3. Requirements of captive generating plant. - (1) No power plant shall qualify as a "captive generating plant" under Section 9 read with clause (8) of Section 2 of the Act unless -

(a) in case of a power plant -

(i) not less than twenty-six per cent. of the ownership is held by the [captive user(s)]²:

[]³⁴

(ii) not less than fifty one percent of the aggregate electricity generated in such plant, determined on an annual basis, is consumed for the captive use:

Provided that in case of power plant set up by registered co-operative society, the conditions mentioned under paragraphs at (i) and (ii) above shall be satisfied collectively by the members of the co-operative society:

Provided further that in case of association of persons, the captive user(s) shall hold not less than twenty six percent of the ownership of the plant in aggregate and such captive user(s) shall consume not less than fifty one percent of the electricity generated, determined on an annual basis, in proportion to their shares in ownership of the power plant within a variation not exceeding ten percent;

(b) in case of a generating station owned by a company formed as special purpose vehicle for such generating station, a unit or units of such generating station identified for captive use and not the entire generating station satisfy(s) the conditions contained in paragraphs (i) and (ii) of sub-clause (a) above including-

Explanation. - (1) The electricity required to be consumed by captive users shall be determined with reference to such generating unit or units in aggregate identified for captive use and not with reference to generating station as a whole; and

(2) the equity shares to be held by the captive user(s) in the generating station shall not be less than twenty six percent of the proportionate of the equity of the company related to the generating unit or units identified as the captive generating plant.

Illustration. - In a generating station with two units of 50 MW each namely Units A and B, one unit of 50 M, namely Unit A may be identified as the Captive Generating Plant. The captive users shall hold not less than thirteen percent of the equity shares in the company (being the twenty six percent proportionate to Unit A of 50 MW) and not less than fifty one percent of the electricity generated in Unit A determined on an annual basis is to be consumed by the captive users.

¹ Inserted vide Amendment Rules,2022 w.e.f. 29.12.2022.

² Substituted vide Amendment Rules,2023 w.e.f. 01.09.2023.

³ Initially substituted vide Amendment Rules, 2023 w.e.f. 30.06.2023 and then Omitted vide Amendment Rules,2023 w.e.f. 01.09.2023.

⁴ Substituted vide Amendment Rules,2023 w.e.f. 30.06.2023.

- (2) It shall be the obligation of the captive users to ensure that the consumption by the captive users at the percentages mentioned in sub-clauses (a) and (b) of sub-rule (1) above is maintained and in case the minimum percentage of captive use is not complied with in any year, the entire electricity generated shall be treated as if it is a supply of electricity by a generating company.

Explanation. - (1) For the purpose of this rule,-

(a) "**annual basis**" shall be determined based on a financial year;

[(b) "captive user" shall mean the end user of the electricity generated in a Captive Generating Plant and the term "captive use" shall be construed accordingly:

Provided that the consumption of electricity by the captive user may be either directly or through Energy Storage System:

[Provided further that the consumption by a subsidiary company as defined in clause (87) of section 2 of the Companies Act, 2013 (18 of 2013) or the holding company as defined in clause (46) of section 2 of the Companies Act, 2013 (18 of 2013), of a company which is a captive user, shall also be admissible as captive consumption by the captive user.]⁵⁶

(c) "**ownership**" in relation to a generating station or power plant set up by a company or any other body corporate shall mean the equity share capital with voting rights. In other cases ownership shall mean proprietary interest and control over the generating station or power plant;

(d) "**Special Purpose Vehicle**" shall mean a legal entity owning, operating and maintaining a generating station and with no other business or activity to be engaged in by the legal entity.

[(3) The captive status of such generating plants, where captive generating plant and its captive user(s) are located in more than one state, shall be verified by the Central Electricity Authority as per the procedure issued by the Authority with the approval of the Central Government]⁷

- 4. Distribution system.** - The distribution system of a distribution licensee in terms of Sub-Section (19) of Section 2 of the Act shall also include electric line, sub-station and electrical plant that are primarily maintained for the purpose of distributing electricity in the area of supply of such distribution licensee notwithstanding that such line, sub-station or electrical plant are high pressure cables or overhead lines or associated with such high pressure cables or overhead lines; or used incidentally for the purposes of transmitting electricity for others.

[(4A) Where any entity has been granted licence under Section 14 of the Act, the period of the licence shall be in accordance with the terms and conditions of the licence granted by the Appropriate Commission;

(4B) Where an entity is a deemed licensee under the first, second and fifth proviso to Section 14 of the Act, the period of the licence shall be twenty five years from the date of the coming into force of the Act;

(4C) The licence granted by the Appropriate Commission under Section 14 of the Act and the

⁵ Substituted vide Amendment Rules,2023 w.e.f. 01.09.2023.

⁶ Substituted vide Amendment Rules,2023 w.e.f. 30.06.2023.

⁷ Inserted vide Amendment Rules,2023 w.e.f. 01.09.2023.

deemed licence under first, second and fifth proviso to said Section 14 shall be deemed to be renewed unless the same is revoked:

Provided that such renewal, shall be for a period of twenty five years at a time or for a lesser period, if requested by the licensee:

Provided further that where the Appropriate Commission has renewed the licence for a particular period before the notification of these rules, the licence shall be deemed to be renewed for that particular period under these rules.

Provided also that this rule shall not apply to the licence granted to transmission developers, selected through tariff based bidding, under Section 63 of the Act.]⁸

5. Compliance with the directions by Transmission Licensee. - (1) The National Load Despatch Centre, Regional Load Despatch Centre, as the case may be, or the State Load Despatch Centre, may, under Section 26, Sub-Section (3) of Section 28, Sub-Section (1) of Section 29, Sub-Section (2) of Section 32 and Sub-Section (1) of Section 33 read with clause (b) of Section 40 of the Act, give such directions, as it may consider appropriate for maintaining the availability of the transmission system of a Transmission Licensee and the Transmission Licensee shall duly comply with all such directions.

(2) The Appropriate Commission, on an application filed by the National Load Despatch Centre, the Regional Load Despatch Centre or the State Load Despatch Centre and after hearing the Transmission Licensee, if satisfied that the Transmission Licensee has persistently failed to maintain the availability of the transmission system, may issue such directions to the National Load Despatch Centre, the Regional Load Despatch Centre or the State Load Despatch Centre to take control of the operations of the transmission system of such Transmission Licensee for such period and on such terms, as the Commission may decide.

(3) The direction under sub-rules (1) and (2) above shall be without prejudice to any other action which may be taken against the Transmission Licensee under other provisions of the Act.

6. The surcharge under Section 38. - The surcharge on transmission charges under Section 38, the manner of progressive reduction of such surcharge and the manner of payment and utilisation of such surcharge to be specified by the Central Commission under sub-clause (ii) of clause (d) of Sub-Section (2) of Section 38 shall be in accordance with surcharge on the charges for wheeling, the manner of progressive reduction of such surcharge and the manner of payment and utilisation of such surcharge as may be specified by the Appropriate Commission of the State in which the consumer is located under Sub-Section (2) of Section 42 of the Act.

7. []⁹ Ombudsman. - []¹⁰

(2) The Ombudsman to be appointed or designated by the State Commission under Sub-Section (6) of Section 42 of the Act shall be such person as the State Commission may decide from time to time.

(3) The Ombudsman shall consider the representations of the consumers consistent with the provisions of the Act, the Rules and Regulations made hereunder or general orders or

⁸ Inserted vide Amendment Rules,2023 w.e.f. 30.06.2023.

⁹ Omitted vide Amendment Rules,2020 w.e.f. 31.12.2020.

¹⁰ Initially Substituted vide Amendment Rules,2006 w.e.f. 26.11.2006 and later Omitted vide Amendment Rules,2020 w.e.f. 31.12.2020.

directions given by the Appropriate Government or the Appropriate Commission in this regard before settling their grievances.

(4) (a) The Ombudsman shall prepare a report on a six monthly basis giving details of the nature of the grievances of the consumer dealt by the ombudsman, the response of the Licensees in the redressal of the grievances and the opinion of the ombudsman on the Licensee's compliance of the standards of performance as specified by the Commission under Section 57 of the Act during the preceding six months.

(b) The report under sub-clause (a) above shall be forwarded to the State Commission and the State Government within 45 days after the end of the relevant period of six months.

8. Tariffs of generating companies under Section 79. - The tariff determined by the Central Commission for generating companies under clause (a) or (b) of Sub-Section (1) of Section 79 of the Act shall not be subject to re-determination by the State Commission in exercise of functions under clause (a) or (b) of Sub-Section (1) of Section 86 of the Act and subject to the above the State Commission may determine whether a Distribution Licensee in the State should enter into Power Purchase Agreement or procurement process with such generating companies based on the tariff determined by the Central Commission.

9. Inter-State trading license. - A license issued by the Central Commission under Section 14 read with clause (e) of Sub-Section (1) of Section 79 of the Act to an electricity trader for Inter-State Operations shall also entitle such electricity trader to undertake purchase of electricity from a seller in a State and resell such electricity to a buyer in the same State, without the need to take a separate license for intra-State trading from the State Commission of such State.

[10. Resolution of Disputes. - The Appropriate Commission, shall pass a final order, for resolution of dispute under Sub-Section (1) of Sections 79 (f) and clause (f) of Sub-Section (1) of Section 86, within one hundred and twenty days from the date of receipt of the petition in the Commission, which may be extended by thirty days for reasons to be recorded in writing:

Provided that if a final order cannot be issued, due to any reason, to be recorded in writing, then an interim order shall be issued by the Appropriate Commission, within the time line prescribed in sub-rule (1).

(2) If the final order has not been passed by the Appropriate Commission, within one hundred and twenty days or one hundred and fifty days, as the case may be, the aggrieved party may be allowed to make an application to the Appellate Tribunal, for appropriate relief.]¹¹

11. Jurisdiction of the Courts. - The Jurisdiction of courts other than the special courts shall not be barred under Sub-Section (1) of Section 154 till such time the special court is constituted under Sub-Section (1) of Section 153 of the Act.

12. Cognizance of the offence. - (1) The police shall take cognizance of the offence punishable under the Act on a complaint in writing made to the police by the Appropriate Government or the Appropriate Commission or any of their officer authorised by them in this regard or a Chief Electrical Inspector or an Electrical Inspector or an authorised officer of Licensee or a Generating Company, as the case may be.

¹¹ Substituted vide Amendment Rules, 2022 w.e.f. 29.12.2022.

(2) The police shall investigate the complaint in accordance with the general law applicable to the investigation of any complaint. For the purposes of investigation of the complaint the police shall have all the powers as available under the Code of Criminal Procedure, 1973.

(3) The police shall, after investigation, forward the report alongwith the complaint filed under sub-clause (1) to the Court for trial under the Act.

(4) Notwithstanding anything contained in sub-clauses (1), (2) and (3) above, the complaint for taking cognizance of an offence punishable under the Act may also be filed by the Appropriate Government or the Appropriate Commission or any of their officer authorised by them or a Chief Electrical Inspector or an Electrical Inspector or an authorised officer of Licensee or a Generating Company, as the case may be, directly in the appropriate Court.

(5) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every special court may take cognizance of an offence referred to in Sections 135 to 139 of the Act without the accused being committed to it for trial.

(6) The cognizance of the offence under the Act shall not in any way prejudice the actions under the provisions of the Indian Penal Code.

[13. Surcharge payable by Consumers seeking Open Access. - The surcharge, determined by the State Commission under clause (a) of Sub-Section (1) of Section 86 of the Electricity Act, 2003 shall not exceed twenty per cent of the average cost of Supply.

14. Timely recovery of power purchase costs by distribution licensee. - The Appropriate Commission shall within ninety days of publication of these rules, specify a price adjustment formula for recovery of the costs, arising on account of the variation in the price of fuel, or power purchase costs and the impact in the cost due to such variation shall be automatically passed through in the consumer tariff, on a monthly basis, using this formula and such monthly automatic adjustment shall be true up on annual basis by the Appropriate Commission:

Provided that till such a methodology and formula is specified by the Appropriate Commission, the methodology and formula specified in the Schedule – II annexed to these rules shall be applicable:

Provided further that the existing methodology and the formula specified by the Appropriate Commission shall suitably be amended in accordance with these rules, to implement the automatic pass through of fuel and power purchase adjustment surcharge, on a monthly basis:

Provided also that in case the distribution licensee fails to compute and charge fuel and power purchase adjustment surcharge within the time line, specified by the Appropriate Commission, except in case of any force majeure condition, its right for recovery of costs on account of fuel and power purchase adjustment surcharge shall be forfeited and in such cases, the right to recovery the fuel and power purchase adjustment surcharge determined during true-up shall also be forfeited and the true up of fuel and power purchase adjustment surcharge by the Appropriate Commission, for any financial Year, shall be completed by 30th June of the next financial year.

[15. Subsidy accounting and payment.- (1) The accounting of the subsidy payable under Section 65 of the Act, shall be done by the distribution licensee, in accordance with the Standard Operating Procedures issued by the Central Government, in this regard.

(2) A quarterly report shall be issued by the State Commission for each distribution

licensee, in its jurisdiction, giving findings whether demands for subsidy were raised by the distribution licensee in the relevant quarter based on accounts of the energy consumed by the subsidised category and consumer category wise per unit subsidy declared by the State Government, the actual payment of subsidy in accordance with Section 65 of the Act and the gap in subsidy due and paid as well as other relevant details.

Explanation: For the purpose of this rule, (The term “Unit” means Kilo Watt Hour (kWh) or Kilo Watt (kW) or Horse Power (HP) or Kilo Volt Ampere (kVA), in accordance with the relevant Regulations or the Tariff Orders issued by the Appropriate Commission.

- (3) The quarterly report shall be submitted by the distribution licensee within thirty days from end date of the respective quarter and the State Commission shall examine the report, and issue it with corrections, if any, in accordance with sub-rule (2), within thirty days of the submission.
- (4) In case the subsidy has not been paid in advance, then the State Commission shall issue order for implementation of the tariff without subsidy, in accordance with provisions of the Section 65 of the Act.
- (5) If subsidy accounting and the raising bills for subsidy is not found in accordance with the Act or Rules or Regulations issued there under, the State Commission shall take appropriate action against the concerned officers of the licensee for non-compliance as per provisions of the Act.]¹²

16. Resource Adequacy. - (1) A guideline for assessment of resource adequacy during the generation planning stage (one year or beyond) as well as during the operational planning stage (up to one year) shall be issued by the Central Government in consultation with the Authority, within six months from the date of commencement of these rules.

- (2) The State Commission shall frame regulations on resource adequacy, in accordance with the guidelines issued by the Central Government and the model Regulations framed by Forum of Regulators, if any, the distribution licensees shall formulate the resource adequacy plan in accordance with these Regulations and seek approval of the Commission.
- (3) The State Commission shall review the resource adequacy, for each of the distribution licensees, as per the time line given in resource adequacy guidelines issued by the Central Government.
- (4) The State Commission may determine non-compliance charges for failure to comply with the resource adequacy target approved by the Commission.
- (5) The National Load Dispatch Centre and the Regional Load Dispatch Centres shall carry out assessments of resource adequacy, for operational planning, at the national and regional levels, respectively, on an annual basis, in accordance with the guidelines issued by the Central Government.
- (6) The State Load Dispatch Centre shall carry out assessments of resource adequacy, for operational planning, at the state level, in consultation with all the concerned stake holder on an annual basis, in accordance with the guidelines issued by the Central Government and the directions of the State Commission.

¹² Substituted vide Amendment Rules, 2023 w.e.f. 26.07.2023.

(7) The State Load Despatch Centre shall review the operational resource adequacy on a daily, monthly and quarterly basis.

17. Development of Hydro Power. - (1) The Authority shall decide the cases for grant of concurrence to hydroelectric generation scheme, in accordance with Section 8 of the Act, within a period of one hundred fifty days from the date of submission of the scheme, complete in all respect.

(2) The Authority shall decide the cases for grant of concurrence to off-the river pumped storage plant scheme, within ninety days from the date of submission of the scheme, complete in all respect.

18. Energy Storage System. - (1) The Energy Storage Systems shall be considered as a part of the power system, as defined under clause (50) of Section 2 of the Act.

(2) The Energy Storage System shall be utilised either as independent energy storage system or network asset or in complementary with generation, transmission and distribution.

(3) The Energy Storage System shall be accorded status based on its application area i.e. generation, transmission and distribution.

(4) The Energy Storage System can be developed, owned, leased or operated by a generating company or a transmission licensee or a distribution licensee or a system operator or an independent energy storage service provider and when an Energy Storage System is owned and operated by and co-located with a generating station or a transmission licensee or a distribution licensee, it shall have the same legal status as that of the owner:

Provided that if such an Energy Storage System is not co-located with, but owned and operated by, the generating station or distribution licensee, the legal status shall still be that of the owner but for the purpose of scheduling and dispatch and other matters it shall be treated at par with a separate storage element.

(5) The developer or owner of the Energy Storage System shall have an option to sell or lease or rent out the storage space in whole or in part to any utility engaged in generation or transmission or distribution; or to a Load Despatch Centre:

Provided that the owner of the Energy Storage System may use part or whole of the storage space himself to buy and store electricity and sell the stored electricity at a later time or date.

(6) The independent energy storage system shall be a delicensed activity at par with a generating company in accordance with the provisions of Section 7 of the Act:

Provided that if the owner or developer or lessee or tenant or user seeks to operate the Energy Storage System as an independent energy storage system, it shall be registered with the Authority and the capacity of such Energy Storage System shall be verified by the Authority.

19. Implementation of Uniform Renewable Energy Tariff for central pool. - (1) (a) There shall be a different central pool for each of the sectors of the renewable energy sources:

Explanation. - For the purposes of this rule, the duration of such central pool shall be for five years and for every five years, a new Central Pool shall be formed.

(b) The Implementing Agency shall compute the uniform renewable energy tariff for selling of electricity to end procurer by intermediary procurer, on a monthly basis, as per the

methodology specified in the Schedule-I annexed to these Rules.

- (c) The [intermediary procurer]¹³ shall also issue the monthly account statements for adjustment of any surplus or deficit tariff among the intermediary procurers and the Intermediary Procurer shall within fifteen days make the payment as per the monthly account statements to the other intermediary procurer, if the payment is due to it:

Provided that in case of non payment by the [intermediary procurer]¹⁴ within the stipulated period of fifteen days, the carrying cost at the rate of State bank of India Marginal Cost of Funds based Lending Rate plus five percent shall be payable for the period of delay.

- (d) All the contractual obligations between power generators and intermediary procurer and intermediary procurer and end procurer including but not limited to liquidated damages, penalties, extension charges, dispute resolutions shall be governed by respective bidding document including Power Purchase Agreements, Power Sale Agreements and shall have no bearing on uniform renewable energy tariff.
- (e) The impact on the tariff due to change in law shall be in accordance with the bidding documents and shall be reflected in the pooled tariff computed in accordance with these rules.
- (f) The uniform renewable energy Tariff shall be applicable only to power procured by the end procurers and shall not in any manner have any implication on the renewable energy tariff discovered under the respective tariff based competitive bidding process and payable to renewable energy generators by the intermediary procurer as per the Power Purchase Agreement:

Provided that intermediary procurer may sell any power not purchased by distribution licensees, to open access consumers in a transparent manner at a price not less than uniform renewable energy tariff and any gain from such a sale over and above uniform renewable energy tariff shall be adjusted in the uniform renewable energy tariff for distribution licensees.

- (g) The trading margin, as notified by the Appropriate Commission or Central Government (or in the absence of such a notification, as mutually agreed between the intermediary procurer and the end procurer), shall be payable by the end procurer to the intermediary procurer.
- (h) The Appropriate Commission, on an application made by the intermediary procurer or end procurers, as the case may be, shall adopt the tariff discovered through competitive bidding process carried out by intermediary procurers under Section 63 of the Act and as per provisions of bidding guidelines notified by the Government from time to time and adopted tariff of one category of renewable energy power shall be part of the respective category of the central pool.
- (i) The end procurer, except an open access consumer, shall obtain the approval of the concerned State Commission for procurement of the electricity from a pool at uniform renewable energy tariff computed under these rules.
- (j) The bilateral scheduling from the renewable energy generators shall be done directly to

¹³ Substituted vide Amendment Rules,2023 w.e.f. 30.06.2023.

¹⁴ Substituted vide Amendment Rules,2023 w.e.f. 30.06.2023.

the end procurers as per the power supply agreement.

- (k) The scheduling, accounting, deviation settlement mechanism shall be as per extant regulations of the Appropriate Commission.
- (l) The intermediary procurer shall raise the bill, on a monthly basis, as per the uniform renewable energy tariff computed by the Implementing agency for the relevant month and in accordance with the terms of the respective Power Sale Agreement.
- (m) The Implementing Agency shall [publish]¹⁵ the relevant details including the monthly accounts statements, on its website and shall have no liability except for computing tariff on a monthly basis for sale of power from the central pool as per these rules and shall be kept indemnified.
- (n) The procedures for implementation of these rules shall be provided by the implementing agency, with the approval of the Central Government.
- (2) The uniform renewable energy tariff under these rules shall be applicable only to the [end procurers]¹⁶ for their contracted capacity which forms part of central pool under these rules.¹⁷

[20. Framework for Financial Sustainability: (1) The Aggregate Technical and Commercial loss reduction trajectory to be approved by the State Commissions for tariff determination shall be in accordance with the trajectory agreed by the respective State Governments and approved by the Central Government under any national scheme or programme, or otherwise.

- (2) The trajectory for both collection and billing efficiency, for distribution licensee shall be determined by the State Commission in accordance with the trajectory approved under sub-rule (1).
- (3) All the prudent costs of power procurement, incurred by distribution licensee for ensuring 24x7 supply of electricity to consumers under the Electricity (Rights of Consumers) Rules, 2020 and for meeting requirements as per Resource Adequacy plan prepared under the Electricity (Amendment) Rules 2022 shall be taken into account, provided that the procurement of power has been done in a transparent manner or procurement price has been approved by the Appropriate Commission.
- (4) All the prudent costs incurred by the distribution licensee for creating the assets for development and maintenance of distribution system in accordance with Sub-Section (1) of Section 42 of the Act shall be pass- through:

Provided that such pass-through of the cost for the assets created by the distribution licensee shall be subject to following conditions:-

- (i) the asset has been created in accordance with the capex roll out plan for the licensee approved by the respective State Commission.
 - (ii) the asset has been procured in competitive and transparent manner.
 - (iii) the asset is geo-tagged and properly recorded in Fixed Asset Register.
- (5) Gains or losses accrued to distribution licensee due to deviation from approved Aggregate

¹⁵ Substituted vide Amendment Rules,2023 w.e.f. 30.06.2023.

¹⁶ Substituted vide Amendment Rules,2023 w.e.f. 30.06.2023.

¹⁷ Inserted vide Amendment Rules, 2022 w.e.f. 29.12.2022.

Technical and Commercial loss reduction trajectory shall be quantified on the basis of Average Power Purchase Cost and shared between the distribution licensee and consumers. Two third of the gains shall be passed on to the consumers in tariff and rest shall be retained by the distribution licensee. Two third of the losses shall be borne by the distribution licensee and rest shall be borne by the consumers.

- (6) The operation and maintenance norms for distribution licensee shall be determined by the State Commissions in accordance with the guidelines issued by the Authority.
- (7) Reasonable Return on Equity shall be permitted, with the assessment of overall risk and the prevalent cost of capital.
- (8) The Return on Equity by the State Commission shall be aligned with the Return on Equity specified by the Central Commission for generation and transmission in its Tariff Regulations for the relevant period, with appropriate modification taking into account the risks involved in distribution business.]¹⁸

[21.]¹⁹ **Issue of orders and practice directions.** - The Central Government may from time to time issue orders and practice directions in regard to the implementation of these rules and matters incidental or ancillary thereto as the Central Government may consider appropriate.

¹⁸ Inserted vide Amendment Rules, 2023 w.e.f. 26.07.2023.

¹⁹ Initially Renumbered vide Amendment Rules, 2022 w.e.f. 29.12.2022 and later again Renumbered vide Amendment Rules, 2023 w.e.f. 26.07.2023.

[Schedule-I
[Refer rule 19(1)(b)]
Methodology for calculation of tariff for the Month

[Tariff for a particular Month is calculated based on Energy Scheduled to end procurer from the Central Pool (i.e. Solar Power Central Pool, Wind Power Central Pool etc.) by the Intermediary Procurer and the actual amount to be payable for such scheduled energy as illustrated below:]²⁰

Scheme	Capacity	Tariff-PPA	Tariff-PSA	[Energy Scheduled during the month] ²¹	Amount to be paid to Project developers by IP under PPA	Amount to be paid to IP by EP under PSA
	(MW)	(INR/kWh)	(INR/kWh)	(MU)	(Rs in Million)	(Rs in Million)
		A	(B=A+ Rs 0.07/kWh)	C	(D=A x C)	(E= B x C)
T-I	2000	2.502	2.572	415.95	1040.70	1069.81
T-II	600	2.440	2.510	131.49	320.84	330.04
T-III	1200	2.585	2.655	248.34	641.96	659.34
T-IV	1150	2.540	2.610	234.63	595.97	612.39
T-V	480	2.613	2.683	95.97	250.72	257.44
T-VI	900	2.710	2.780	174.22	472.15	484.34
T-VIII	1200	2.502	2.572	258.60	646.92	665.03
T-IX	2000	2.372	2.442	438.30	1039.65	1070.33
Total	9530			1997.50	5008.90	5148.73

$$\text{Tariff of the Month (INR/kWh)} = \frac{\sum_i^n E}{\sum_i^n C} = \frac{\sum_i^9 E}{\sum_i^9 C} = \frac{5148.73}{1997.50} = 2.578$$

i.e. (Sum total amount to be paid under Power Supply Agreement for that particular month /sum total electricity supplied during that particular month)

T-I to T-IX are projects commissioned after Electricity (Uniform Renewable Energy Tariff for Central Pool) Rules, 2022 comes into force.

continued operation of pool:

Let us say above scenario is in the month M-4. In the beginning of month M-5, additional capacity of 250 MW (T-X) is getting commissioned and to be included as a part of the Pool. Accordingly considering generation during month M-5, the tariff for the month M-5 will be

²⁰ Substituted vide Amendment Rules,2023 w.e.f. 30.06.2023.

²¹ Substituted vide Amendment Rules,2023 w.e.f. 30.06.2023.

calculated considering actual generation during the month M-5 as per following:

Scheme	Capacity	Tariff- PPA	Tariff-PSA	[Energy Scheduled during the month] ²²	Amount to be paid to Project developers by IP under PPA	Amount to be paid to IP by EP under PSA
	(MW)	(INR/kWh)	(INR/kWh)	(MU)	(Rs in Million)	(Rs in Million)
		A	(B=A+ Rs 0.07/kWh)	C	(D=A x C)	(E= B x C)
T-I	2000	2.502	2.572	415.95	1040.70	1069.81
T-II	600	2.440	2.510	131.49	320.84	330.04
T-III	1200	2.585	2.655	248.34	641.96	659.34
T-IV	1150	2.540	2.610	234.63	595.97	612.39
T-V	480	2.613	2.683	95.97	250.72	257.44
T-VI	900	2.710	2.780	174.22	472.15	484.34
T-VIII	1200	2.502	2.572	258.60	646.92	665.03
T-IX	2000	2.372	2.442	438.30	1039.65	1070.33
T- X*	250	2.17	2.24	56.61	122.85	126.81
Total	9780			2054.12	5131.76	5275.54

*New addition to the pool in the month M-5

$$\text{Tariff of the month (INR/kWh)} = \frac{\sum_1^9 E + E_{10}}{\sum_1^9 C + C_{10}} = \frac{5148.73 + 126.81}{1997.50 + 56.61} = \frac{5275.54}{2054.12} = 2.568$$

i.e. (Sum total of amount to be paid under PSA for that particular month /sum total electricity supplied during that particular month)

T-I to T-X are projects commissioned after Electricity (Uniform Renewable Energy Tariff for Central Pool) Rules, 2022 comes into force.

Note: IP - Intermediary Procurer, EP - End Procurer

²² Substituted vide Amendment Rules, 2023 w.e.f. 30.06.2023.

Schedule-II

(see rule 14)

Fuel and Power Purchase Adjustment Methodology

1. Computation of fuel and power purchase adjustment surcharge:

- (1) For these rules "Fuel and Power Purchase Adjustment Surcharge" (FPPAS) means the increase in cost of power, supplied to consumers, due to change in Fuel cost, power purchase cost and transmission charges with reference to cost of supply approved by the State Commission
- (2) Fuel and power purchase adjustment surcharge shall be calculated and billed to consumers, automatically, without going through regulatory approval process, on a monthly basis, according to the formula, prescribed by the respective the State Commission, subject to true up, on an annual basis, as decided by the State Commission:

Provided that the automatic pass through shall be adjusted for monthly billing in accordance with these rules.

- (3) Fuel and Power Purchase Adjustment Surcharge shall be computed and charged by the distribution licensee, in (n+2)th month, on the basis of actual variation, in cost of fuel and power purchase and Interstate Transmission Charges for the power procured during the nth month. For example, the fuel and power purchase adjustment surcharge on account of changes in tariff for power supplied during the month of April of any financial year shall be computed and billed in the month of June of the same financial year:

Provided that in case the distribution licensee fails to compute and charge fuel and power purchase adjustment surcharge within this time line, except in case of any force majeure condition, its right for recovery of costs on account of fuel and power purchase adjustment surcharge shall be forfeited and in such cases, the right to recovery the fuel and power purchase adjustment surcharge determined during true-up shall also be forfeited.

- (4) The distribution licensee may decide, fuel and power purchase adjustment surcharge or a part thereof, to be carried forward to the subsequent month in order to avoid any tariff shock to consumers, but the carry forward of fuel and power purchase adjustment surcharge shall not exceed a maximum duration of two months and such carry forward shall only be applicable, if the total fuel and power purchase adjustment surcharge for a Billing Month, including any carry forward of fuel and power purchase adjustment surcharge over the previous month exceeds twenty per cent of variable component of approved tariff.
- (5) The carry forward shall be recovered within one year or before the next tariff cycle whichever is earlier and the money recovered through fuel and power purchase adjustment surcharge shall first be accounted towards the oldest carry forward portion of the fuel and power purchase adjustment surcharge followed by the subsequent month.
- (6) In case of carry forward of fuel and power purchase adjustment surcharge, the carrying cost at the rate of State Bank of India Marginal cost of Funds-based lending Rate plus one hundred and fifty basis points shall be allowed till the same is recovered through tariff and this carrying cost shall be true up in the year under consideration.
- (7) Depending upon quantum of fuel and power purchase adjustment surcharge, the automatic pass through shall be adjusted in such a manner that, -

- (i) If fuel and power purchase adjustment surcharge $\leq 5\%$, 100% cost recoverable of computed fuel and power purchase adjustment surcharge by distribution licensee shall be levied automatically using the formula.
 - (ii) If fuel and power purchase adjustment surcharge $> 5\%$, 5% fuel and power purchase adjustment surcharge shall be recoverable automatically as per [item (i) of subparagraph (7)]²³ above. 90% of the balance fuel and power purchase adjustment surcharge shall be recoverable automatically using the formula and the differential claim shall be recoverable after approval by the State Commission during true up.
- (8) The revenue recovered on account of pass through fuel and power purchase adjustment surcharge by the distribution licensee, shall be true up later for the year under consideration and the true up for any financial Year shall be completed by 30th June of the next financial year.
 - (9) In case of excess revenue recovered for the year against the fuel and power purchase adjustment surcharge, the same shall be recovered from the licensee at the time of true up along with its carrying cost to be charged at 1.20 times of the carrying cost rate approved by the State Commission and the under recovery of fuel and power purchase adjustment surcharge shall be allowed during true up, to be billed along with the automatic Fuel and Power Purchase Adjustment Surcharge amount.

Explanation. - For example in the month of July, the automatic pass through component for the power supplied in May and additional Fuel and Power Purchase Adjustment Surcharge, if any, recoverable after true up for the month of April in the previous financial year, shall be billed.

- (10) The distribution licensee shall submit such details, in the stipulated formats, of the variation between expenses incurred and the fuel and power purchase adjustment surcharge recovered, and the detailed computations and supporting documents, as required by the State Commission, during true up of the normal tariff.
- (11) To ensure smooth implementation of the fuel and power purchase adjustment surcharge mechanism and its recovery, the distribution licensee shall ensure that the licensee billing system is updated to take this into account and a unified billing system shall be implemented to ensure that there is a uniform billing system irrespective of the billing and metering vendor through interoperability or use of open source software as available.
- (12) The licensee shall publish all details including the fuel and power purchase adjustment surcharge formula, calculation of monthly fuel and power purchase adjustment surcharge and recovery of fuel and power purchase adjustment surcharge (separately for automatic and approved portions) on its website and archive the same through a dedicated web address.

[2. Formula for Computation of Fuel and Power Purchase Adjustment Surcharge]:²⁴

[(1)]²⁵ Formula:

²³ Substituted vide Amendment Rules, 2023 w.e.f. 30.06.2023.

²⁴ Substituted vide Amendment Rules, 2023 w.e.f. 30.06.2023.

²⁵ Substituted vide Amendment Rules, 2023 w.e.f. 30.06.2023.

$$\text{Monthly FPPAS for nth Month (\%)} = \frac{(A-B)*C + (D-E)}{\{Z * (1 - \text{Distribution losses in\%/100})\} * \text{ABR}}$$

Where,

Nth month means the month in which billing of fuel and power purchase adjustment surcharge component is done. This fuel and power purchase adjustment surcharge is due to changes in tariff for the power supplied in (n-2)th month

A is Total units procured in (n-2)th Month (in kWh) from all Sources including Long-term, Medium-term and Short-term Power purchases (To be taken from the bills issued to distribution licensees)

B is bulk sale of power from all Sources in (n-2)th Month. (in kWh) = (to be taken from provisional accounts to be issued by State Load Dispatch Centre by the 10th day of each month).

[C is incremental Average Power Purchase Cost (including the change of fuel cost)]²⁶ = Actual average Power Purchase Cost (PPC) from all Sources in (n-2) month (Rs./ kWh) (computed) - Projected average Power Purchase Cost (PPC) from all Sources (Rs./ kWh)- (from tariff order)

D = Actual inter-state and intra-state Transmission Charges in the (n-2)th Month, (From the bills by Transcos to Discom) (in Rs)

E = Base Cost of Transmission Charges for (n-2)th Month. = (Approved Transmission Charges/12) (in Rs)

Z = [{Actual Power purchased from all the sources outside the State in (n-2) th Month. (in kWh)* (1 – Interstate transmission losses in % /100) + Power purchased from all the sources within the State(in kWh)]*(1 – Intra state losses in %) – B]/100 in kWh

ABR = Average Billing Rate for the year (to be taken from the Tariff Order in Rs/kWh)

Distribution Losses (in %) = Target Distribution Losses (from Tariff Order)

Inter-state transmission Losses (in %) = As per Tariff Order

[(2)]²⁷ The Power Purchase Cost shall exclude any charges on account of Deviation Settlement Mechanism.

[(3)]²⁸ Other charges which include Ancillary Services and Security Constrained Economic Despatch shall not be included in Fuel and Power Purchase Adjustment Surcharge and adjusted though the true-up approved by the State Commission.]²⁹

[F.No. 23/54/2004-R&R]

AJAY SHANKAR, Addl. Secy.

²⁶ Substituted vide Amendment Rules,2023 w.e.f. 30.06.2023.

²⁷ Substituted vide Amendment Rules,2023 w.e.f. 30.06.2023.

²⁸ Substituted vide Amendment Rules,2023 w.e.f. 30.06.2023.

²⁹ Inserted vide Amendment Rules, 2022 w.e.f. 29.12.2022.


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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

MINISTRY OF POWER

Notification

New Delhi, the 9th June, 2005.

G.S.R 387(E). - In exercise of powers conferred by Sub-Section (1) and clause (z) of Sub-Section (2) of Section 176 of the Electricity Act, 2003 (Act 36 of 2003), the Central Government hereby makes the following rules, namely:

1. Short title and commencement. -

- (1) These rules shall be called the Electricity (Procedure for Previous Publication) Rules, 2005.
- (2) These Rules shall come into force on the date of their publication in the Official Gazette.

2. Definitions. - In these rules, unless the context otherwise, requires,-

- (a) “Act” means the Electricity Act, 2003 (Act 36 of 2003);
- (b) the words and expressions used and not defined herein but defined in the Act shall have the meaning assigned to them in the Act.

3. Procedure of Previous Publication. - For the purpose of previous publication of regulations under Sub-Section (3) of Section 177, Sub-Section (3) of Section 178 and the Sub-Section (3) of Section 181 of the Act, the following procedure shall apply:-

- (1) the Authority or the Appropriate Commission shall, before making regulations, publish a draft of the regulations for the information of persons likely to be affected thereby;
 - (2) the publication shall be made in such manner as the Authority or the Appropriate Commission deems to be sufficient;
 - (3) there shall be published with the draft regulations, a notice specifying a date on or after which the draft regulations will be taken into consideration;
 - (4) the Authority or the Appropriate Commission having powers to make regulations shall consider any objection or suggestion which may be received by the Authority or the Appropriate Commission from any person with respect to the draft before the date so specified.
4. The publication in the Official Gazette of the regulations made in exercise of a power to make regulations after previous publication shall be conclusive proof that the regulations have been duly made.

F.No. 23/26/2004-R&R

AJAY SHANKAR, Addl. Secy.


सत्यमेव जयते

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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

MINISTRY OF POWER

Notification

New Delhi, the 24th November, 2005.

G.S.R.686(E). - In exercise of the powers, conferred by clauses (g) and (h), of Sub-Section (2) of Section 176 read with Sub-Section (2) of Section 185 of the Electricity Act, 2003, (36 of 2003), and in supersession of the Central Electricity Authority (Terms and Conditions of Chairman and other Members) Rules, 1988, published in the Gazette of India, Part-II, Section-3, Sub-Section (i), vide number GSR 123, dated the 27th February, 1988, as amended from time to time, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement.** – (1) These rules may be called the Central Electricity Authority (Terms and Conditions of Service of Chairperson and other Members) Rules, 2005.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** – (1) In these rules, unless the context otherwise requires:-
 - (a) “Act” means the Electricity Act, 2003, (36 of 2003);
 - (b) “Authority” means the Central Electricity Authority established under Section 70 of the Act;
 - (c) “Chairperson” means the Chairperson of the Authority;
 - (d) “Member” means a full-time member of the Authority, including Chairperson, where the context so requires;
 - (e) “other Member” means a Member other than a full-time Member;(2) All other words and expressions used herein but not defined shall have the same meanings respectively assigned to them in the Act.
3. **Constitution of the Authority.** - (1) Subject to the provisions contained under Sub-Section (5) of Sections 70 and 73 of the Act, the Authority shall consist of the following: -
 - (a) Chairperson
 - (b) Member (Economic & Commercial)
 - (c) Member (Grid Operations & Distribution)
 - (d) Member (Hydro)

- (e) Member (Planning)
 - (f) Member (Power Systems)
 - (g) Member (Thermal).
- (2) The Chairperson and the Members of the Authority shall be appointed by an order either on deputation basis or on short-term contract basis, subject to the fulfilling of the eligibility conditions laid down in these Rules.
4. **Eligibility and term of office of the Members.** – (1) No person shall be eligible for appointment to the office of a Member, including the Chairperson, of the Authority unless he has held -
- (a) the post of Chief Engineer or equivalent in the scale of pay of Rs. 18400-500-22400 or higher post or scale of pay on a regular basis for at least five years under the Central Government or a State Government;

or

a post equivalent to that of a post mentioned above, under a State Electricity Board or a semi- Government organisation or a public sector undertaking or an autonomous body or a statutory body or a university or an Indian Institute of Technology or an Indian Institute of Management on a regular basis for at least five years; and

- (b) possesses a minimum of three years' field experience in the relevant field;

Explanation. – For the purpose of the sub-Rule, the expression “relevant field” means relevant field as defined in Sub-Section (5) of Section 70 of the Act:

Provided that whenever a post of Member or any vacancy thereof is required to be filled up, area of specialisation or discipline shall be decided from amongst the categories listed under Sub-Section (5) of Section 70 of the Act

- (2) Subject to the provisions of Sub-Section (6) of Section 70 of the Act, a Member shall normally hold office for a period not exceeding five years or till he attains the age of superannuation:

Provided that where the prescribed term of office of a Member as provided in sub-Rule (2) expires before he attains the age of superannuation, the Central Government may extend the term of office of such a Member for a further period not exceeding the date of his superannuation in the Central Government.

- (3) A person shall cease to be Member of the Authority if he -
 - (a) remains absent, without the prior permission of the Authority, from three consecutive meetings of the Authority; or
 - (b) having been appointed on deputation, ceases to be in service of the respective State Government, Central Government or any other lending authority; or
 - (c) has been convicted and sentenced to imprisonment for an offence which is in the opinion of the Central Government, involves moral turpitude; or
 - (d) is an un-discharged insolvent.

- 5. **Resignation.** - (1) The Chairperson of the Authority may resign from his office by giving notice of at least three months to the Central Government, in writing, and on such resignation being accepted by the Government, he shall be deemed to have vacated his office.
- (2) A Member of the Authority may resign from his office after giving notice of at least three months, in writing, to the Chairperson of the Authority who shall forward the same to the Central Government and on such resignation being accepted by the Government, he shall be deemed to have vacated his office.

- 6. Pay and Allowances and other terms of the Members including the Chairperson.** – (1) The Chairperson of the Authority shall enjoy the status of ex-officio, Secretary to the Government of India and shall carry the same pay and allowances as available to the Secretary to the Government of India;
- (2) A Member of the Authority shall enjoy the status of ex-officio, Additional Secretary to the Government of India and shall carry the same pay and allowances as available to the Additional Secretary to the Government of India;
- (3) The other terms and conditions of service of Chairperson and Members, including entitlement of leave, leave salary, leave travel concession, travelling allowance, medical benefits etc. shall be as are applicable to the Central Government officers of corresponding status.
- (4) The pension and leave salary contribution in respect of the Chairperson and Member (s), if they are on deputation to the Authority, shall be paid by the Authority to the respective lending authority in accordance with their rules.
- 7. Allowances and fees payable to other Members** – The other Members shall receive such allowances and fees for attending the meetings of the Authority as may be determined by the Central Government.
- 8. Power to relax** - Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, relax any of the provisions of these Rules with respect to any class or category of persons.

[F.No. A-35020/3/2003-Adm.I]

Sd/-

R.C.Arora

Under Secretary to the Government of India


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EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

MINISTRY OF POWER

New Delhi, the 18TH April, 2006.

Notification

G.S.R.217(E). - In exercise of the powers conferred by clause (e) of Sub-Section (2) of Section 176 read with Sub-Section (2) of Section 67 of the Electricity Act, 2003, (36 of 2003), the Central Government hereby makes the following rules regarding the works of licensees, namely :-

1. Short title and commencement. - (1) These rules may be called the Works of Licensees Rules, 2006.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. Definitions. - (1) In these rules unless the context otherwise requires, -
 - (a) "The Act" means the Electricity Act, 2003;
 - (b) "occupier" of any building or land means a person in lawful occupation of that building or land.(2) All other words and expression used herein and not defined in these rules, shall have the meanings respectively assigned to them in the Act. .
3. Licensee to carry out works. - (1) A licensee may -
 - (a) carry out works, lay down or place any electric supply line or other works in, through, or against, any building, or on, over or under any land whereon, wherever or whereunder any electric supply-line or works has not already been lawfully laid down or placed by such licensee, with the prior consent of the owner or occupier of any building or land;
 - (b) fix any support of overhead line or any stay or strut required for the purpose of securing in position any support of an overhead line on any building or land or having been so fixed, may alter such support:

Provided that in case where the owner or occupier of the building or land raises objections in respect of works to be carried out under this rule, the licensee shall obtain permission in writing from the District Magistrate or the Commissioner of Police or any other officer authorised by the State Government in this behalf, for carrying out the works:

Provided further that if at any time, the owner or occupier of any building or land on which any works have been carried out or any support of an overhead line, stay or strut has been fixed shows sufficient cause, the District Magistrate or the Commissioner of Police, or the officer authorised may by order in writing direct for any such works, support, stay or strut to be removed or altered.

- (2) When making an order under sub-rule (1), the District Magistrate or the Commissioner of Police or the officer so authorised, as the case may be, shall fix , after considering the representations of the concerned persons, if any, the amount of compensation or of annual rent, or of both, which should in his opinion be paid by the licensee to the owner or occupier.
- (3) Every order made by a District Magistrate or a Commissioner of Police or an authorised officer under sub-rule (1) shall be subject to revision by the Appropriate Commission.
- (4) Nothing contained in this rule shall effect the powers conferred upon any licensee under Section 164 of the Act.
4. Works affecting streets, railway, tramway, canal or waterway. - (1) Where the exercise of any of the powers of a licensee in relation to the execution of any works involves the placing of any works in, under, over, along or across any street, part of a street, railway, tramway, canal or waterway, the licensee shall serve upon the person responsible for the repair of the street or part 'of a street (hereinafter referred to as "the repairing authority") or upon the person for the time being entitled to work the railway, tramway, canal or waterway (hereinafter referred to as "works authority"), as the case may be, a notice in writing, not less than 15 days before commencing the execution of the works describing the proposed works, together with a Section and plan thereof on a scale sufficiently large to show clearly the details of the proposed works, and not in any case smaller than one inch to eight feet vertically and sixteen inches to the mile horizontally and intimating the manner in which, and the time at which, it is proposed to interfere with or alter any existing works, and shall, upon being required to do so by the repairing authority or works authority, as the case may be, from time to time give such further information in relation thereto as may be desired.
- (2) If the repairing authority intimates to the licensee that it disapproves of such works, Section or plan giving reasons for disapproval, or approves thereof subject to amendment, the licensee may, unless settled by an agreement, appeal to the Appropriate Commission within one week of receiving such intimation, whose decision, after considering the reasons given by the repairing authority for its action, shall be final.
- (3) If the repairing authority fails to give notice in writing of its approval or disapproval to the licensee within 15 days of the receipt of the notice, it shall be deemed to have approved of the works, Section and plan, and the licensee, after giving not less than forty-eight hours' notice in writing to the repairing authority, may proceed to carry out the works in accordance with the notice and the Section and plan served under sub-rule(1);
- (4) If the works authority disapproves of such works, Section or plan giving reasons for disapproval, or approves thereof subject to amendment, he may, within 15 days after the service of the notice under sub-rule (1) of rule 5, serve a requisition upon the licensee demanding that any question in relation to the works or to compensation, or to the obligations of the works authority to others in respect thereof, shall be determined, unless settled by agreement, by the Appropriate Commission.
- (5) Where no requisition has been served by the works authority upon the, licensee within the time period provided under sub-rule (4), the works authority shall be deemed to have approved of the works, Section and plan, and in that case, or where after the matter has been determined by the Appropriate Commission, the works may, upon payment or securing of compensation, be executed according to the notice and the Section and plan, subject to such modifications as may have been determined by the Appropriate Commission or agreed upon between the parties:

Explanation. - In sub-rules (1) to (5), the word "works" includes a service line in, under, over,

along or across a railway even if such line is immediately attached or intended to be immediately attached to a distributing main, but does not include any other service line so attached or intended to be so attached to a distributing main, or works which consist of the repair, renewal or amendment of existing works of which the character or position is not to be altered.

(6) Where the works to be executed consist of the laying of any underground service line immediately attached, or intended to be immediately attached, to a distributing main, the licensee shall give to the repairing authority or the works authority, as the case may be, not less than forty-eight hours' notice in writing of his intention to execute such works;

(7) Where the works to be executed consist of the repair, renewal or amendment of existing works of which the character or position is not to be altered, the licensee shall, except in cases of emergency, give to the repairing authority, or to the works authority, as the case may be, not less than forty-eight hours' notice in writing of his intention to execute such works, and, on the expiry of such notice, such works shall be commenced forthwith and shall be carried on with all reasonable despatch, and, if possible, both by day and by night until completed.

5. Repairs and works during emergency. - The licensee may, in case of emergency due to the breakdown of an underground electric supply-line, after informing the repairing authority or the works authority, as the case may be, of his intention to do so, place an overhead line without complying with the provisions of rule 4 :

Provided that such overhead line shall be used only until the defect in the underground electric supply-line can be made good, and in no case (unless with the written consent of the repairing authority, work authority or occupier as the case may be) for a period exceeding six weeks, and shall be removed as soon as may be after such defect is removed.

6. Procedure for carrying out other works near sewers, pipes or other electric lines or works. - (1) The licensee or any duly authorised person, as the case may be (hereinafter in this rule referred to as "the operator"), shall -

(a) where the licensee requires to dig or sink any trench for laying down any new electric supply-lines or other works, near to which any sewer, drain, water-course or work under the control of the State Government or of any local authority, or any pipe, syphon, electric supply-line or other work belonging to any duly authorised person, has been lawfully placed, or

(b) where any duly authorised person is required to dig or sink any trench for laying down or constructing any new pipes or other works, near to which any electric supply-lines or works of a licensee have been lawfully placed;

unless it is otherwise agreed. upon between the parties interested or in case of sudden emergency, give to the State Government or local authority, or to such duly authorized person or to the licensee, as the case may be (hereinafter in this Rule referred to as "the owner"), not less than forty-eight hours' notice in writing before commencing to dig or sink the trench and the owner shall have the right to be present during the execution of the work, which shall be executed to the reasonable satisfaction of the owner.

(2) Where the operator finds it necessary to undermine, but not to alter, the position of any pipe, electric supply-line or work, he shall support it in position during the execution of the work, and before completion shall provide a suitable and proper foundation for it where so undermined.

- (3) Where the operator (being the licensee) lays any electric supply-line across, or so as to be liable to touch, any pipes, lines or service-pipes or service-lines belonging to any duly authorised person or to any person supplying, transmitting or using energy under the Act, he shall not, except with the written consent of such person and in accordance with the regulations on safety as specified under Section 53 of the Act, lay his electric supply-lines so as to come into contact with any such pipes, lines or service-pipes or service-lines.
- (4) Where the operator makes default in complying with any of the provisions of this rule, he shall make full compensation for any loss or damage incurred by reason thereof.
- (5) Where any difference or dispute arises under this rule, the matter shall be determined by the Appropriate Commission.
- (6) Where the licensee is a local authority, the references in this rule to the local authority and to sewers, drains, water-courses or works under its control shall not apply.
7. Alteration of the position of pipes, electric line, etc. - (1) Any licensee may alter the position of any pipe (not forming part of a local authority's main sewer), or of any wire under or over any place which he is authorised to open or break up, if such pipe or wire is likely to interfere with the exercise of his powers under the Act; and any person may alter the position of any electric supply-lines or works of a licensee under or over any such place as aforesaid, if such electric supply-lines or works are likely to interfere with the lawful exercise of any powers vested in him.
- (2) The licensee or other person desiring to make the alteration, unless otherwise agreed, shall, not less than one month before commencing any alteration, serve upon the person for the time being entitled to the pipe, wire, electric supply- lines or works, as the case may be (hereinafter in this rule referred to as "the owner"), a notice in writing, describing the proposed alteration, together with a Section and plan thereof on a scale sufficiently large to show clearly the details of the proposed works, and . not in any case smaller than one inch to eight feet vertically and sixteen inches to the mile horizontally, and intimating the time when it is to be commenced, and shall subsequently give such further information in relation thereto as the owner may desire;
- (3) The owner may, within fourteen days after the service of the notice, Section and plan, serve upon the operator a requisition to the effect that any question arising upon the notice, Section or plan, shall, unless settled by agreement, be determined by Appropriate Commission, and thereupon the matter shall be determined by the Appropriate Commission.
- (4) The Appropriate Commission to whom a reference is made under sub-rule (3), shall have regard to any duties or obligations which the owner is under, and may require the operator to execute any temporary or other works so as. to avoid, as far as possible, interference there- with.
- (5) Where no requisition is served upon the operator under sub-rule (3) within the time limit, or where such a requisition has been served and the matter has been settled by agreement or determined by the Appropriate Commission, the alteration may, upon payment or securing of any compensation accepted or determined by the Appropriate Commission, be executed in accordance with the notice, Section and plan and subject to such modifications agreed upon between the parties or as may have been determined by the Appropriate Commission.
- (6) Where the operator desiring to make the alteration makes default in complying with any of these provisions, he shall make full compensation for any loss or damage incurred by reason thereof, and, where any difference or dispute arises as to the amount of such compensation, the matter shall be determined by the Appropriate Commission.

- (7) Where the owner or occupier desires to carry out certain works himself, -
- (i) he may, at least ten days before the operator desiring to make the alteration of pipes or wires is entitled to commence the alteration, serve upon the operator a statement in writing to the effect that he desires to execute the alteration himself and requires the operator to give such security for the repayment of any expenses as may be agreed upon or, in default of agreement, determined by the Appropriate Commission;
 - (ii) where a statement is served upon the operator under clause (i), he shall, not less than forty-eight hours before the execution of the alteration is required to be commenced, furnish such security and serve upon the owner a notice in writing intimating the time when the alteration is required to be commenced, and the manner in which it is required to be made; and thereupon the owner may proceed to execute the alteration as required by the operator.
 - (iii) where the owner declines to comply, or does not, within the time and in the manner prescribed by a notice served upon him under clause (ii), comply with the notice, the operator may himself execute the alteration;
 - (iv) all expenses incurred by the owner in complying with a notice served upon him by the operator under clause (ii) may be recovered by him from the operator.
8. Works not repairable by the Appropriate Government, licensee or local authority. - The licensee shall open or break up any street not repairable by the Central Government or the State Government or a local authority only with the written consent of the person by whom the street is repairable or with the written consent of the Appropriate Government:
- Provided that the Appropriate Government shall not give any such consent as aforesaid, until the licensee has given notice by advertisement or otherwise as that Government may direct, and within such period as the that Government may fix in this behalf, to the person above referred to, and until all representations or objections received in accordance with the notice have been considered by the that Government.
9. Procedure for fencing, guarding, lighting and other safety measures relating to works and immediate reinstatement of streets, railways, sewers, drains or tunnels.
- (1) Where any person, in exercise of any of the powers conferred by or under these rules opens or breaks up the soil or pavement of any street, railway or tramway, or any sewer, drain or tunnel, he shall -
 - (a) immediately cause the part opened or broken up to be fenced and guarded and fix caution boards to alert traffic;
 - (b) cause a light or lights, sufficient for the warning of passengers before sunset, to be set up and maintained until sunrise against or near the part opened or broken up;
 - (c) make suitable arrangements for smooth flow of traffic;
 - (d) fill in the ground and reinstate and make good the soil or pavement, or the sewer, drain or tunnel, opened or broken up with all reasonable speed, and carry away the rubbish occasioned by such opening or breaking up; and
 - (e) after reinstating and making good the soil or pavement, or the sewer, drain or tunnel broken or opened up, keep the same in good repair for three months and for any further period, not exceeding nine months, during which subsidence continues.

- (2) Where any person fails to comply with any of the provisions of sub-rule (1), the person having the control or management of the street, railway, tramway, sewer, drain or tunnel in respect of which the default has occurred, may cause to be executed the work which the defaulter has delayed or omitted to execute, and may recover from him the expenses incurred in such execution.
 - (3) Where any difference or dispute arises as to the amount of the expenses incurred under sub-rule (2), the matter shall be determined by the Appropriate Commission.
10. Avoidance of public nuisance, environmental damage and unnecessary damage to the public and private property by such works. - The licensee shall, while carrying out works, ensure that such works do not cause public nuisance, environmental damage and unnecessary damage to the public or private property.
11. Manner of deposit of amount for restoration of railways, tramways, waterways etc. - The licensee shall deposit the amount for restoration of railways, tramways, waterways etc. under these rules by means of demand draft in favour of the officer-in-charge of the maintenance of the works concerned.
12. Manner of restoration of property affected by such works and maintenance thereof. - The licensee shall carry out the restoration of property affected by works and undertake necessary maintenance thereof for one month.
13. Determination and payment of compensation to affected persons. - (1) Where the licensee makes default in complying with any of the provisions of these rules, he shall make full compensation for any loss or damage incurred by reason thereof to the person affected, as may be determined by the District Magistrate or by any other officer authorised by the State Government in this behalf ,if not agreed mutually between the parties concerned.
 - (2) Where any difference and dispute arises as to the amount of compensation determined under sub-rule (1), the matter shall be determined by the Appropriate Commission.
14. Procedure for deposit of compensation payable by the licensee and furnishing of security. -
 - (1) The amount of compensation payable by the licensee under these rules shall be deposited by means of demand draft.
 - (2) The security required to be furnished under these rules shall be in the form of Bank Guarantee from a Scheduled Bank or in any other form as may be notified by the Appropriate Government from time to time.
15. Determination of dispute or difference by the Appropriate Commission. - When a matter is brought to the Appropriate Commission for determination under these rules, the matter shall be determined by the Appropriate Commission within a period of thirty days and after hearing the parties concerned.
16. Service of notice etc. - Whenever a notice or intimation is required to be served upon a person under these rules, the procedure provided under Section 171 of the Act and rules made thereunder shall be followed.

[F. No. 23/8/2004-R&R]

U. N. PANJIAR, Addl. Secy.


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The Gazette of India

EXTRAORDINARY – PART II – Section 3 – Sub-Section (i)

MINISTRY OF POWER

Notification

New Delhi, the 14th August, 2006.

G.S.R. 480(E). - In exercise of the powers conferred by Section 89 of the Electricity Act 2003, (36 of 2003) the Central Government hereby makes the following rules, namely :-

1. **Short title and commencement.** - (1) These rules may be called the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram (Salaries, Allowances and other Conditions of Service of Chairperson and Members) Rules, 2006.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** - In these rules, unless the context otherwise requires, -
 - (a) "Act" means the Electricity Act 2003;
 - (b) "Commission" means the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram constituted under Section 83 of the Act;
 - (c) Words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.
3. **Oath of Office and secrecy.** - A Member of the Commission shall, before entering upon his office, subscribe to an oath of office and secrecy before the Minister in-charge of the Ministry of Power (Union Government) and the oath of office and secrecy shall be administered in the following form:-

Oath of secrecy

I, _____, do swear in the name of God and solemnly affirm that I shall not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as the Chairperson or Member of the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram except as may be required for the due discharge of my duties as such Chairperson or Member.

Oath and affirmation of allegiance to Constitution

I, _____, having been appointed Member of the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram, do swear in the name of God and do solemnly

affirm that I shall bear true faith and allegiance to the Constitution of India as by law established, that I shall uphold the sovereignty and integrity of India, that I shall duly and faithfully and to the best of my ability, knowledge and judgement perform the duties of my office without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of the land.

4. **Pay.** - A Member shall be entitled to receive pay in the scale of pay of Rs.22400-525-24500 per month.

Provided that in case a person appointed as the Member is in receipt of pension from;

- (a) Union Government including Railways, Defence, Posts and Telecommunication; or
- (b) State Government or Union Territory Administration; or
- (c) Public Sector Undertaking, Local Body, Autonomous Body like University or Semi-Government Organization like Port Trust;

the pay of such person shall be reduced by the gross amount of pension [as illustrated in the Central Civil Services (fixation of pay of re-employed pensioners) Orders, 1986] drawn by him:

Provided further that a Member shall be entitled to receive admissible allowances on the original basic pay before such fixation of pay.

5. **Dearness allowance and city compensatory allowance.** - A Member shall be entitled to receive dearness allowances and city compensatory allowance, and other allowances at the rate admissible to a Group 'A' Officer of the Central Government drawing an equivalent pay.
6. **Leave.** - A Member shall be entitled to 30 days of earned leave for every year of service and the payment of leave salary, during leave, shall be governed under the provisions of rule 40 of the Central Civil Services (Leave) Rules, 1972.
7. **Leave sanctioning authority.** - In the case of the Chairperson, the Minister-in-charge of the State Government which he represents in the Commission, and in the case of a Member, the Chairperson, shall be the leave sanctioning authority.
8. **Provident fund.** - A Member shall be governed by the Contributory Provident Fund Rules (India), 1962 and no option to subscribe under the provisions of the General Provident Fund Rules (Central Services), 1960 shall be available. No pension or gratuity shall be admissible for service rendered in the Commission.
9. **Travelling allowances.** - (1) A Member while on tour within India or on transfer (including the journey undertaken by self and family to join the Commission or on the expiry of term with the Commission to proceed to his home town with family) shall be entitled to the journey allowance, daily allowance and transportation of personal effects at the same scales and at the same rates as are applicable to a Group 'A' Officer of the Central Government drawing an equivalent pay.
- (2) Foreign tours to be undertaken by a Member shall require prior approval of the State Government which he represents in the Commission and necessary clearances of the Central Government.

Provided that the daily allowance and provision of hotel accommodation during the period of tour abroad shall be in accordance with such orders of the Central Government as are applicable to Group "A" officers of the Central Government drawing an equivalent pay and as per the economy instructions or other instructions issued by the Ministry of Finance from time to time.

10. **Leave travel concession.** - A Member shall be entitled to leave travel concession at the same

- scale and at the same rate as admissible to group 'A' officers of the Central Government drawing an equivalent pay.
11. **Accommodation.** - (1) A Member shall be entitled for residential accommodation as per norms of Government of Mizoram.
Provided that for such accommodation which is according to and within the entitlement of the Member the standard licence fee shall be the same as in the case of a Group "A" officer of similar status of the Central Government posted at Aizwal.
(2) In case Government of Mizoram do not provide residential accommodation to a Member, he shall have the option of claiming house rent allowance as admissible to Group A officers of similar status of the Central Government posted at Aizwal.
 12. **Transport.** - A Member shall be allowed the option to make use of an official vehicle or reimbursement of such amount as may be fixed by the Central Government from time to time in respect of a Group "A" officer of the Central Government drawing an equivalent pay for the use and maintenance of his personal car.
 13. **Medical treatment.** - A Member shall be entitled to medical reimbursement and facility as admissible to a Group 'A' officer of the Central Government drawing an equivalent pay.
 14. **Telephone facility, official meeting and entertainment expenses.** - A Member shall be eligible for telephone facilities, official meetings and entertainment expenses as admissible to a Group "A" officer of the Central Government drawing an equivalent pay.
 15. **Other conditions of services.** - Other conditions of service of a Member, with respect to which no express provision has been made in these rules, shall be such as are admissible to a Group "A" officer of the Central Government drawing an equivalent pay.

[F. No. 47/2/2004-R&R (Pt. II)]

AJAY SHANKAR, Addl. Secy.


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GOVERNMENT OF INDIA
MINISTRY OF POWER

New Delhi, the 17 August, 2006

Notification

G.S.R. 481 (E). – In exercise of the powers conferred by Sub-Section (1) of Section 162 and clause (z) of Sub-Section (2) of Section 176 of the Electricity Act, 2003, (36 of 2003), the Central Government hereby makes the following rules for Qualifications, Powers and Functions of Chief Electrical Inspector and Electrical Inspectors.

1. **Short title and commencement.** - (1) These rules may be called the Qualifications, Powers and Functions of Chief Electrical Inspector and Electrical Inspectors Rules, 2006.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** - (1) In these rules, unless the context otherwise requires, -
 - (a) “Act” means the Electricity Act, 2003;
 - (b) “Appellate Authority” in respect of an appeal against the order of an Electrical Inspector, means the Chief Electrical Inspector, and in respect of an appeal against the order of the Chief Electrical Inspector, means the Central Government.
 - (c) “Section” means Section of the Act.
 - (d) “Inspector” means a Chief Electrical Inspector or Electrical Inspector as the case may be.(2) Words and expression used and not defined in these rules but defined in the Electricity Act, 2003 (36 of 2003), shall have the meanings respectively assigned to them in that Act.
3. **Applicability of Rules.** - These rules shall apply in respect of following:
 - (i) a generating company wholly or partly owned by the Central Government;
 - (ii) any inter-State generation, transmission, trading or supply of electricity and with respect to any mines, oil-fields, railways, national highways, airports, telegraphs, broadcasting stations and any works of defence, dockyard, nuclear power installations;
 - (iii) National Load Despatch Centre and Regional Load Despatch Centre; and
 - (iv) any works or electric installation belonging to the Central Government or under its control.
4. **Qualification for Chief Electrical Inspector.** - No person shall be appointed to be a Chief Electrical Inspector unless
 - (a) he possesses a degree in electrical engineering or its equivalent from a recognized Univer-

sity or Institution; and

- (b) he has been regularly engaged for a period of at least twenty years in the practice of electrical engineering of which not less than two years have been spent in an electrical or mechanical engineering workshop or in generation or transmission or distribution of electricity, or in the administration of the Act and rules thereunder, in a position of responsibility.
5. **Qualifications for Electrical Inspectors.** - (1) No person shall be appointed to be an Electrical Inspector unless
- (a) he possesses a degree in Electrical Engineering or its equivalent from a recognized University or Institution; and
 - (b) he has been regularly engaged for a period of [at least five years]¹ in the practice of electrical engineering, of which not less than one year has been spent in an electrical or mechanical engineering workshop or in generation or transmission or distribution of electricity, or in the administration of the Act and rules thereunder, in a position of responsibility.
- (2) The person appointed as Electrical Inspector shall undergo such training as the Central Government may consider it necessary for the purpose and such training shall be completed to the satisfaction of the Government.
6. **Powers of the Chief Electrical Inspector and Electrical Inspector.** - The Chief Electrical Inspector and the Electrical Inspector shall have powers to inspect the works and electrical installations in his area in respect of which, such an Inspector has been directed by the Central Government to exercise his powers and perform functions under Sub-Section (1) of the Section 162 of the Act.
7. **Powers of Entry and inspection.** - For carrying out inspections as referred to in rule 6 above,
- (1) The Inspector may enter, inspect and examine any place, carriage or vessel in which he has reason to believe that there is any appliance or apparatus used in the generation, transmission, transformation, conversion, distribution or use of energy and may carry out tests therein.
 - (2) Every supplier, consumer, owner and occupier shall afford all reasonable facilities to any such Inspector to make such examinations and tests as may be necessary to satisfy himself as to the due observance of the safety regulations as specified by the Authority under Section 53 of the Act. The Indian Electricity Rules, 1956 made under Section 37 of the Indian Electricity Act, 1910 (now repealed) shall continue to be in force till the regulations under Section 53 of the Act are made.
 - (3) An Inspector may require a supplier of the electricity to submit to him a list of all persons supplied with energy by him, the addresses at which such energy is supplied, the month of connecting services, the voltage of supply, the connected load and the purpose of supply and the supplier shall comply with such requisitions.
 - (4) Every licensee and every owner of a generating station shall, if required so to do by an Inspector, provide reasonable means for carrying out all tests, specified under the Act or regulations thereunder, of the appliances or apparatus used for the supply or use of energy by him, as the case may be.

¹ Substituted vide Amendment Rules,2016 w.e.f. 16.05.2016.

- (5) Upon such inspection, an Inspector may serve an order, within 15 days from the date of such inspection, in the **Form A**, to any licensee, consumer, owner or occupier, calling upon him to comply with any specified regulation and the person so served shall thereupon comply with the order within the period specified therein, and shall report in writing to the Inspector serving the order mentioning therein as to when the order has been complied with:

Provided that, if within the period specified in the aforesaid order an appeal is filed against the order by the person on whom such order has been served, the appellate authority may suspend its operation pending the decision of the appeal.

8. **Appeals.** – (1) An appeal against an order served under these rules shall lie
 - (a) if the order is served by an Electrical Inspector, to the Chief Electrical Inspector;
 - (b) if the order is served by a Chief Electrical Inspector, to the Central Government.
- (2) In the case of an order of Chief Electrical Inspector on an appeal preferred to him under clause (a) of sub-rule (1), a further appeal shall lie to the Central Government.
- (3) Every appeal made under sub-rule (1) shall be in writing and shall be accompanied by a copy of the order appealed against and shall be presented within three months of the date on which such order has been served or delivered, as the case may be.
- (4) An appeal shall be disposed off within ninety days from the date of receipt of the appeal.

FORM A
FORM OF ORDER

To

15. Whereas the installation was inspected on and whereas it appears to me that you have not complied with the rules made under Sub-Section (1) of Section 162 and the regulations made under Section 53 of the Act, in the following respect (particulars to be given where necessary) namely you are hereby called upon to comply with the said rule(s)/regulations(s) on or before Day of and to report compliance in writing to me.
16. An appeal may be filed against this order under rule 8 of the aforesaid Rules, within three months of the date on which this order is served or delivered but this order must be complied with, notwithstanding such appeal, unless the appellate authority on or before the date specified in paragraph above, suspends its operation.

Dated at

The ..day of.

Signature

Chief Electrical Inspector or
Electrical Inspector

[F.No.23/3/2004-R&R]
AJAY SHANKAR, Addl. Secy.


सत्यमेव जयते

भारत का राजपत्र The Gazette of India

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GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 22nd January, 2007

Notification

G.S.R. 33(E).- In exercise of the powers conferred by Sub-Section (1) of Section 176 and clauses (q), (t) and (z) of Sub-Section (2) of Section 176 of the Electricity Act, 2003 (36 of 2003) and in supersession of the Appellate Tribunal for Electricity (Form, Verification and fee for filing an appeal) Rules, 2004, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

- 1. Short title and commencement.** - (1) These rules may be called the Appellate Tribunal for Electricity (Procedure, Form, Fee and Record of Proceedings) Rules, 2007.
(2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Definitions.** – In these rules, unless the context otherwise requires,-
 - (a) “Act” means the Electricity Act, 2003 (36 of 2003);
 - (b) “Advocate” means a person who is entitled to practice the profession of law under the Advocates Act, 1961 (25 of 1961) ;
 - (c) ‘Chairperson” means the Chairperson of the Appellate Tribunal appointed under sub-section (2) of Section 113 of the Act;
 - (d) “Member means”, Members of the Tribunal appointed under Sub-Section (3) of Section 113 of the Act;
 - (e) “Interlocutory Application” means an application in any appeal or original petition on proceeding already instituted in the Tribunal, but not being a proceeding for execution of the order or direction of Tribunal;
 - (f) “Registrar” means, the Registrar of the Tribunal and includes any other officer or staff member of the Tribunal to whom the Power and functions of the Registrar may be delegated or assigned or who is authorized to act as such by the Chairperson from time to time;
 - (g) “Registry” means the Registry of the Tribunal;
 - (h) “Tribunal” means the Appellate Tribunal for Electricity established under Section 110 of the Act;
 - (i) “section” means a section of the Act;

(j) The words and expressions used herein and not defined, but defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. **Computation of time period.-** Where a period is prescribed by the Act and these rules or under any other law or is fixed by the Tribunal for doing any act, in computing the time, the day from which the said period is to be reckoned shall be excluded, and if the last day expires on a day when the office of the Tribunal is closed, that day and any succeeding days on which the Tribunal remains closed shall also be excluded.
4. **Forms.-** The forms prescribed by these rules with such modifications or variations as the circumstances of each case may require shall be used for the purpose mentioned therein and where no form is prescribed to cover a contingency, a form as may be approved by the Registrar, shall be used.
5. **Format of order or direction or rule.-** Every rule, direction, order, summons, warrant or other mandatory process shall be issued in the name of the Chairperson and shall be signed by the Registrar or any other officer specifically authorized in that behalf by the Chairperson, with the day, month and year of signing and shall be sealed with the seal of the Tribunal.
6. **Official seal of the Tribunal.-** The official seal of the Tribunal shall be such, as the Chairperson may from time to time specify and shall be in the custody of the Registrar.
7. **Custody of the records.-** The Registrar shall have the custody of the records of the Tribunal and no record or document filed in any cause or matter shall be allowed to be taken out of the custody of the Tribunal without the leave of the Tribunal.

Provided a member of the establishment with prior written approval of the Registrar may remove any official paper or record for official purposes from the Tribunal.

8. **Sitting hours of the Tribunal.-** The sitting hours of the Tribunal shall ordinarily be from 10.30 AM. to 1.15 P.M. and from 2.15 P.M. to 5.00 p.m. subject to any order made by the Chairperson and this will not disable the Bench of the Tribunal to extend its sitting as it deems fit.
9. **Working hours of the Tribunal.-** (1) The office of the Tribunal shall remain open on all working days from 10.00 A.M. to 5.30 P.M.
(2) The Filing Counter of the Registry shall be open on all working days from 10.30 AM to 5.00 P.M.
10. **Calendar.-** The Calendar of days of working of Tribunal in a year shall be as decided by the Chairperson and Members of the Tribunal.
11. **Motion cases.-** All urgent matters filed before 12 noon shall be listed before the Tribunal on the following working day, if it is complete in all respects as provided in these rules and in exceptional cases, it may be received after 12 noon but before 3.00 P.M. for listing on the following day, with the specific permission of the Tribunal or Chairperson.
12. **Power to exempt.-** The Tribunal may on sufficient cause being shown, exempt the parties from compliance with any requirement of these rules and may give such directions in matters of practice and procedure, as it may consider just and expedient on the application moved in this behalf to render substantial justice.
13. **Power to extend time.-** The Tribunal may extend the time appointed by these rules or fixed by any order, for doing any act or taking any proceeding, upon such terms, if any, as the justice of the case may require, and any enlargement may be ordered, although the application therefore is not made until after the expiration of the time appointed or allowed.

CHAPTER-II

POWERS OF THE REGISTRAR

- 14. Powers and functions of the Registrar.-** The Registrar shall have the following powers and functions, namely:-
- (a) registration of appeals, petitions and applications;
 - (b) to receive applications for amendment of appeal or the petition or application or subsequent proceedings.
 - (c) to receive applications for fresh summons or notices and regarding services thereof;
 - (d) to receive applications for fresh summons or notice and for short date summons and notices;
 - (e) to receive applications for substituted service of summons or notices;
 - (f) to receive applications for seeking orders concerning the admission and inspection of documents;
 - (g) transmission of a direction/ order to the civil court as directed by Tribunal with the pre-scribed certificate(s) for execution etc; and
 - (h) such other incidental/matters as the Chairperson may direct from time to time.
- 15. Power of adjournment.-** All adjournments shall normally be sought before the concerned bench in court and in extraordinary circumstances, the Registrar may, if so directed by the Tribunal in chambers, shall at any time adjourn any matter and lay the same before the Tribunal in chambers.
- 16. Delegation powers of the Chairperson.-** The Chairperson may assign or delegate to a Deputy Registrar or to any other suitable officer all or some of the functions required by these rules to be exercised by the Registrar.

CHAPTER-III

INSTITUTION OF PROCEEDINGS/PETITION/APPEALS ETC.

- 17. Procedure for proceedings.** -(1) Every appeal or petition or application or caveat petition or objection or counter presented to the Tribunal shall be in English and in case it is in some other Indian language, it shall be accompanied by a copy translated in English and shall be fairly and legibly type written, lithographed or printed in double spacing on one side of standard petition paper with an inner margin of about four centimeters width on top and with a right margin of 2.5 cm, and left margin of 5 cm, duly paginated, indexed and stitched together in paper book form;
- (2) The cause title shall state "In the Appellate Tribunal For Electricity" and shall specify the jurisdiction *Appellate, Original or Special Original respectively under Section 111(1) and Section 121 of the Act* in which it is presented and also set out the proceedings or order of the authority against which it is preferred.
 - (3) Appeal or petition or application or counter or objections shall be divided into paragraphs and shall be numbered consecutively and each paragraph shall contain as nearly as may be, a separate fact or allegation or point.
 - (4) Where Saka or other dates are used, corresponding dates of Gregorian Calendar shall also be given.
 - (5) Full name, parentage, description of each party and address and in case a party sues or being sued in a representative character, shall also be set out at the beginning of the appeal or

petition or application and need not be repeated in the subsequent proceedings in the same appeal or petition or application.

- (6) The names of parties shall be numbered consecutively and a separate line should be allotted to the name and description of each party. These numbers shall not be changed and in the event of the death of a party during the pendency of the appeal or petition or matter, his legal heirs or representative, as the case may be, if more than one shall be shown by sub-numbers. Where fresh parties are brought in, they may be numbered consecutively in the particular category, in which they are brought in.
- (7) Every proceeding shall state immediately after the cause title the provision of law under which it is preferred.

18. Particulars to be set out in the address for service.- The address for service of summons shall be filed with every appeal or petition or application or caveat on behalf of a party and shall as far as possible contain the following items namely:-

- (a) the name of the road, street, lane and Municipal Division/Ward, Municipal Door and other number of the house;
- (b) the name of the town or village;
- (c) the post office, postal district and PIN Code; and
- (d) any other particular necessary to identify the addressee *such as fax number, mobile number and e-mail address, if any.*

19. Initialing alteration.- Every interlineation, eraser or correction or deletion in any appeal or petition or application or document shall be initialed by the party or his recognized agent or advocate presenting it.

20. Presentation of appeal or petition.- (1) Every appeal, petition, caveat, interlocutory application and documents shall be presented in triplicate by the appellant or petitioner or applicant or respondent, as the case may be, in person or by his duly authorized agent or by an advocate duly appointed in this behalf in the prescribed form with stipulated fee at the filing counter and non compliance of this may constitute a valid ground to refuse to entertain the same.

- (2) Every appeal or petition shall be accompanied by a certified copy of the impugned order.
- (3) All such documents filed in the Tribunal shall be accompanied by an index in triplicate containing their details and the amount of fee paid thereon.
- (4) Sufficient number of copies of the appeal or petition or application shall also be filed for service on the opposite party as prescribed.
- (5) In the pending matters, all applications shall be presented after serving copies thereof in advance on the opposite side or his/her advocate on record.
- (6) The processing fee prescribed by the rules, with required number of envelopes of sufficient size and notice forms as prescribed shall be filled alongwith memorandum of appeal.

21. Number of copies to be filed.- The appellant or petitioner or applicant or respondent shall file three authenticated copies of appeal or petition or application or counter or objections, as the case may be, and shall deliver one copy to each of the opposite party.

22. Lodging of caveat.- (1) The respondent may lodge a caveat in triplicate in any appeal or petition or application that may be instituted before this Tribunal by paying the prescribed fee after

forwarding a copy by registered post or serving the same on the expected petitioner or appellant and the caveat shall be in form prescribed and contain such details and particulars or orders or directions, details of authority against whose orders or directions the appeal or petition is being instituted by the expected appellant or petitioner with full address for service on other side, so that the appeal or petition could be served before the appeal or petition or interim application is taken up:

Provided, this will not affect the jurisdiction of the Tribunal to pass interim orders in case of urgency.

(2) The caveat shall remain valid for a period of ninety days from the date of its filing.

- 23. Endorsement and Verification.-** At the foot of every petition or appeal or pleading there shall appear the name and signature of the advocate on record, if any, who has drawn the same and also the name of the senior advocate, who may have settled it. Every appeal or petition shall be signed and verified by the party concerned in the manner provided by these rules.
- 24. Translation of document.-** (1) A document other than English language intended to be used in any proceeding before the Appellate Tribunal shall be received by the Registry accompanied by a copy in English, *which is* agreed to by both the parties or certified to be a true translated copy by an advocate engaged on behalf of parties in the case or by any other counsel whether engaged in the case or not or if the counsel engaged in the case authenticates such certificate or prepared by a translator approved for the purpose by the Registrar on payment of such charges as he may order.
- (2) Appeal or petition or other proceeding will not be set down for hearing until and unless all parties confirm that all the documents filed on which they intend to rely are in English or have been translated into English and required number of copies are filed into Tribunal.
- 25. Endorsement and scrutiny of petition or appeal or document.-**(1) The person in charge of the filing-counter shall immediately on receipt of petition or appeal or application or document affix the date stamp of Tribunal thereon and also on the additional copies of the index and return the acknowledgement to the party and he *shall also affix his initials on the stamp affixed on the first page of the copies and* enter the particulars of all such documents in the register after daily filing *and assign a diary number which shall be entered below the date stamp* and thereafter cause it to be sent for scrutiny.
- (2) If, on scrutiny, the appeal or petition or application or document is found to be defective, such document shall, after notice to the party, be returned for compliance and if there is a failure to comply *within seven days from the date of return*, the same shall be placed before the Registrar who may pass appropriate orders.
- (3) The Registrar may for sufficient cause return the said document for rectification or amendment to the party filing the same, and for this purpose may allow to the party concerned such reasonable time as he may consider necessary or extend the time for compliance.
- (4) Where the party fails to take any step for the removal of the defect within the time fixed for the same, the Registrar may, for reasons to be recorded in writing, decline to register the pleading or document.
- 26. Registration of proceedings admitted.-** On admission of appeal or petition or caveat or application, the same shall be numbered and registered in the appropriate register maintained in this behalf and its number shall be entered therein.
- 27. Exparte amendments.-** In every appeal or petition or application, arithmetical, grammatical, clerical and such other errors may be rectified on the orders of the Registrar without notice to Parties.

- 28. Calling for records.-** On the admission of appeal or petition or application the Registrar shall, if so directed by the Tribunal, call for the records relating to the proceedings from the respective Commission or adjudicating authority and retransmit the same at the conclusion of the proceedings or at any time.
- 29. Production of authorization for and on behalf of an association.-** Where an appeal or application or petition or other proceeding purported to be instituted by or on behalf of an association, the person or persons who sign (s) or verify(ies) the same shall produce along with such application, for verification by the Registry, a true copy of the resolution of the association empowering such person(s) to do so:
- Provided that the Registrar may at any time call upon the party to produce such further materials as he deems fit for satisfying himself about due authorization:
- Provided further that it shall set out the list of members for whose benefit the proceedings are instituted.
- 30. Interlocutory applications.-** Every Inter-locutory application for stay, direction, condonation of delay, exemption from production of copy of order appealed against or extension of time prayed for in pending matters shall be in prescribed form and the requirements prescribed in that behalf shall be complied with by the applicant, besides filing a affidavit supporting the application.
- 31. Procedure on production of defaced, torn or damaged documents.-** When a document produced along with any pleading appears to be defaced, torn, or in any way damaged or otherwise its condition or appearance requires special notice, a mention regarding its condition and appearance shall be made by the party producing the same in the Index of such a pleading and the same shall be verified and initialed by the officer authorized to receive the same.

CHAPTER IV

CAUSE LIST

- 32. Preparation and publication of daily cause list.-** (1) The Registry shall prepare and publish on the Notice Board of the Registry before the closing of working hours on each working day the cause list for the next working day and subject to the directions of the Chairperson, listing of cases in the Daily Cause List shall be in the following order of priority, unless otherwise ordered by the concerned Bench; namely;-
- a) cases for “pronouncement of orders”;
 - b) cases for “clarification”;
 - c) cases for “admission”;
 - d) cases for “orders or directions”;
 - e) part-heard cases, latest part-heard having precedence; and
 - f) cases posted as per numerical order or as directed by the Bench;
- (2) The title of the daily cause list shall consist of the number of the appeal or petition, the day, date and time of the court sitting, court hall number and the coram indicating the names of the Chairperson, Judicial member and Technical members constituting the Bench.
- (3) Against the number of each case listed in the daily cause list, the following shall be shown, namely;-

- (a) names of the legal practitioners appearing for both sides and setting out in brackets the rank of the parties whom they represent;
 - (b) names of the parties, if unrepresented, with their ranks in brackets.
- (4) The objections and special directions, if any, of the Registry shall be briefly indicated in the daily cause list in remarks' column, whenever compliance is required.

33. Carry forward of cause list and adjournment of cases on account of non sitting of a Bench.- (1) If by reason of declaration of holiday or for any other unforeseen reason, the Bench does not function for the day, the Daily Cause List for that day shall, unless otherwise directed, be treated as the Daily Cause List for the next working day in addition to the cases already posted for that day.

- (2) When the sitting of a particular Bench is cancelled for the reason of inability of Member (s) of the Bench, the Registrar shall, unless otherwise directed, adjourn the cases posted before that Bench to a convenient date. The adjournment or posting or directions shall be notified on the Notice Board.

CHAPTER-V

RECOR OF PROCEEDINGS

34. Diaries.- Diaries shall be kept by the clerk-in-charge in such form as may be prescribed in each appeal or petition or application and they shall be written legibly. The diary in the main file shall contain a concise history of the appeal or petition or application, the substance of the order(s) passed thereon and in execution proceedings it shall contain a complete record of all proceedings in execution of order or direction or rule and shall be checked by the Deputy Registrar and initialed once in a fortnight.

35. Order sheet.- (1) Order sheet shall be maintained in every proceedings and shall contain all orders passed by the Tribunal from time to time .

- (2) All orders passed by the Tribunal shall be in English and the same shall be signed by the members of the Tribunal constituting the Bench:

Provided that the routine orders, such as call for of the records, put up with records, adjourned and any other order as may be directed by the Member of the Tribunal shall be signed by the Court Master.

- (3) The order sheet shall also contain the reference number of the appeal or petition or application, date of order and all incidental details including short cause title thereof.

36. Maintenance of court diary.- (1) The Court Master of the Bench concerned shall maintain legibly a Court Diary, wherein he shall record the proceedings of the court for each sitting with respect to the applications or petitions or appeals listed in the daily cause list.

- (2) The matters to be recorded in the court Diary shall include details as to whether the case is adjourned, or part-heard or heard and disposed of or heard and orders reserved, as the case may be, along with dates of next sitting wherever applicable.

37. Statutes or citations for reference.- The parties or legal practitioners shall, before the commencement of the proceedings for the day, furnish to the Court Master a list of law journals, reports, statutes and other citations, which may be needed for reference or xerox copy of full text thereof.

38. Calling of cases in court.- Subject to the orders of the Bench, the Court Master shall call the

cases listed in the cause list in the serial order.

39. Regulation of court work.- (1) When the Tribunal is holding a sitting, the Deputy Registrar shall ensure :-

- (a) that no inconvenience or wastage of time is caused to the Bench in making available the services of Court Master or Stenographer or peon or attender;
 - (b) the Court Master shall ensure that perfect silence is maintained in and around the Court Hall and no disturbance whatsoever is caused to the functioning of the Bench and that proper care is taken to maintain dignity and decorum of the court.
- (2) When the Bench passes order or issues directions, the Court Master shall ensure that the records of the case along with proceedings or orders of the Bench are transmitted immediately to the Registry and the Registry shall verify the case records received from the Court Master with reference to the cause list and take immediate steps to communicate the directions or orders of the Bench.

CHAPTER VI

MAINTENANCE OF REGISTERS

40. Registers to be maintained.- The following Registers shall be maintained and posted on a day to day basis by the Registry of the Tribunal by such ministerial officer or officers as the Registrar may, subject to any order of the Chairperson, direct:-

- a) Register of Appeals;
- b) Register of Petitions;
- c) Register of original Petitions;
- d) Register of original special Petitions;
- e) Register of unnumbered Petitions or Appeals;
- f) Register of Caveats lodged; and
- g) Register of *Interlocutory* Applications;

41. Arrangement of records in pending matters.- The record of appeal or petition shall be divided into the following four parts and shall be collated and maintained.

- (a) Main file : (Appeal or Petition being kept separately);
- (b) Miscellaneous application file;
- (c) Process file; and
- (d) Execution file

42. Contents of main file.- The main file shall be kept in the following order and it shall be maintained as permanent record till ordered to be destroyed under the rules:-

- (a) Index;
- (b) Order sheet;
- (c) Final order or judgement;
- (d) Memo of appeal or petition as the case may be together with any schedule annexed thereto;
- (e) Counter or reply or objection, if any;

- (f) (i) Oral evidence or *proof of affidavit*
- (ii) Evidence taken on commission; and
- (iii) Documentary evidence.
- (g) Written arguments.

43. Contents of process file.- The process file shall contain the following items; namely,-

- a. index;
- b. powers of attorney or vakalatnama;
- c. summons and other processes and affidavits relating thereof;
- d. applications for summoning witness;
- e. letters calling records; and
- f. all other miscellaneous papers such as postal acknowledgements

44. Execution file.- The execution file shall contain the following items, namely,-

- a. index;
- b. the order sheet;
- c. the execution application;
- d. all processes and other papers connected with such execution proceedings;
- e. transmission of order to civil court, if ordered; and
- f. result of execution;

45. File for miscellaneous applications.- For all miscellaneous applications there may be only one file with a title page prefixed to it and immediately after the title page, the diary, the miscellaneous applications, supporting affidavit, the order sheet and all other documents shall be filed.

46. Destruction of record.- Record of tribunal, except permanent record, shall be ordered to be destroyed by the Registrar or Deputy Registrar after six years from the final conclusion of the proceedings and if any appeal is filed under Section 125 of the Act, the same shall be destroyed after obtaining prior order of the Chairperson.

For purpose of Rule 46 Permanent record shall include order; appeal register, petition register and such other record as may be ordered to be included by the Chairperson.

CHAPTER-VII

SERVICE OF PROCESS/APPEARANCE OF RESPONDENTS AND OBJECTIONS

47. Issue of notice.- (1) Where notice of an appeal or petition for caveat or inter-locutory application is issued by the Tribunal, copies of the same, the affidavit in support thereof and if so ordered by the Tribunal the copy of other documents filed therewith, if any, shall be served along with the notice on the other side.

- (2) The aforesaid copies shall show the date of presentation of the appeal or petition for caveat or inter-locutory application and the name of the advocate, if any, of such party with his full address for service and the interim order, if any, made thereon.

- (3) The Tribunal may order for issuing notice in appropriate cases and also permit the party concerned for service of said notice on the other side by Dasti and in such case, deliver the notice to such party and it is for such party to file affidavit of service with proof.
- (4) Acknowledgement before the date fixed for return of notice.
- 48. Summons.-** Whenever summons or notice is ordered by private service, the appellant or applicant or petitioner as the case may be, unless already served on the other side in advance, shall arrange to serve the copy of all appeals or petitions or applications by registered post or courier service and file affidavit of service with its proof of acknowledgement before the date fixed for hearing.
- 49. Steps for issue of fresh notice.-** If any notice is returned unserved in the circumstances not specified in rule 47, that fact and the reason thereof shall be notified immediately on the notice board of the Registry. The applicant or petitioner or his advocate shall within seven days from the date of such notification take steps to serve the notice afresh.
- 50. Consequence of failure to take steps for issue of fresh notice.-** Where, after a summon has been issued to the other side, and returned unserved, and the applicant or petitioner or appellant, as the case may be, fails to take necessary steps within a period as ordered by the Tribunal from the date of return of the notice on the respondent(s), the Registrar shall post the case before the Bench for further directions or for dismissal for non prosecution.
- 51. Entries regarding service of notice or process.-** The Judicial Branch of the Registry shall record in the column in the order sheet “Notes of the Registry”, the details regarding completion of service of notice on the respondents, such as date of issue of notice, date of service, date of return of notice, if unserved, steps taken for issuing fresh notice and date of completion of services etc.
- 52. Default of appearance of respondent and consequences.-** Where the respondent, despite effective service of summons or notice on him does not appear before the date fixed for hearing, the Tribunal may proceed to hear the appeal or application or petition ex parte and pass final order on merits.
- Provided that it is open to the Tribunal to seek the assistance of any counsel as it deems fit in case the matter involves intricate and substantial questions of law having wide ramifications.
- 53. Filing of objections by respondent, form and consequences.-** (1) The respondent, if so directed, shall file objections or counter within the time allowed by the Tribunal. The objections or counter shall be verified as an appeal or petition and wherever new facts are sought to be introduced with the leave of the Tribunal for the first time, the same shall be affirmed by a supporting affidavit.
- (2) The respondent, if permitted to file objections or counter in any proceeding shall also file three copies thereof after serving copies of the same on the appellant or petitioner or their Counsel on record or authorized representative, as the case may be.
- 54. Sitting of vacation Bench and posting of cases.-** (1) When the Tribunal is closed for vacation, the vacation Bench shall sit on such days as may be specified by Chairperson or in his absence the seniormost member available.
- (2) During the vacation, only the matters which are required to be immediately or promptly dealt with, shall be received in the Registry and the Registrar on being satisfied about the urgency, shall order registration and posting of such cases.
- (3) Inspection of records may be permitted during the vacation according to the rules.

- (4) Certified copies may also be supplied during the vacation according to the rules.
- (5) Nothing in this rules shall disable the vacation Bench from taking the appeal or petition for final hearing, if so directed by the Bench.

CHAPTER VIII

FEE ON PETITION / APPEAL, PROCESS FEE AND AWARD OF COSTS

- 55. Fee payable on appeal or petition etc.-** (1) Fee for filing appeal or petition either under sub-Section(2) of Section 111 or Section 121, interlocutory application, application, enclosures or annexures, lodging caveat and process fee shall be, as prescribed in the Schedule of fee appended to these rules.
- (2) The fee and process fee shall be deposited by separate demand draft favouring the Pay and Accounts Officer, Ministry of Power payable at New Delhi.
 - (3) The Tribunal may, to advance the cause of justice and in suitable cases, waive payment of such fee or portion thereof, taking into consideration the economic condition or indigent circumstances of the petitioner or appellant or applicant or such other reason, as the case may be.
 - (4) The Central Government shall review the fee prescribed for various purposes after every two years and the Schedule of fee may be amended by a notification.
- 56. Award of costs in the proceedings.-** (1) Whenever the Tribunal deems fit, it may award cost for meeting the legal expenses of the respondent of defaulting party.
- (2) The Tribunal may in suitable cases direct appellant or respondent to bear the cost of litigation of the other side, and in case of abuse of process of court, impose exemplary costs on defaulting party.

CHAPTER IX

INSPECTION OF RECORD

- 57. Inspection of the records.-** (1) The parties to any case or their counsel may be allowed to inspect the record of the case by making an application in writing to the Registrar and fee prescribed therein.
- (2) Subject to such terms and conditions as may be prescribed by the Chairperson by a general or special order, a person who is not a party to the proceeding, may also be allowed to inspect the proceedings after obtaining the permission of the Registrar in writing.
- 58. Grant of inspection.-** Inspection of records of a pending or decided case before the Tribunal shall be allowed only on the order of the Registrar.
- 59. Application for grant of inspection.-** (1) Application for inspection of record under sub-rule (1) and (2) of rule 57, shall be in the form prescribed and presented at the filing counter of the Registry between 10.30 AM and 3.00 PM on any working day and two days before the date on which inspection is sought, unless otherwise permitted by the Registrar.
- (2) The Registry shall submit the application with its remarks before the Registrar, who shall on consideration of the same, pass appropriate orders.
 - (3) Inspection of records of a pending case shall not ordinarily be permitted on the date fixed for hearing of the case or on the preceding day.

- 60. Fee payable for inspection.-** Fee as given in the Schedule of the fees appended to these rules shall be payable by way of Demand Draft or Indian Postal Order to be drawn in favour of the Pay and Accounts Officer, Ministry of Power, New Delhi on any application for inspection of records of a pending or decided case.
- 61. Mode of inspection.-** (1) On grant of permission for inspection of the records, the Deputy Registrar shall arrange to procure the records of the case and allow inspection of such records on the date and time fixed by the Registrar between 10.30 AM and 12.30 PM and between 2.30 PM and 4.30 PM in the immediate presence of an officer authorized in that behalf.
- (2) The person inspecting the records shall not in any manner cause dislocation, mutilation, tampering or damage to the records in the course of inspection.
- (3) The person inspecting the records shall not make any marking on any record or paper so inspected and taking notes, if any, of the documents or records inspected may be done only in pencil.
- (4) The person supervising the inspection, may at any time prohibit further inspection, if in his opinion, any of the records are likely to be damaged in the process of inspection or the person inspecting the records has violated or attempted to violate the provisions of these rules and shall immediately make a report about the matter to the Registrar and seek further orders from the Registrar and such notes shall be made in column (8) of the Inspection Register.
- 62. Maintenance of register of inspection.-** The Deputy Registrar shall cause to maintain a Register for the purpose of inspection of documents or records and shall obtain therein the signature of the person making such inspection on the Register as well as on the application on the conclusion of inspection.

CHAPTER X

APPEARANCE OF LEGAL PRACTITIONER

- 63. Appearance of legal practitioners.-** Subject to as hereinafter provided, no legal practitioner shall be entitled to appear and act, in any proceeding before the Tribunal unless he files into Tribunal a vakalatnama in the prescribed form duly executed by or on behalf of the party for whom he appears.
- 64. Nomination or engagement of another legal practitioner.-** Where a legal practitioner who has filed the Vakalatnama engages or nominates another legal practitioner to appear and argue his client's case but not to act for the client, the Tribunal may permit such other legal practitioner to appear and argue on an oral request being made before commencement of the proceedings.
- 65. Consent for engaging another legal practitioner.-:** A legal practitioner proposing to file a Vakalatnama in any pending case or proceeding before the Tribunal in which there is already a legal practitioner on record, shall do so only with the written consent of the legal practitioner on record or when such consent is refused, with the permission of the Tribunal after revocation of Vakalatnama on an application filed in this behalf, which shall receive consideration only after service of such application on the counsel already on record.
- 66. Restrictions on appearance.-** A legal practitioner who has tendered advice in connection with the institution of any case or other proceeding before the Tribunal or has drawn pleadings in connection with any such matter or has during the progress of any such matter acted for a party, shall not, appear in such case or proceeding or other matter arising therefrom or in any matter con-

nected therewith for any person whose interest is opposed to that of his former client, except with the prior permission of the Tribunal.

- 67. Form and execution of Vakalatnama.-** (1) Every Vakalatnama authorizing a legal practitioner to plead and act shall be in the prescribed Form and the name of the legal practitioner so appointed shall be inserted in the Vakalatnama before it is executed and it shall be dated at the time of its execution and acceptance and its execution shall be attested by an advocate or notary or a gazetted officer serving in connection with the affairs of the Union or of any State in India or a legal practitioner other than the legal practitioner accepting the Vakalatnama.
- (2) The authority attesting the Vakalatnama under sub rule (1) shall certify that it has been duly executed in his presence and subscribe his signature giving his name and designation. Attestation shall be made only after the name of the legal practitioner is inserted in the Vakalatnama before its execution. When a Vakalatnama is executed by a party who appears to be illiterate, blind or not acquainted with the language of the Vakalatnama, the attester shall certify that the Vakalatnama was read, translated and explained in his presence to the executant, in the language known to such executant, that he seemed to understand it and that he signed or affixed his thumb mark in his presence with full knowledge and understanding.
- (3) Every Vakalatnama shall contain an endorsement of acceptance by the legal practitioner in whose favour it is executed and shall also bear his address for service and if the Vakalatnama is in favour of more than one legal practitioner, it shall be signed and accepted by all of them, giving the address for service of any one of them.
- 68. Restriction on party's right to be heard.-** The party who has engaged a legal practitioner to appear for him before the Tribunal shall not be entitled to be heard in person unless permitted by the Tribunal.
- 69. Professional dress for the advocate.-** While appearing before the Tribunal, the Advocate shall wear the same professional dress as prescribed for appearance before the Court or wear a coat with a tie or a close coat.

CHAPTER XI

AFFIDAVITS

- 70. Title of affidavits.-** Every affidavit shall be titled as "In the Appellate Tribunal for Electricity." followed by the cause title of the application or other proceeding in which the affidavit is sought to be used.
- 71. Form and contents of the affidavit.-** The affidavit shall conform to the requirements of order XIX, rule 3 of Civil Procedure Code, 1908 (5 of 1908).
- 72. Persons authorized to attest.-** Affidavits shall be sworn or affirmed before any Judicial Magistrate or Civil Judge or Registrar and Deputy Registrar of the Tribunal or Notary or District Registrar or Sub-Registrar, who shall affix his official seal or the Chief Ministerial Officer of any civil or criminal court in the state or any advocate.
- 73. Affidavits of illiterate, blind persons.-** Where an affidavit is sworn or affirmed by any person who appears to be illiterate, blind or unacquainted with the language in which the affidavit is written, the attester shall certify that the affidavit was read, explained or translated by him or in his presence to the deponent and that he seemed to understand it, and made his signature or mark in the presence of the attester in Form No. VIII.

- 74. Identification of deponent.-** If the deponent is not known to the attesor, his identity shall be testified by a person known to him and the person identifying shall affix his signature in token thereof.
- 75. Annexures to the affidavit.-** Document accompanying an affidavit shall be referred to therein as Annexure number and the attesor shall make the endorsement thereon that this is the document marked putting the Annexure number in the affidavit. The attesor shall sign therein and shall mention the name and his designation.

CHAPTER XII DISCOVERY, PRODUCTION AND RETURN OF DOCUMENTS

- 76. Application for production of documents, form of summons.-** (1) Except otherwise provided hereunder, discovery or production and return of documents shall be regulated by the provisions of the Code of Civil Procedure, 1908.
- (2) An application for summons to produce documents shall be on plain paper setting out the document/s the production of which is sought, the relevancy of the document/s and in case where the production of a certified copy would serve the purpose, whether application was made to the proper officer and the result thereof.
- (3) A summons for production of documents in the custody of a public officer other than a court shall be in Form No. IX and shall be addressed to the concerned Head of the Department or such other authority as may be specified by the Tribunal.
- 77. Suo motu summoning of documents.-** Notwithstanding anything contained in these rules, the Tribunal may, suo motu, issue summons for production of public document or other documents in the custody of a public officer.
- 78. Marking of documents.-** (1) The documents when produced shall be marked as follows :
- (a) If relied upon by the appellant's or petitioner's side, they shall be numbered as 'A' series.
- (b) If relied upon by the respondent's side, they shall be marked as 'B' series.
- (c) The Tribunal exhibits shall be marked as 'C' series.
- (2) The Tribunal may direct the applicant to deposit in Tribunal by way of Demand Draft or Indian Postal Order drawn in favour of the Pay and Accounts Officer, Ministry of Power, New Delhi, a sum sufficient to defray the expenses for transmission of the records before the summons is issued.
- 79. Return and transmission of documents.-** (1) An application for return of the documents produced shall be numbered. No such application shall be entertained after the destruction of the records.
- (2) The Tribunal may, at any time, direct return of documents produced subject to such conditions as it deems fit.

CHAPTER XIII EXAMINATION OF WITNESSES AND ISSUE OF COMMISSIONS

- 80. Procedure for examination of witnesses, issue of Commissions. -** The provisions of the Orders XVI and XXVI of the Code of Civil Procedure, 1908, shall mutatis mutandis apply in the matter of summoning and enforcing attendance of any person and examining him on oath and issuing commission for the examination of witnesses or for production of documents.

- 81. Examination in camera.-** The Tribunal may in its discretion examine any witness in camera.
- 82 Form of oath or affirmation to witness.-** Oath shall be administered to a witness in the following form :
- “ I do swear in the name of God/solemnly affirm that what I shall state shall be truth, the whole truth and nothing but the truth”.
- 83. Form of oath or affirmation to interpreter.-** Oath or solemn *affirmation shall be administered to the Interpreter in the following form before his assistance is taken for examining a witness :*
- “I do swear in the name of God/solemnly affirm that I will faithfully and truly interpret and explain all questions put to and evidence given by witness and translate correctly and accurately all documents given to me for translation.”
- 84. Officer to administer oath.-** The oath or affirmation shall be administered by the Court Officer or the Commissioner of Oaths.
- 85. Form recording of deposition.-** (1) The Deposition of a witness shall be recorded in Form No. X.
- (2) Each page of the deposition shall be initialed by the Members constituting the Bench.
- (3) Corrections, if any, pointed out by the witness may, if the Bench/Commissioner is satisfied, be carried out and duly initialed. If not satisfied, a note to the effect be appended at the bottom of the deposition.
- 86. Numbering of witnesses.-** The witnesses called by the applicant or petitioner shall be numbered consecutively as PWs and those by the respondents as RWs.
- 87. Grant of discharge certificate.-** Witness discharged by the Tribunal may be granted a certificate in Form No. XI by the Registrar.
- 88. Witness batta payable.-** (1) Where the Tribunal issues summons to a Government servant to give evidence or to produce documents, the person so summoned may draw from the Government traveling and daily allowances admissible to him as per rules.
- (2) Where there is no provision for payment of TA and DA by the employer to the person summoned to give evidence or to produce documents, he shall be entitled to be paid as batta, (a sum found by the Registrar sufficient to defray the traveling and other expenses), having regard to the status and position of the witness. The party applying for the summons shall deposit with the Registrar the amount of batta as estimated by the Registrar well before the summons is issued. If the witness is summoned as a court witness, the amount estimated by the Registrar shall be paid as per the directions of the Tribunal.
- (3) The aforesaid provisions would govern the payment of batta to the interpreter as well.
- 89. Records to be furnished to the commissioner. -** The Commissioner shall be furnished by the Tribunal with such of the records of the case as the Tribunal considers necessary for executing the Commission. Original documents will be furnished only if a copy does not serve the purpose or cannot be obtained without unreasonable expense or delay. Delivery and return of records shall be made under proper acknowledgement.
- 90. Taking of specimen handwriting, signature etc.. -**The Commissioner may, if necessary, take specimen of the handwriting, signature or fingerprint of any witness examined before him.

CHAPTER XIV

PRONOUNCEMENT OF ORDERS

- 91. Order.-** The final decision of the Tribunal on an application/petition before the Tribunal shall be described as Judgement.
- 92. Operative portion of the order.-**All orders or directions of the Bench shall be stated in clear and precise terms in the last paragraph of the order.
- 93. Corrections.-** The Member of the Bench who has prepared the order shall initial all corrections and affix his initials at the bottom of each page.
- 94. Pronouncement of order.-** (1) The Bench shall as far as possible pronounce the order immediately after the hearing is concluded.
- (2) When the orders are reserved, the date for pronouncement of order shall be notified in the cause list which shall be a valid notice of intimation of pronouncement.
- (3) Reading of the operative portion of the order in the open court shall be deemed to be pronouncement of the order.
- (4) Any order reserved by a Circuit Bench of the Tribunal may also be pronounced at the principal place of sitting of the Bench in one of the aforesaid modes as exigencies of the situation require.
- 95. Pronouncement of order by any one member of the bench.-** (1) Any Member of the Bench may pronounce the order for and on behalf of the Bench.
- (2) When an order is pronounced under this rule, the Court Master shall make a note in the order sheet, that the order of the Bench consisting of Chairperson and Members was pronounced in open court on behalf of the Bench consisting of Two/Three Members.
- 96. Authorizing any member to pronounce order.-** (1) If the Members of the Bench who heard the case are not readily available or have ceased to be Members of the Tribunal, the Chairperson may authorize any other Member to pronounce the order on his behalf after being satisfied that the order has been duly prepared and signed by all the Members who heard the case. The order pronounced by the Member so authorized shall be deemed to be duly pronounced.
- (2) The Member so authorized for pronouncement of the order shall affix his signature in the order sheet of the case stating that he has pronounced the order as provided in this rule.
- (3) If the order cannot be signed by reason of death, retirement or resignation or for any other reason by any one of the Members of the Bench who heard the case, it shall be deemed to have been released from part-heard and listed afresh for hearing.
- 97. Making of entries by Court Master.-** Immediately on pronouncement of an order by the Bench, the Court Master shall make necessary endorsement on the case file regarding the date of such pronouncement, the nature of disposal and the constitution of the Bench pronouncing the order and he shall also make necessary entries in the court diary maintained by him.
- 98. Transmission of order by the Court Master.-** (1) The Court Master shall immediately on pronouncement of order, transmit the order with the case file to the Deputy Registrar..
- (2) On receipt of the order from the Court Master, the Deputy Registrar shall after due scrutiny, satisfy himself that the provisions of these rules have been duly compiled with and in token thereof affix his initials with date on the outer cover of the order. The Deputy Registrar shall

thereafter cause to transmit the case file and the order to the Registry for taking steps to prepare copies and their communication to the parties.

- 99. Format of order.-** (1) All orders shall be neatly and fairly typewritten in double space on one side only on durable foolscap folio paper of metric A-4 size (30.5 cm long and 21.5 cm wide) with left side margin of 5 cm and right side margin of 2.5 cm. Corrections, if any, in the order shall be carried out neatly. Sufficient space may be left both at the bottom and at the top of each page of the order to make its appearance elegant.
- (2) Members constituting the Bench shall affix their signatures in the order of their seniority from right to left.
- 100. Indexing of case files after disposal.-** After communication of the order to the parties or legal practitioners, the official concerned shall arrange the records with pagination and prepare in the Index Sheet in Form no. to be prescribed by the Tribunal. He shall affix initials and then transmit the records with the Index initials to the records room.
- 101. Transmission of files or records or orders.-** Transmission of files or records of the cases or orders shall be made only after obtaining acknowledgement in the movement register maintained at different Sections or levels as per the directions of the Registrar.
- 102. Copies of orders in library.-** (1) The officer in charge of the Registry shall send copies of every order (final) to the library.
- (2) Copies of all orders received in each month shall be kept at the library in a separate folder, arranged in the order of date of pronouncement, duly indexed and stitched.
- (3) At the end of every year, a consolidated index shall also be prepared and kept in a separate file in the library.
- (4) The order folders and the indices may be made available for reference in the library to the legal practitioners.

CHAPTER XV

SUPREME COURT ORDERS

- 103. Register of SLPs/Appeal.-** (1) A Register in Form no. XII shall be maintained in regard to SLPs or Appeals against the orders of the Tribunal to the Supreme Court and necessary entries therein be promptly made by the Judicial Branch.
- (2) The register shall be placed for scrutiny by the Chairperson in the first week of every month.
- 104. Placing of Supreme Court orders before Tribunal.-** Whenever an interim or final order passed by the Supreme Court of India in an appeal or other proceeding preferred against a decision of the Tribunal is received, the same shall forthwith be placed before the Chairperson / Members for information and kept in the relevant case file. Immediate attention of the Registrar shall be drawn to the directions requiring compliance.
- 105. Registrar to ensure compliance of Supreme Court orders.-** It shall be the duty of the Registrar to take expeditious steps to comply with the directions of the Supreme Court.

CHAPTER XVI

MISCELLANEOUS

- 106. Filing through electronic media.-** The Tribunal may allow filing of appeal or petition or application through electronic media such as online filing and provide for rectification of defects by e- mail or net and in such filing, these rules shall be adopted as nearly as possible on and from a date to be notified separately and the Chairperson may issue instructions in this behalf from time to time.
- 107. Removal of difficulties and issue of directions.-** Notwithstanding anything contained in the rules, wherever the rules are silent or no provision is made, the Chairperson may issue appropriate directions to remove difficulties and issue such orders or circulars to govern the situation or contingency that may arise in the working of the Tribunal.

SCHEDULE

(FEES)

The fee payable shall be

- | | | |
|--------|--|--------------------|
| (i) | in respect of appeal under sub(2) of Section 111 of the Act where the respondents <i>are four or less</i> Rs. One lakh and where Respondents exceed four, an additional fee of Rs.10,000/- shall be paid for each respondent | ... |
| (ii) | For petition under Section121 of the Act, if the Respondents are four or less Rs. One lakh And <i>where</i> Respondents exceed four, Additional Fee of Rs. 10,000/- for each respondent | ... |
| (iii) | If proceedings are instituted by more than one Appellants/Petitioners, or association fee payable on such Appeal/petition | ... Rs. 1,00,000/- |
| (iv) | Review petition fee | ... Rs.30,000/- |
| (v) | Execution Petition | ... Rs.5,000/- |
| (vi) | Transmission of order or <i>direction</i> to Civil Court for execution. | ... Rs.3,000/- |
| (vii) | For lodging caveat | ... Rs.3000/- |
| (viii) | Interlocutory application | ... Rs.1000/- |
| (ix) | Vakalat/authorization Court fee payable | ... Rs. 25/- |
| (x) | Copying charges for furnishing certified copy – per page | ... Rs. 25/- |
| (xi) | One time process fee payable with each appeal/ petition/interlocutory application/every proceeding instituted. | ... Rs.2000/- |
| (xii) | Inspection Fee | ... Rs. 500/- |
| (xiii) | Enclosure/Annexure Court fee | ... Rs. 25/- |

FORM-I
{ See Rule 20 }

Memorandum of Appeal Preferred under Sub-Section 1 and 2 of Section 111

of The Electricity Act, 2003

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
AT NEW DELHI**

APPELLATE JURISDICTION

APPEAL NO. ____ OF 200

CAUSE TITLE

Between

A.B. Appellant (s)

And

C.D. Respondent(s)

[including appropriate commission/adjudicating officer]
(with short address)

1. Details of Appeal

[appeal under Sectionof the Electricity Act, 2003 against impugned order of the (adjudicating officer/appropriate commission) datedpassed under Section of the Electricity Act, 2003.

2. Date on which the order appealed against is communicated and proof thereof, if any.

3. The address of the appellant for service is as set out hereunder:

- i) Postal address including PIN code
- ii) Phone number including mobile number.
- iii) E-mail
- iv) Fax No.
- v) Address of Counsel with Phone No., Fax No., e-mail

4. The address of the respondents for service of all notices in the appeal are as set out hereunder :

- i) Postal address including PIN code
- ii) Phone number
- iii) E-mail
- iv) Fax Number
- v) Mobile Number
- vi) Address of Counsel with Phone number, Fax number, e-mail and mobile number.

5. Jurisdiction of the Appellate Tribunal

The appellant declares that the subject matter of the appeal is within the jurisdiction of this Tribunal.

6. Limitation

The Appellant/s declare that the appeal is within the period specified in Sub-Section (2) of Section 111 of the Act. (Explain how the appeal is within the period prescribed in case the appeal is preferred after the expiry of 45 days from the date of order/direction/decision against which this appeal is preferred). In case the appeal barred by limitation, the number of days of delay should be given along with interlocutory application for condonation of delay.

7. Facts of the case

The facts of the case are given below :

(give here a concise statement of facts in a chronological order followed by elaboration of issues including the question of law arising in the appeal. Each paragraph should deal with, as far as possible a separate issue.)

8. Formulate (i) the facts in issue or specify the dispute between the parties and (ii) summarize the questions of law that arise for consideration in the appeal :

(a) Facts in issue

(b) Question of law

9. Grounds raised with legal provisions

10. Matters not previously filed or pending with any other court

The appellant further declares that the appellant had not previously filed any writ petition or suit regarding the matter in respect of which this appeal is preferred before any court or any other authority nor any such writ petition or suit is pending before any of them.

[In case the appellant previously had filed any such writ petition or suit, the stage at which it is pending and, if decided, the outcome of the same should be specified and a copy of the order should also be annexed].

11. Specify below explaining the grounds for such relief (s) and the legal provisions, if any, relied upon.

12. Details of Interim Application, if any, preferred along with appeal.

13. Details of appeal/s, if any preferred before this Appellate Tribunal against the same impugned order/direction, by Respondents with numbers, dates... and interim order, if any passed in that appeal (if known).

14. Details of Index

[An index containing the details of the documents in chronological order relied upon is enclosed].

15. Particulars of fee payable and details of bank draft in favour of Pay and Accounts Officer, Ministry of Power, New Delhi.

In respect of the fee for appeal.

Name of the Bank _____ Branch _____ payable at Delhi. DD No. _____ Date.

16. List of enclosures :

- 1.
- 2.
- 3.
- 4.

17. Whether the order appealed as communicated in original is filed ? If not, explain the reason for not filing the same.

18. Whether the appellant/s is ready to file written submissions/arguments before the first hearing after serving the copy of the same on Respondents.

19. Whether the copy of memorandum of appeal with all enclosures has been forwarded to all respondents and all interested parties, if so, enclose postal receipt/courier receipt in addition to payment of Prescribed process fee.

20. Any other relevant or material particulars / details which the appellant(s) deems necessary to set out :

21. Reliefs Sought

In view of the facts mentioned in para 7 above, points in dispute and questions of law set out in Para 8, the appellant prays for the following relief (s) :

- a)
- b)
- c)

Dated at _____ this _____ day of _____ 200 .

Counsel for Appellant(s)

Appellant (s)

DECLARATION BY APPELLANT

The appellant(s) above named hereby solemnly declare (s) that nothing material has been concealed or suppressed and further declare(s) that the enclosures and typed set of material papers relied upon and filed herewith are true copies of the original(s)/fair reproduction of the originals / true translation thereof.

Verified at _____ on this at _____ day of _____ 200 .

Counsel for Appellant (s)

APPELLANT(S)

Verification

I _____(Name of the appellant) S/o. W/o. D/o. [indicate any one, as the case may be] _____age_____working as _____in the office of _____resident of _____do hereby verify that the contents of the paras _____to _____are true to my personal knowledge/derived from official record) and para _____to _____are believed to be true on legal advice and that I have not suppressed any material facts.

Date :

Place :

Signature of the appellant or authorized officer

FORM - II
[See Rule 20]

Petition under Sections 121/111 (6) of the Electricity Act 2003

Before the Appellate Tribunal for Electricity, New Delhi
(Original Jurisdiction)

Original/Original Special Petition No.....of 200

Between

A.B. Petitioner(s)

And

C.D. Respondent(s)

[including appropriate commission/adjudicating officer]

(with address)

The petitioner/s above named beg/s to prefer this original petition for issue of orders or instructions or directions under Section 121 of the Electricity Act and state as follows :

1. The address for service on the petitioner is
2. The address for service on Respondent/s appropriate commission/adjudicating officer is / are.....
3. Whether direction/order/rule/instruction sought for is within jurisdiction of the Tribunal under Section 121.

Set out the details and explain the circumstances under which the present original petition is being moved.

4. Set out the details of representations/demands made on the Respondent appropriate Commission and reply/order is any received.
5. Set out the grievance or prejudice caused to the petitioner and consequences of not issuing directions/orders/instructions prayed for.
6. Set out the basis of claims, legal contentions/grounds based on which reliefs are sought for.
7. Whether proceedings, if any already instituted before other forums and the result of the proceedings.
8. Whether any other remedy is available under the Electricity Act 2003 or any other Statutory Provision of Law or Rule, If so, why not invoked.

(set out in detail)

9. Whether petition in respect of reliefs prayed for any proceeding in pending before the Appellate Tribunal at the instance of Respondents / or any other third party.
10. Particulars of fee payable and details of bank draft in favour of the Pay and Accounts Officer, Ministry of Power, New Delhi.

In respect of the fee for appeal.

Name of the Bank _____ Branch _____ payable _____

1. DD No. _____ dated
- 2.
11. List of enclosures and copies filed :
 - 1.
 - 2.
 - 3.
12. Whether the copy of memorandum of petition with all enclosures has been forwarded to all respondents and all interested parties, if so, enclose postal receipt/comer receipt in addition to payment of process fee as prescribed by the rules.
13. Any other material particular which the Petitioner deems relevant for the petition may also be set out.
14. Relief sought for :
 - a)
 - b)
 - c)

Dated at _____ this day _____ of 200 .

Counsel for Petitioner

Petitioner

DECLARATION

The petitioner (s) above named hereby solemnly declare (s) that nothing material has been concealed or suppressed and further declare that the enclosures and typed set of material papers relied upon and filed herewith are original and fair reproduction of originals or true translation thereof.

Verified at _____ dated at _____ this day _____ of ____200 .

Counsel for Petitioner(s)

Petitioner (s)

VERIFICATION

I _____(Name of the petitioner) S/o.W/o.D/o. (indicate any one, as the case may be) _____age _____working as _____ in the office of _____resi-
dent of _____ do hereby verify that the contents of the paras _____to
_____are true to my personal knowledge / derived from official record) and para
_____ to _____are believed to be true on legal advice and that I have not suppressed any
material facts.

Date :

Place :

Signature of the Petitioner or authorized officer

FORM - III
[See Rule 20]

INTERLOCUTORY APPLICATION
BEFORE THE APPELLATE TRIBUNAL FOR ELECTRICITY

IA NO. _____ OF 200

In

Appeal/Original Petition No. _____ of 200 .

CAUSE TITLE

Set out the Appeal No _____ of 200

Appeal / Petition short cause title

Set out the 1. Appeal No _____ 200

Cause Title – Interlocutory Application

Petition for stay/direction/dispense with/condone delay/calling records

The applicant above named state/s as follows :

1. Set out the relief (s)
2. Brief facts
3. Basis on which interim orders prayed for
4. Balance of convenience, if any :

(All interlocutory applications shall be supported by an affidavit sworn by the Applicant/on its behalf and attested by a Notary Public).

DECLARATION

The applicant above named hereby solemnly declare that nothing material has been concealed or suppressed and further declare that the enclosures and typed set of material papers relied upon and filed herewith are true copies of the originals or fair reproduction of the originals or true translation thereof.

Verified at _____ dated at _____ this day _____ of _____ 200 .

Counsel for Applicant

Applicant

VERIFICATION

I _____(Name of the applicant) S/o.W/o.D/o. (indicate any one, as the case may be) _____age _____working as _____ in the office of _____resi-
dent of _____ do hereby verify that the contents of the paras _____to
_____are true to my personal knowledge / derived from official record) and para
_____ to _____are believed to be true on legal advice and that I have not suppressed any
material facts.

Date :

Place :

Signature of the Appellant/Petitioner or authorized officer

CAVEAT PETITION IV
FORM [See Rule 22]
Memorandum of Caveat
Before the Appellate Tribunal for Electricity
(Caveat No. ___ of 200)
CAUSE TITLE

Between

AB..... Caveat or

And

CD Expected Appellant/Petitioner

1. Set out details of the order against which appeal/application/petition is expected, in the matter of dispute between AB and CD.
2. a) Address for service on the caveator
b) Address for service on the Counsel for the caveator
3. Specify the authority who passed the order with reference number and date (enclose copy of order appealed against).
4. Set out the details of expected Appellant (s)/Petitioner (s)
With address (i)
(ii)
(iii)
5. Prayer : Let no orders be passed in the appeal expected to be filed or any interlocutory application that may be preferred by the expected Appellant/Petitioner without service of notice on the caveator.

The caveator undertakes to accept service of appeal or petition or application and appear before this Tribunal on the date and time at which the appeal/petition/application is moved by Respondent/expected appellant/petitioner.

Dated at New Delhi _____ Day _____ of (Month) 200 .

Counsel for Caveator

Caveator

Verification

The caveator above named state and verify that the contents of this caveat lodged are true and correct.

Verified at New Delhi on

This _____ day of _____ 200 .

Caveator

FORMNO. V
[See Rule 57]
Pending/Disposed of

APPELLATE TRIBUNAL FOR ELECTRICITY

_____ **BENCH**

Application No. _____ in _____ of 200 _____

Applicant/s/3rd party/Appellant/Petitioner

vs

Respondent/s

Application for Inspection of Documents/Records under Rule 57

I hereby apply for grant of permission to inspect the documents/records in the above case.
The details are as follows :-

1. Name and address of the person seeking inspection :
2. Whether he is a party to the case/his Legal Practitioner and if so, his rank therein.
3. Details of the papers/documents sought to be inspected.....
4. Reasons for seeking the Inspection
5. The date and duration of the inspection sought for
6. Whether fee is paid and if so, the mode of payment.....
7. If a third party, whether a vakalat has been filed with Court Fee Stamp

Verification :

I..... state that the above facts are true and correct.

Place :

Date :

Applicant

Office Use :

Granted inspection for _____ hours on _____/rejected.

Registrar

APTEL.....

Endorsement after inspection:

I....., the applicant above named inspected the documents/records on in the presence of Mr.....betweentoHrs on and inspection is completed/concluded.

Datedday... 2006.

Applicant/Counsel

Form No. VI
[See Rule 67]

FORM OF VAKALATHNAMA

APPELLATE TRIBUNAL FORELECTRICITY

_____ BENCH

Appeal/Petition /No. _____ of 200_____

Appellant/s

vs

Respondent/s

I,Appellant No...../Respondent No..... in the above appeal/petition do hereby appoint and retain Shri

.....Advocate/s to appear, plead and act for me/us in the above appeal/petition and to conduct and prosecute all proceedings that may be taken in respect thereof and applications for return of documents, enter into compromise and to draw any moneys payable to me/us in the said proceeding and also to appear in all applications for review and for leave to the Supreme Court of India in all applications for review of judgement.

Place :

Signature of the Party

Date :

Executed in my presence.

“Accepted”

*Signature with date
(Name and Designation)

*Signature with date
(Name and Designation)

(Address for service on the Counsel for

Appellant/Respondent. Furnish

Full Address.....

Phone No

Fax No.

* The following certification to be given when the party is unacquainted with the language of the vakalat or is blind or illiterate:-

The contents of the vakalatnama were truly and audibly read over/translated into..... language known to the party executing the vakalatnama and he seems to have understood the same.

Signature with date

(Name and Designation)

Form No. VII
[See Rule 70]

APPELLATE TRIBUNAL FOR ELECTRICITY

BENCH

Appeal/Petition/ /NO. _____ of 200_____ Appellant/Applicant

vs

Respondent/s

AFFIDAVIT

I,aged.....years, son/daughter/wife of
.....(name and occupation of the deponent).....
residing at (Full address)..... do hereby swear in the name of God solemnly
affirm and state as follows :

- Para. 1
- Para. 2
- Para. 3

.....
.....
.....

Contents of Paragraphs Nos. are within my personal knowledge and contents of Paragraphs Nos. are based on information received by me which I believe the same to be true (state the source of information wherever possible and the grounds for belief, if any).

.....
.....

Place :
Date :

Signature of the Deponent
Name in Block Letters

No. of corrections on page nos.

Identified by :

Before me

*.....

Sworn/solemnly affirmed before me on this theday of ...200.....

Signature

(Name and Designation of the
Attesting Authority with Seal)

*To add endorsement in Form No.
when necessary

APPELLATE TRIBUNAL FOR ELECTRICITY

FORMNO. VIII

[See Rule 73]

Certification when deponent is unacquainted with the language of the affidavit or is blind or illiterate.

Contents of the affidavit were truly and audibly read over/translated into language known to the deponent and he seems to have understood the same and affixed his LTI/ Signature/Mark.

(Signature)

Name and designation with date.

FORMNO.IX
[See Rule 77]

APPELLATE TRIBUNAL FOR ELECTRICITY
..... BENCH

Appeal/Petition No..... OF 200.....

Between

..... Appellant/Petitioner

(By Advocate Shri.....)

and

..... Respondent/s

(By Advocate Shri.....)

Under Section 120 of Electricity Act 2003 r/w C.P.C.

Whereas the Tribunal suo motu or on consideration of the request made by Shri (Appellant/Petitioner No.) having been satisfied that production of the following documents/records under your control/custody is necessary for proper decision of the above case, you are hereby directed to cause production of the said documents/records before this Tribunal /forward duly authenticated copies thereof on or before theday of.....200.....

(Enter description of documents requisitioned)

“By Order of Tribunal “
Registrar

Date :

FORM NO. X
[See Rule 85]

APPELLATE TRIBUNAL FOR ELECTRICITY
..... BENCH

Appeal/Petition No..... of 200.....

Deposition of PW/RW

- 1. Name :
- 2. Father's/Mother's/Husband's Name :
- 3. Age :
- 4. Occupation :
- 5. Place of Residence and address :
- 6. Name of the Officer administering the
Oath / affirmation :
- 7. Name of the Interpreter if any, duly
Sworn/ solemnly affirmed :

Duly sworn/ solemnly/ affirmed

Examination-in-chief : By

Date :

.....
.....

Cross examination : By

.....
.....

Re-examination, if any:

.....

(Signature of the witness on each page)

Statement of witness as recorded was read over/translated to the witness, who admitted it to be correct.

Signature of the Member of the Tribunal with date

FORMNO.XI
[See Rule 87]
CERTIFICATE OF DISCHARGE

Certified that..... appeared before this Tribunal as a witness/in/
No.of 20....., on behalf of the appellant/petitioner/respondent/as Court witness on
thisday of200..... and that he was relieved aton.....
He was paid/not paid any T.A. and D.A./Batta of Rs.....

Date :
(Seal of the Tribunal)

Signature of the Registrar

FORMNO.XII
[See Rule 103]

APPELLATE TRIBUNAL FOR ELECTRICITY

.....BENCH

REGISTER OF SLPs/APPEALS TO SUPREME COURT

Sl. No	No. of SLP/ appeal Before the Supreme Court	No. of the case appealed against	Name of the Applicant/ Respondent	Date of dis-patch Of records to SC	Date of receipt of records from SC	SLP dismissed/ allowed with date	Interim Direction If any, with date	Final order In the appeal with date	Direct-ion If any, for compli-ance by the Tribunal	Steps Taken for compli-ance	Remarks

[F.No. 46/6/2005-R&R]
AJAY SHANKAR, Addl. Secy


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EXTRAORDINARY – PART II – Section 3 – Sub-section (i)
GOVERNMENT OF INDIA
MINISTRY OF POWER

New Delhi, the 19th March, 2007

NOTIFICATION

G.S.R. 211(E). - In exercise of the powers conferred by clause (2) and (3) of Section 89 of the Electricity Act, 2003 (36 of 2003) the Central Government hereby makes the following rules, namely:

1. **Short title and commencement.** - (1) These rules may be called the Joint Electricity Regulatory Commission for [the State of Goa and]¹ Union Territories except Delhi (Salary, Allowances and other Conditions of Service of Chairperson and Members) Rules, 2007.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** - (1) In these rules unless the context otherwise requires,-
 - (a) "Act" means the Electricity Act, 2003; and
 - (b) "Commission" means Joint Electricity Regulatory Commission for Union Territories.
(2) Words and expressions used herein and not defined but defined in the act, shall have the meanings respectively assigned to them in the Act.
3. **Oath of office and secrecy.** - The Chairperson and Member of the Commission shall, before entering upon his office, subscribe to an oath of office and secrecy before the Minister-in-charge of the Ministry of Power. The oath of office and secrecy shall be administered in the following form:

Oath of Secrecy

I,.....do swear in the name of God and solemnly affirm that I shall not directly or indirectly, communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as Chairperson/Member of the Joint Electricity Regulatory Commission for Union Territories except Delhi, except as may be required for the due discharge of my duties as such Chairperson /Member.

Oath and affirmation of allegiance to Constitution

I,.....having been appointed Chairperson/Member of the Joint Electricity Regulatory Commission for Union Territories except Delhi, do swear in the name of God and solemnly affirm that I shall bear true faith and allegiance to the Constitution of India as by law established, that I shall uphold the sovereignty and integrity of India, that I shall duly and faithfully and to the best of my ability, knowledge and judgement perform the duties of my office without fear or favour, affection or ill will and that I will uphold the Constitution and the laws of the land.

4. **Pay.** - The Chairperson and the Members of the Joint Commission shall be entitled to receive pay, as admissible to Secretary to the Government of India.

¹ Substituted vide Amendment Rules, 2021 w.e.f. 13.07.2021.

Provided that if the Member is a retired Additional Secretary to the Government of India or equivalent or of any rank below, he shall be entitled to receive the pay as admissible to an Additional Secretary or the pay that an officer of the same rank as his at retirement would draw, whichever is lower:

Provided further that in case a person appointed as the Chairperson or Member is in receipt of pension from-

- (a) Union Government including Railways, Defence, Posts and Telecommunication; or
- (b) State Governments and Union territory Administrations; or
- (c) Public sector undertakings, local bodies, autonomous bodies like Universities or semi-Government organisations like Port Trusts;

the pay of such person shall be reduced by the gross amount of pension drawn by him:

Provided also that the Chairperson or Member shall be entitled to receive allowances on the original basic pay before such fixation of pay.]²

5. **Dearness allowance and city compensatory allowance.** - The Chairperson and Member shall be entitled to receive dearness allowance and city compensatory allowance, and other allowances at the rate admissible to a Group 'A' Officer of the Central Government drawing an equivalent pay:
6. **Leave.** - The Chairperson or Member shall be entitled to thirty days earned leave for every year of service. The payment of leave salary, during leave, shall be governed under the provisions of rule 40 of Central Civil Services (Leave) Rules, 1972.
7. **Leave sanctioning authority.** - In the case of the Chairperson, the Minister-in-charge of the Ministry of Power, and in the case of Member, the Chairperson, shall be the leave sanctioning authority.
8. **Provident Fund.** - The Chairperson and Member shall be governed by the provisions of the Contributory Provident Fund (India) rules, 1962 and no option to subscribe under the provisions of the General Provident Fund Rules (Central Services), 1960 shall be available. Additional pension and gratuity shall not be admissible for service rendered in the Commission.
9. **Travelling allowances.** - (1) The Chairperson and Member while on tour within India or for the journey undertaken by self and family to join the Commission or on the expiry of term with the Commission to proceed to his home town with family shall be entitled to the journey allowance, daily allowance and transportation of personal effects at the same scales and at the same rates as are applicable to a Group 'A' Officer of the Central Government drawing an equivalent pay.
(2) Foreign tours to be undertaken by the Chairperson or Member shall require prior approval of the Minister-in-charge of the Ministry of Power and of the Screening Committee of the Secretaries and clearance from the Ministry of External Affairs from political angle and from the Ministry of Home Affairs for acceptance of foreign hospitality, if any, under the provisions of the Foreign Contribution (Regulation) Act, 1976:
Provided that the daily allowance and provision for hotel accommodation during the period of tour abroad, shall be in accordance with such orders of the Central Government as are applicable to a Group "A" officer of the Central Government, drawing an equivalent pay and as per the economy instructions or other instructions issued by the Ministry of Finance from time to time.
10. **Leave travel concession.** - The Chairperson and Member shall be entitled to leave travel concession at the same scale and at the same rate as applicable to Group 'A' Officers of the Central Government drawing an equivalent pay.
11. **Accommodation.** - (1) The Chairperson and Member shall be entitled for House Rent Allowance for residence located at the headquarter of the Joint Commission at the rate as applicable in the case of a Central Government officer drawing equivalent pay.
(2) In the case of a leased accommodation, the entitlement shall be determined by the Central Government keeping in view the entitlements of the Chairman and Managing Director of a Schedule "A" public sector enterprise in terms of plinth area and rental ceiling specified by the

² Substituted vide Amendment Rules, 2021 w.e.f. 13.07.2021.

Department of Public Enterprises from time to time and Also taking into consideration the market rent and plinth area specified by the Ministry of Urban Development for Type VI accommodation:

Provided that for such leased accommodation which is according to and within the entitlement of the Chairperson or the Member, the standard license fee shall be the same as in the case of a Group "A" officer of the Central Government drawing an equivalent pay:

Provided further that for leased accommodation which is higher than the entitlement, recovery at the rate of ten per cent of the basic pay i.e., without deducting pension shall be made from the salary of the Chairperson or Member, as the case may be.

- 12. Transport.** - The Chairperson and Members shall be allowed the option to make use of an official vehicle or reimbursement of such amount as may be fixed by the Central Government from time to time in respect of a Group "A" officer of the Central Government drawing an equivalent pay for the use and maintenance of his personal car.
- 13. Medical treatment.** - The Chairperson and Members shall be entitled to medical reimbursement and facility as may be applicable to a Group "A" officer of the Central Government drawing an equivalent pay.
- 14. Telephone facility, official meetings and entertainment expenses.** - The Chairperson and a Member shall be eligible for telephone facilities, official meetings and entertainment expenses as admissible to a Group "A" officer of the Central Government drawing an equivalent pay.
- 15. Other conditions of services.** - Other conditions of service of the Chairperson and a Member, with respect to which no express provision has been made in these rules, shall be such as are admissible to a Group "A" officer of the Central Government drawing an equivalent pay.
- 16. Power to relax.** - Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, in the public interest by order and for reasons to be recorded in writing, relax any of the provisions of these rules.

[F.No. 47/1/2005-R&R]

GIREESH B. PRADHAN, Jt. Secy.


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EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 22nd October, 2007

NOTIFICATION

G.S.R.675(E). - In exercise of powers conferred by section 98 and 99 and clause (p) of sub-section (2) of section 176 of the Electricity Act, 2003 (No.36 of 2003), the Central Government hereby makes the following rules namely:-

1. **Short title and commencement.** - (1) These rules may be called the Central Electricity Regulatory Commission Fund (Constitution and the manner of application, of the Fund) and Form and Time for Preparation of Budget Rules, 2007.

(2) They shall come into force from the date of publication in the Official Gazette.
2. **Definitions.** - (1) In these rules unless the context otherwise requires, -
 - (a) 'Act' means the Electricity Act, 2003;
 - (b) 'Central Commission' means the Central Electricity Regulatory Commission constituted under section 76 of the Act;
 - (c) 'Secretary' means the Secretary of the Central Commission;
 - (d) 'Form' means a form appended to these rules;
 - (e) 'Fund' means the Central Electricity Regulatory Commission Fund.
(2) Words and expressions used and not defined in these rules but defined in the Electricity Act, 2003, shall have the meanings respectively assigned to them in that Act.
3. **Constitution of the Fund.** - (1) The Central Government hereby constitutes a Fund to be called the Central Electricity Regulatory Commission Fund.

(2) The Fund shall be opened under the Public Account of India and this shall be a non-lapsable and non-interest bearing account.

- (3) The Central Commission shall, by the 30th September of each year, submit to the Central Government its requirement of funds for the next financial year taking into account the estimated receipts of the Commission.
- (4) The Central Government may, after due appropriation made by the Parliament, make to the Central Commission grants and loans of such sums of money as the Government considers necessary after having due regard to the requirement communicated by the Central Commission under sub-rule (3).
- (5) The Fund shall comprise of -
 - (i) any grants and loans made to the Central Commission by the Central Government under section 98 of the Act;
 - (ii) all fees received by the Central Commission under the Act;
 - (iii) all sums received by the Central Commission from other sources as may be decided upon by the Central Government from time to time.

4. **Application of the Fund.** - The Fund shall be applied for meeting -

- (a) the salary, allowances and other remuneration of the Chairperson, Members, Secretary, Officers and other employees of the Central Commission;
- (b) the expenses of the Central Commission in discharge of its functions under section 79 of the Act;
- (c) the expenses on objects and for purposes authorised by the Act.

5. **Release of amount from the Fund.** - (1) The Central Commission shall seek release of amount from the Fund against its annual budget twice (in the month of April, and September) in a financial year. Upon receiving such a requisition from the Central Commission, the Central Government shall -

- (a) transfer the appropriate part of the sums of grants and loans for the Central Commission approved by the Parliament in the annual budget of the Ministry of Power to the Fund and simultaneously;
 - (b) release the amount as requisitioned- from the Fund to the Central Commission by account payee cheque through its Pay and Accounts Office.
- (2) The Central Commission shall maintain proper accounts and other records of the grants and loans in the manner as may be prescribed by the Central Government in this behalf.
 - (3) At the close of Financial Year the Central Commission shall furnish a utilisation certificate stating therein the opening balance, amount (including of grants and loans) received from the Fund and utilised and the balance remaining unutilised.

6. Opening of Bank Account. -

- (1) The Central Commission shall open account(s) in one or more nationalised banks.
- (2) The Central Commission shall make available the specimen signatures of two of its officers to be the authorized designatories to the nominated bank/(s) for their information and records.
- (3) The link branch of the nominated bank/(s) shall furnish daily payments and receipts scrolls to the Central Commission which will ensure that the cheques appearing in the payment scrolls are those issued by the Central Commission and reconcile each transaction with the bank(s).

7. Manner of applying the Fund. -

- (1) All Amount released from the Fund shall be paid into the Central Commission's account(s) in the bank(s) and shall not be withdrawn except on presentation of a cheque signed jointly by Deputy Director (Accounts) and Accounts Officer or such other officer as authorised by the Central Commission.
- (2) These officers shall be responsible for monitoring the proper transactions of receipts and payments on behalf of the Central Commission.

8. Budget Estimates and Revised Estimates. - The Central Commission shall prepare its budget estimates and revised estimates in the format as at Annexure - I and Final Grant statement in format as at Annexure - II and submit them to the Central Government by the 30th September and 15th January of each Financial Year.

9. Delegation of Powers. - (1) The Chairperson of the Central Commission shall have the powers of the Central Government relating to items as given in schedule II, V, VI and VII of Delegation of Financial Powers Rules, except in the following matters: -

- (i) Creation of posts,
- (ii) re-appropriation of funds from one head to another,
- (iii) purchase of vehicles,
- (iv) permitting any officer of the Commission to participate in seminars, conferences or training programme abroad;

Provided that the exercise of these powers will be subject to the general restrictions and conditions contained in the Delegation of Financial Power Rules, 1978 and other general rules and orders issued by the Government of India from time to time.

- (2) The Central Commission shall lay down the detailed procedure for sanction of various expenditure and delegation of power among the Central Commission, Chairman and Secretary of the Central Commission.

10. **Audit of the Accounts.** - (1) The accounts of the Central Commission shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him.

(2) The accounts of the Central Commission as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with audit report thereon shall be forwarded annually to the Central Government by the Central Commission to enable it to place the audit report before each House of Parliament.

ANNEXURE-I

Revised Estimates of (Current Year)/ Budgeting Estimates of (Next Year)

Head of Account	Actuals Last two Years		Budget Allotment	Actuals of first 6 months (prev 2 years and FY)			Actuals for the last 6 months (prev 2 years),	
	2	3		5	6	7	8	9
1	2	3	4	5	6	7	8	9

Estimate last 6 months (FY)	Total Revised Estimate	Budget Estimate	Difference between Allotment & RE (11-4)
10	11	12	13

Difference between (BE & RE) (12-11)	Reasons for Variation
14	15

Note1: Heads of Account shall be as per list at Appendix A

Note 2: Budgetary provisions shall be explained with detailed memoranda as listed at Appendix B.

ANNEXURE-II

Final Grant Statement (Financial Year)

Head of Account	Revised Allotment received	Actuals of first 10 months	Requirement last 2 months	Total Final Grant	Net Savings/ Excess	Remarks
1	2	3	4	5	6	7

Note 1: Heads of Account shall be as per list at Appendix A.

Note 2: Budgetary provisions shall be explained with detailed memoranda as listed at Appendix B.

Appendix A

Detailed Heads of Account (with description) under which CERC shall furnish budget Statements and Explanatory Memoranda thereto

A/c Code	Description
----------	-------------

Revenue

2. Fee and charges

- 2.1. Fee
- 2.2. Charges
- 2.3. Fines

Total

- 2.4. Others (Specify)

Grand Total

3. Grants

- 3.1. From Government
- 3.2. From others

Total

4. Gifts

5. Seminars and Conferences

6. Sales of Publications

7. Income on Investments and Deposits

- 7.1. Income on investments
- 7.2. Income on Deposits

8. Loans

- 8.1. From Government
- 8.2. from Others (specify)

9. Sale of Assets

10. Sale of investments

11. Recoveries from pay bills

- 11.1. Principal amount of Loans and Advances
- 11.2. Interest on Loans and Advances

12. Miscellaneous Income

- 12.1. Gain on sale of assets
- 12.2. Any Others (specify)

EXPENDITURE

13. Chairperson and Members

- 13.1. Pay and Allowances
- 13.2. Other benefits
- 13.3. Travelling expenses
 - 13.3.1. Overseas
 - 13.3.2. Domestic

14. Officers

- 14.1. Pay and Allowances
- 14.2. Retirement benefits
- 14.3. Other benefits
- 14.4. Travelling expenses
 - 14.4.1. Overseas
 - 14.4.2. Domestic

15. Staff

- 15.1. Pay and Allowances
- 15.2. Retirement Benefits
- 15.3. Other benefits
- 15.4. Travelling expenses
 - 15.4.1. Overseas
 - 15.4.2. Domestic

16. Hire of Conveyance

17. Wages

18. Overtime

19. Honorarium

20. Other Office Expenses

21. Expenditure on Research

22. Consultation fee

23. Seminar and Conferences

24. Publications of CERC

25. Rent and Taxes

26. Interest on Loans

27. Promotional Expenses

28. Membership fee

29. Subscription

30. Purchase of fixed assets

31. Investments and Deposits

- 31.1. Investments
- 31.2. Deposits

- 32. Security Deposits**
- 33. Loans and Advances**
 - 33.1. To employees
 - 33.1.1. Bearing Interest
 - 33.1.2. Not-bearing interest
 - 33.2. To Suppliers and Contractors
 - 33.3. Others (to specify)
- 34. Repayment of Loans**
- 35. Others**
 - 35.1. Leave salary and pension contribution
 - 35.2. Audit fee
 - 35.3. Miscellaneous
- 36. Description**
- 37. Loss on sale of assets**
- 38. Bad debt written off**
- 39. Provision for bad & doubtful debts**
- Total**

Appendix B

Explanatory Memoranda to RE/BE Statements of

Central Electricity Regulatory Commission

1. Statement showing grade wise details of establishment with provision sought therefor in the estimates, with actual establishment strength and cost thereof in previous year.
2. Estimates of individual projects/consultancies costing over Rs.5 lakhs indicating original cost, revisions if any and provisions sought for the project in the budget grants.
3. Details of Foreign exchange component in the Budget/Revised estimates.
4. Estimates of Revenue Receipts in Budget Year and previous year.
5. Statement showing financial results of CERC for the budget year and previous. year.

[F. No. 23/76/2003-R&R]
ALOK KUMAR, Director


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EXTRAORDINARY – PART II – Section 3 – Sub-section (i)
GOVERNMENT OF INDIA
MINISTRY OF POWER

New Delhi, the 21st June, 2010

NOTIFICATION

G.S.R. 525(E). - Whereas the State Government of Goa, prior to its joining the Joint Electricity Regulatory Commission for Union Territories constituted *vide* notification S.O. 643(E) dated the 2nd May, 2005, has agreed to the structure of the said Commission and has authorized Government of India to take all necessary action under Section 83 of the Electricity Act, 2003 (36 of 2003);

And whereas *vide* notification S.O. 1271(E) dated the 30th May, 2008 the Central Government has amended the said notification dated the 2nd May, 2005 facilitating the State of Goa to join the said Joint Commission;

Now, therefore, in exercise of powers conferred by [section 176 and in pursuance of section 83]¹ of the Electricity Act, 2003, the Central Government hereby makes the following rules namely; -

- 1. Short title and commencement.** - (1) These rules may be called the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Preparation of Annual Report) Rules, 2010.
(2) They shall come into force from the date of publication in the Official Gazette.
- 2. Definitions.** - (1) In these rules, unless the context otherwise requires,-
 - (a) 'Act' means the Electricity Act, 2003;
 - (b) 'Joint Commission' means the Joint Electricity Regulatory Commission for the State of Goa and Union Territories, constituted under Section 83 of the Act;
 - (c) 'Participating States' means the State of Goa and the Union Territories;
 - (d) 'Schedule' means the Schedule annexed to these rules.

(2) Words and expressions used and not defined in these rules but defined in the Electricity Act, 2003, shall have the meanings respectively assigned to them in that Act;
- 3. Preparation of Annual Report.** - (1) Every year, the Joint Commission shall prepare an Annual report giving a summary of its activities during the previous year commencing from the 1st day of April to the 31st day of March of the following year in the form specified in the Schedule.
(2) The Annual Report shall give an account of the activities during the previous financial year, containing, inter-alia,-
 - (a) a statement of goals and objectives of the Joint Commission;
 - (b) annual targets set for various activities in the background of clause (a) together with a brief review of actual performance with reference to those targets and including in particular a report on the

¹ Substituted vide Amendment Rules, 2023 w.e.f. 27.01.2023.

number of cases filed before the Joint Commission during the year, number of cases disposed of, time taken to dispose of the cases and number of cases pending;

- (c) Important additions or changes in the regulations of the Joint Commission;
- (d) functioning of the State Advisory Committees and other consultation with the stakeholders;
- [(da) the status of average cost of supply - the average revenue realised gap, and aggregate technical and commercial losses and the steps proposed to reduce these;]²
- (e) trends of important parameters such as capital cost, cost of electricity, new investment, efficiency gains;
- (f) number and details of cases in which orders or regulations of the Commission were challenged in Courts or Appellate Tribunal and the outcome of such cases;
- (g) resolution of disputes including the disputes pending at the end of the year.
- [(h) any departure from the compliance of provisions of the Electricity Act, 2003 and rules made thereunder including provisions for cost reflective tariff, grant of subsidy under section 65 of the Electricity Act, 2003, implementation of Open Access, Renewable Purchase Obligation, rights of electricity consumers ; and
- (i) compliance of direction given by the Appropriate Government under provisions of the Electricity Act, 2003.]³

- 4. Submission of Annual Report.** - The copies of the annual report shall be forwarded by the Joint Commission to the Central Government and to the Governments of Participating State/Union Territories by the end of October each year.

SCHEDULE

(See rule 3)

FORM OF ANNUAL REPORT OF THE JOINT COMMISSION

1. The Commission in Brief.
2. The Mandate of the Commission.
3. Mission Statement
4. The Year in Retrospect.
5. Annual Accounts of the Commission Showing Receipts and Expenditure.
6. Outcome of Regulatory Process in Terms of Benefits to Consumers and Development of Sector.
7. Work Plan for the Year Ahead.

[F.No. 47/4/2010 – R&R]

PRANAY KUMAR, Director

² Inserted vide Amendment Rules,2023 w.e.f. 27.01.2023.

³ Inserted vide Amendment Rules,2023 w.e.f. 27.01.2023.


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EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 21st June, 2010

NOTIFICATION

G.S.R. 526(E). -Whereas the States of Manipur and Mizoram have authorized the Central Government, through a memorandum of Agreement, to constitute a Joint Electricity Regulatory Commission for States of Manipur and Mizoram and to frame rules to carry out the provisions of the Electricity Act, 2003 relating to the Joint Commission;

And whereas the Central Government *vide* Notification No. S.O. 62(E), dated 18th January, 2005 has constituted the Joint Electricity Regulatory Commission for Manipur and Mizoram;

Now, therefore, in exercise of powers conferred by Section 105 and clause (i) of sub-section (2) of Section 180 of the Electricity Act, 2003 (No. 36 of 2003), the Central Government hereby makes the following rules, namely: -

1. Short title and commencement. -(1) These rules may be called the Joint Electricity Regulatory Commission for Manipur and Mizoram (Preparation of Annual Report) Rules, 2010.

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

2. Definitions. - (1) In these rules, unless the context otherwise requires, -

(a) 'Act' means the Electricity Act, 2003;

(b) 'Joint Commission' means the Joint Electricity Regulatory Commission for Manipur and Mizoram, constituted under Section 83 of the Act;

(c) 'Participating State' means the State of Manipur or the State of Mizoram;

(d) 'Schedule' means the Schedule annexed to these rules.

(2) Words and expressions used and not defined in these rules but defined in the Electricity Act, 2003, shall have the meanings respectively assigned to them in that Act.

3. Preparation of Annual Report. -(1) Every year the Joint Commission shall prepare an Annual Report containing a summary of its activities during the previous year commencing from the 1st day of April to the 31st day of March of the following year in the form specified in the Schedule.

(2) The Annual Report shall give an account of the activities during the previous financial year containing, inter-alia, -

(a) a statement of goals and objectives of the Joint Commission;

(b) annual targets set for various activities in the background of clause (a) together with a brief review of actual performance with reference to those targets and including in particular a report

on the number of cases filed before the Joint Commission during the year, number of cases disposed of, time taken to dispose of the cases and number of cases pending;

- (c) important additions/changes in the regulations of the Joint Commission;
- (d) functioning of the State Advisory Committee and other consultation with the stakeholders;
- (e) trends of important parameters such as capital cost, cost of electricity, new investment, efficiency gains;
- (f) number and details of cases in which orders/ regulations of the Commission were challenged in Courts/Appellate Tribunal and the outcome of such cases; and
- (g) resolution of disputes including the disputes pending at the end of the year.

4. Submission of Annual Report. - The copies of the annual report shall be forwarded by the Joint Commission to the Central Government and the Participating State Governments by the end of October each year.

SCHEDULE

(See rule 3)

FORM OF ANNUAL REPORT OF THE JOINT COMMISSION

1. The Commission in brief.
2. The mandate of the Commission.
3. Mission statement.
4. The year in retrospect.
5. Annual accounts of the Commission showing receipts and expenditure.
6. Outcome of Regulatory Process in terms of benefits to consumers and development of sector.
7. Work plan for the year ahead.

[F. No.47/5/2010-R & R]

PRANAY KUMAR, Director


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EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA
MINISTRY OF POWER

New Delhi, the 16th October, 2014

NOTIFICATION

G.S.R 754(E).—Whereas sub-section (1) of section 83 of the Electricity Act, 2003 (hereinafter in this notification referred to as the said Act) provides that a Joint Commission may be constituted by an agreement to be entered into (a) by two or more Governments of States; or (b) by the Central Government, in respect of one or more Union territories, and one or more Governments of States, and shall be enforced for such period and shall be subject to renewal for each further period, if any, as may be stipulated in the agreement;

And whereas the Central Government had constituted a Joint Electricity Regulatory Commission for Manipur and Mizoram vide notification dated the 18th January, 2005 under sub-section (5) of section 83 of the said Act, after the participating State Governments signed a Memorandum of Agreement (hereinafter in this notification referred to as the said Agreement) authorizing the Central Government to do so;

And whereas sub-section (5) of section 83 of the said Act, the Central Government may, if so authorized by all the participating States, constitute a Joint Commission and may exercise the powers in respect of all or any of the matters specified under sub-section (3) of section 83 of the said Act and when so specifically authorized by the participating States;

And whereas vide clause (xxi) of the said Agreement, the States of Manipur and Mizoram have authorized Government of India to constitute a Joint Electricity Regulatory Commission for the States of Manipur and Mizoram and to frame rules to carry out the provisions of the said Act relating to the Joint Commission;

Now, therefore, in exercise of powers conferred by sub-sections (3) and (5) of section 83 read with sections 104 and clause (h) of sub-section (2) of section 180 of the Electricity Act, 2003, the Central Government, in consultation with the Comptroller and Auditor-General of India, hereby makes the following rules, namely: —

1. Short title and commencement

- (1) These rules may be called the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram (Form of Annual Statement of Accounts and Records) Rules, 2014.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. -

- (1) In these rules unless the context otherwise requires, —
 - (a) “Accounts Officer” means an officer responsible for maintenance of accounts and preparation of annual accounts as nominated by the Chairperson of the Joint Commission;
 - (b) “Act” means the Electricity Act, 2003 (36 of 2003);

- (c) "Audit Officer" means the Comptroller and Auditor-General of India or any officer appointed by him in connection with the audit of accounts of the Joint Commission;
 - (d) "Chairperson" means the Chairperson of the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram;
 - (e) "Financial year" means a period not exceeding twelve calendar months commencing on the 1st April of a year and concluding on the 31st March of the subsequent year;
 - (f) "Form" means a form appended to these rules;
 - (g) "Joint Commission" means the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram constituted under section 83 of the Act;
 - (h) "Member" means a Member of the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram;
 - (i) "Participating State" means the State of Manipur and/or the State of Mizoram;
 - (j) "Schedule" means the schedule appended to these rules showing details of the amounts given;
 - (k) "Secretary" means the Secretary of the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram.
- (2) All the words and expressions used and not defined in these rules but defined in the Electricity Act, 2003 (36 of 2003), shall have the meanings assigned to them in that Act.

3. Accounts of the Commission. -

- (1) The Joint Commission shall prepare the annual statement of accounts for every financial year commencing with 2007-08.
- (2) The Secretary of the Joint Commission may authorise an officer of the Joint Commission to prepare the account on his behalf.
- (3) The Secretary of the Joint Commission shall supervise the maintenance of the accounts of the Joint Commission, the compilation of financial statement and return, and shall ensure that all accounts, books, connected vouchers and other documents and papers of the Joint Commission required by the audit officer for the purpose of auditing the accounts of the Joint Commission are placed at the disposal of that officer.
- (4) The annual statement of accounts duly approved by the Joint Commission and after certification by the Comptroller and Auditor-General of India or his authorised representative, shall be submitted by the Secretary of the Joint Commission to the Central Government (for the first five years of operation of the Joint Commission) and the Participating State Governments (from the sixth year of operation of the Joint Commission onwards) by such date as may be specified by the Central Government.
- (5)
 - (a) The Joint Commission shall prepare the following accounts in the forms mentioned below
 - (i) the Receipt and Payment Accounts in Form A;
 - (ii) the Income and Expenditure Accounts in Form B;
 - (iv) the Balance Sheet in Form C.
 - (b) The authorised signatory to sign and authenticate the "Receipt and Payment Accounts", "Income and Expenditure Accounts" and "Balance Sheet" shall be the Secretary of the Joint Commission.
 - (c) The annual statement of accounts shall be submitted to the Audit Officer on or before the 30th June following the year to which the accounts relate and the Audit Officer shall audit the accounts of the Joint Commission and report thereon.

- (d) The Joint Commission shall, on receipt of the audit report, correct any defect or irregularity pointed out therein and report to the Central Government and the Audit Officer about the action taken by it thereon.

4. Form and time of preparation of Annual Accounts of the Commission. -

- a) The Joint Commission shall prepare the Annual Statement of Accounts for every financial year in the manner specified below and shall comprise:
 - (i) the Balance Sheet;
 - (ii) the Income and Expenditure Account;
 - (iii) the Schedules to the above financial statements;
 - (iv) the instructions and accounting principles;
 - (v) the notes and instruction from the Schedules
 - (vi) the Statements of Receipts and Payments.
- b) The Annual Statement of Accounts shall be finalised by the Joint Commission within a period of three months following the financial year to which the accounts relate.
- c) The Annual Statement of Accounts shall be prepared as per the format devised by the Committee of Experts appointed on the recommendation of the Parliamentary Committee.

5. Approval of the Annual Statement of Accounts. -

- a) Within three months after the end of the financial year, the Accounts Officer shall prepare and the Secretary shall submit the Annual Statement of Accounts to the Joint Commission for approval and on approval by the Joint Commission, the Annual Statement of Accounts shall be sent to the Comptroller and Auditor-General or any other person appointed by him for audit.
- b) The Accounts of the Joint Commission shall be authenticated by the Chairperson, one Member dealing with the Finance and the Secretary of the Joint Commission.

6. Preservation of records of accounts, etc. -

- a) The Joint Commission shall preserve the records of Balance sheet, Income and Expenditure Accounts and Receipts and Payments account prepared under these rules for a minimum period of ten years.
- b) The books of accounts and other relevant records shall be kept in the Joint Commission's office and it shall be the responsibility of the Accounts Officer to ensure that the books of accounts and other relevant records are properly maintained and securely preserved in safe custody and produced to Audit as and when required.

7. Authorized signatory. -

The Balance Sheet, the Income and Expenditure Accounts and the Receipts and Payments Account shall be signed by the Director (Admn) or any other Officer authorised by the Joint Commission.

[F. No. 47/1/2009-R&R] JYOTI
ARORA, Jt. Secy.


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EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 16th October, 2014

NOTIFICATION

G.S.R. 755(E).— Whereas sub-section (1) of Section 83 of the Electricity Act, 2003 (hereinafter in this notification referred to as the said Act) provides that a Joint Commission may be constituted by an agreement to be entered into (a) by two or more Governments of States; or (b) by the Central Government, in respect of one or more Union territories, and one or more Governments of States, and shall be enforced for such period and shall be subject to renewal for each further period, if any, as may be stipulated in the agreement;

And whereas the Central Government had constituted a Joint Electricity Regulatory Commission for Manipur and Mizoram *vide* notification dated the 18th January, 2005 under sub-section (5) of Section 83 of the said Act, after the participating State Governments signed a Memorandum of Agreement (hereinafter in this notification referred to as the said Agreement) authorizing the Central Government to do so;

And whereas sub-section (5) of Section 83 of the said Act, the Central Government may, if so authorized by all the participating States, constitute a Joint Commission and may exercise the powers in respect of all or any of the matters specified under sub-section (3) of Section 83 of the said Act and when so specifically authorized by the participating States;

And whereas *vide* clause (xxi) of the said Agreement, the States of Manipur and Mizoram have authorized Government of India to constitute a Joint Electricity Regulatory Commission for the States of Manipur and Mizoram and to frame rules to carry out the provisions of the said Act relating to the Joint Commission;

Now, therefore, in exercise of powers conferred by sub-sections (3) and (5) of section 83 read with Sections 103, 106 and clause (g) and (j) of sub-section (2) of Section 180 of the Electricity Act, 2003, the Central Government, in consultation with the Comptroller and Auditor-General of India, hereby makes the following rules, namely:-

1. **Short title and commencement.** – (1) These rules may be called the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram (Constitution and the manner of application of the Fund and Form and Time for Preparation of Budget) Rules, 2014.
(2) They shall come into force from the date of publication in the Official Gazette.
2. **Definitions.** — (1) In these rules, unless the context otherwise requires,—
 - (a) “Accounting period” means the period for which the accounts have to be prepared by the Joint Commission and shall be concurrent with the financial year;
 - (b) “Act” means the Electricity Act, 2003(36 of 2003);
 - (c) “Budget” means the statement of estimated income and expenditure of the Joint

Commission prepared as per section 106 of the Act;

- (d) “Chairperson” means the Chairperson of the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram.
 - (e) “Drawing and Disbursing Officer” means an officer designated as such by the Joint Commission to draw and make payments on behalf of the Joint Commission;
 - (f) “Financial Year” means a period not exceeding twelve calendar months commencing on the 1st April of a year and concluding on the 31st March of the subsequent year;
 - (g) “Form” means a form appended to these rules;
 - (h) “Fund” means the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram Fund;
 - (i) “Joint Commission” means the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram constituted under sub-section (5) of section 83 of the Act;
 - (j) “Member” means a member of Joint Electricity Regulatory Commission for the States of Manipur and Mizoram;
 - (k) “Participating State” means the State of Manipur and the State of Mizoram;
 - (l) “Secretary” means Secretary of Joint Electricity Regulatory Commission for the States of Manipur and Mizoram.
- (2) All the words and expressions used and not defined in these rules but defined in the Electricity Act, 2003, shall have the meanings respectively assigned to them in that Act.

3. Constitution of the Fund. -

- (1) The Central Government hereby constitutes a Fund to be called the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram Fund.
- (2) The Fund shall be opened under the Public Account of India and this shall be a non-lapsable and non- interest bearing account.
- (3) The Fund shall comprise of the following –
 - (i) any grants and loans made to the Joint Commission by the Central Government pursuant to the Memorandum of Agreement signed by the Participating States with the Central Government and any grants and loans made to the Joint Commission by the Participating State Governments under section 102 of the Act;
 - (ii) all fees received by the Joint Commission under the Act;
 - (iii) all sums received by the Joint Commission from other sources as may be decided upon by the Central Government from time to time.

4. Application of the Fund. - The Fund shall be applied for meeting -

- (a) the salary, allowances and other remuneration of the Chairperson, Members, Secretary, Officers and other employees of the Joint Commission;
- (b) the expenses of the Joint Commission in discharge of its functions under section 86 of the Act; and
- (c) the expenses on objects and for the purposes authorised by the Act.

5. Release of amount from the Fund. -

- (1) The Joint Commission shall seek release of amount from the Fund against its annual budget twice (in the month of April, and September) in a financial year and upon receiving such a requisition from the Joint Commission -
 - (a) the Central Government shall transfer the appropriate part of the sums of grants and loans for the Joint Commission approved by the Parliament in the annual budget of the Ministry of

Power to the Fund;

- (b) the Participating State Governments shall transfer the sums of grants and loans for the Joint Commission approved by the respective State Legislatures to the Fund;
 - (c) the Central Government shall simultaneously release the amount as requisitioned from the Fund to the Joint Commission by account payee cheque through its Pay and Accounts Office.
- (2) The Joint Commission shall maintain proper accounts and other records of the grants and loans in the manner as may be specified by the Central Government in this behalf.
 - (3) At the close of Financial Year, the Joint Commission shall furnish a utilisation certificate stating therein the opening balance, amount (including of grants and loans) received from the Fund and utilised and the balance remaining unutilised.

6. Manner of applying the funds. -

- (1) The Joint Commission shall meet expenses required in connection with the discharge of its functions under section 86 of the Act and also for meeting objects and purposes authorised by the Act.

(2) Opening of Bank Account -

- (a) The Joint Commission shall after taking a decision of the full commission to open the main account of the fund to be maintained in a Nationalised commercial bank and subsidiary accounts shall be maintained at such other branches of such banks as the Joint Commission considers appropriate.
- (b) The Joint Commission shall make available the specimen signatures of two of its officers to the authorised signatory to the nominated bank or banks for their information and record.
- (c) The nominated bank or banks shall furnish daily payments and receipts scrolls to the Joint Commission which shall ensure that the cheques appearing in the payment scrolls are those issued by the Joint Commission and reconcile each transaction with the banks.

(3) Drawal of funds from the banks -

- (a) The Fund shall be operated by the drawing and disbursing officer of the Joint Commission not below the rank of Deputy Secretary, as may be designated by the Chairperson from time to time.
- (b) The withdrawal from the bank account shall be made only on presentation of cheque signed by the Drawing and Disbursing Officer and one other officer designated by the Joint Commission.
- (c) The Drawing and Disbursing Officer shall be responsible for monitoring the proper transactions of receipts and payments on behalf of the Joint Commission.
- (d) The Drawing and Disbursing Officer shall be responsible to ensure that the amount of cheques and demand drafts deposited in the accredited banks have been timely credited in the accounts of the Joint Commission and shall also reconcile the receipts and payments accounts with them.

7. Budget. -

(1) Periodicity and preparation of Budget -

The Joint Commission shall prepare its budget which shall be the annual financial statement of the estimated receipts and expenditure of the Commission for the ensuing financial year.

- (2) The Budget for the ensuing financial year shall be prepared by the Joint Commission by the end of September every year and forwarded to the Central Government, after taking into account its estimated receipts, vide section 106 of the Act
- (3) The Central Government may, after due appropriation made by the Parliament, make to the Joint

Commission grants and loans of such sums of money as considers necessary, after having due regard to the requirement as communicated by the Joint Commission.

8. Form and content of the Budget. -

The Budget of the Joint Commission shall include the Revised Estimates of the current year and the Budget Estimates for the next year, giving details of estimated receipts and expenditure in the format as at Annexure-I and Final grant as at Annexure-II and submit them to the Central Government by the 30th September and the 15th January of each financial year respectively.

9. Accounts. -

- (1) The accounts of the Fund shall be maintained as per the provisions of the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram (Form of Annual Statement of Accounts and Records) Rules, 2014.
- (2) The accounts of the Joint Commission shall be authenticated by the Chairperson, one Member dealing with the finance and the Secretary of the Commission.

10. Audit of the Accounts. -

- (1) The accounts of the Joint Commission shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him.
- (2) The accounts of the Joint Commission as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with audit report thereon shall be forwarded annually to the Central Government (for the first five years of operation of the Joint Commission) and to the Participating State Governments (from the sixth years of operation of the Joint Commission onwards) by the Joint Commission to enable it to place the audit report before each House of Parliament and the Participating State Legislatures.

11. Delegation of Powers. -

- (1) The Chairperson of the Joint Commission shall have the powers of a Department of the Central Government relating to items as given in schedule V and schedule VI read with rule 13 of Delegation of Financial Powers Rules 1978, the General Financial Rules 2005 and the General Provident Fund (Central Services) Rules 1960, except in the following matters -
 - (a) Creation of posts;
 - (b) re-appropriation of funds from one head to another;
 - (c) purchase of vehicles;
 - (d) write off of loss; and
 - (e) permitting any officer of the Commission to participate in seminars, conferences or training programme abroad:

Provided that the exercise of these powers shall be subject to the general restrictions and conditions contained in the Delegation of Financial Power Rules, 1978 and other general rules and orders issued by the Government of India from time to time.

- (2) The Joint Commission shall lay down the detailed procedure for sanction of various expenditure and delegation of power among the Joint Commission, Chairman and Secretary of the Joint Commission.

12. Closure of the Fund. -

- (1) The Fund shall remain operative so long as the relevant provisions of the Act remain in force.
- (2) At the time of closure of the Fund, when the fund is no longer required, all the unspent balance under the fund shall be remitted into the Government Treasury.

[F. No. 47/1/2009-R&R]

JYOTI ARORA, Jt. Secy.

ANNEXURE – I

Revised Estimates of (Current Year)/
Budget Estimates of (Next Year)
(See rule 8)

Head of Account	Actuals Last two Years		Budget Allotment	Actuals of first 6 months (prev 2 years and FY)			Actuals for the last 6 months (prev 2 years)	
	2	3		5	6	7	8	9
1	2	3	4	5	6	7	8	9

Estimate last 6 months (FY)	Total Revised Estimate	Budget Estimate	Difference between Allotment & RE (11-4)
10	11	12	13

Difference between (BE & RE) (12-11)	Reasons for Variation
14	15

Note 1 : Heads of Account shall be as per list at Appendix A

Note 2 : Budgetary provisions shall be explained with detailed memoranda as listed at Appendix B.

ANNEXURE – II

Final Grant Statement (Financial Year)
(See rule 8)

Head of Account	Revised Allotment received	Actuals of first 10 months	Requirement last 2 months	Total Final Grant	Net Savings/ Excess	Remarks
1	2	3	4	5	6	7

Note 1 : Heads of Account shall be as per list at Appendix A.

Note 2 : Budgetary provisions shall be explained with detailed memoranda as listed at Appendix B.

Appendix A

Detailed Heads of Account (with description) under which Joint Commission shall furnish budget Statements and Explanatory Memoranda thereto

A/c Description

Code

REVENUE

2. Fee and Charges

2.1 Fee

2.2 Charges

- 2.3 Fines
- Total**
- 2.4 Others (Specify)
- Grand Total**
- 3. Grants**
- 3.1 From Government
- 3.2 From others
- Total**
- 4. Gifts**
- 5. Seminars and Conferences**
- 6. Sales of Publications**
- 7. Income on Investments and Deposits**
- 7.1 Income on investments
- 7.2 Income on Deposits
- 8. Loans**
- 8.1 From Government
- 8.2 From Others (specify)
- 9. Sale of Assets**
- 10. Sale of Investments**
- 11. Recoveries from pay bills**
- 11.1 Principal amount of Loans and Advances
- 11.2 Interest on Loans and Advances
- 12. Miscellaneous Income**
- 12.1 Gain on sale of assets
- 12.2 Any Others (specify)
- EXPENDITURE**
- 13. Chairperson and Members**
- 13.1 Pay and Allowances
- 13.2 Other benefits
- 13.3 Travelling expenses
- 13.3.1 Overseas
- 13.3.2 Domestic
- 14. Officers**
- 14.1 Pay and Allowances
- 14.2 Retirement benefits
- 14.3 Other benefits
- 14.4 Travelling expenses
- 14.4.1 Overseas
- 14.4.2 Domestic
- 15. Staff**
- 15.1 Pay and Allowances
- 15.2 Retirement Benefits

- 15.3 Other benefits
- 15.4 Travelling expenses
 - 15.4.1 Overseas
 - 15.4.2 Domestic
- 16. Hire of Conveyance**
- 17. Wages**
- 18. Overtime**
- 19. Honorarium**
- 20. Other Office Expenses**
- 21. Expenditure on Research**
- 22. Consultation fee**
- 23. Seminars and Conferences**
- 24. Publications of the Joint Commission**
- 25. Rent and Taxes**
- 26. Interest on Loans**
- 27. Promotional Expenses**
- 28. Membership fee**
- 29. Subscription**
- 30. Purchase of fixed assets**
- 31. Investments and Deposits**
 - 31.1 Investments
 - 31.2 Deposits
- 32. Security Deposits**
- 33. Loans and Advances**
 - 33.1 To employees
 - 33.1.1 Bearing Interest
 - 33.1.2 Not-bearing interest
 - 33.2 To Suppliers and Contractors
 - 33.3 Others (to specify)
- 34. Repayment of Loans**
- 35. Others**
 - 35.1 Leave salary and pension contribution
 - 35.2 Audit fee
 - 35.3 Miscellaneous
- 36. Depreciation**
- 37. Loss on sale of assets**
- 38. Bad debt written off**
- 39. Provision for bad & doubtful debts**
- Total**

**Explanatory Memoranda to RE/BE Statements of
the Joint Commission for the States of Manipur and Mizoram**

1. Statement showing grade-wise details of establishment with provision sought therefor in the estimates, with actual establishment strength and cost thereof in previous year.
2. Estimates of individual projects/consultancies costing over Rs. 5 lakhs indicating original cost, revisions if any and provisions sought for the project in the budget grants.
3. Details of Foreign exchange component in the Budget/Revised estimates.
4. Estimates of Revenue Receipts in Budget Year and previous year.
5. Statement showing financial results of the Joint Commission for the budget year and previous year.


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EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 17th March, 2016

NOTIFICATION

G.S.R. 315(E).—Whereas the Joint Electricity Regulatory Commission for Union territories was constituted by the Central Government by notification published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii), vide number S.O.643(E) dated the 2nd May, 2005;

And whereas, the State Government of Goa agreed to join the said Joint Commission and authorised the Central Government in this behalf under section 83 of the Electricity Act, 2003 (36 of 2003) and the Central Government by notification published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii), vide number S.O.1271(E), dated the 30th May, 2008 has facilitated the State of Goa to join the said Joint Commission;

Now, therefore, the Central Government, in exercise of powers conferred by sections 103 and 106 and clauses (g) and (j) of sub-section (2) of section 180 of the said Act, and in consultation with the Comptroller and Auditor-General of India, hereby makes the following rules, namely:-

1. Short title and commencement. (1) These rules may be called the Joint Electricity Regulatory Commission for the State of Goa and Union territories (Constitution and Manner of Application of Fund, Form and Time for Preparation of Budget) Rules, 2016.

(2) They shall come into force from the date of publication in the Official Gazette.

2. Definitions.- (1) In these rules unless the context otherwise requires, –

- (a) “Act” means the Electricity Act, 2003 (36 of 2003);
- (b) “accounting period” means the period for which the accounts to be prepared by the Joint Commission and shall be concurrent with the financial year;
- (c) “budget” means the statement of estimated income and expenditure of the Joint Commission prepared in accordance with the provisions of section 106 of the Act;
- (d) “Chairperson” means the Chairperson of the Joint Commission;
- (e) “Drawing and Disbursing Officer” means an officer designated as such by the Commission to draw and make payments on behalf of the Joint Commission;
- (f) “financial year” means a period not exceeding twelve calendar months commencing on the 1st day of April of a year and ending on the 31st day of March of the successive year;
- (g) “Form” means a Form annexed to these rules;

- (h) “Fund” means the Joint Electricity Regulatory Commission for the State of Goa and Union territories Fund;
 - (i) “Joint Commission” means the Joint Electricity Regulatory Commission for the State of Goa and Union territories, constituted under section 83 of the Act;
 - (j) “Member” means a member of Joint Commission;
 - (k) “Participating State” means the State of Goa ;
 - (l) “Participating Union Territory” means any Union territory, except Delhi; and
 - (m) “Secretary” means Secretary of Joint Commission.
- (2) Words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in that Act.
- 3. Constitution of Fund.-** (1) The Central Government hereby constitutes a Fund to be called the Joint Electricity Regulatory Commission for the State of Goa and Union territories Fund.
- (2) The Fund shall be opened under the Public Account of India and this shall be a non-lapsable and non-interest bearing account.
- (3) The Fund shall comprise of –
- (i) any grants and loans made to the Joint Commission by the Central Government and any grants and loans made to the Joint Commission by the participating State Government under section 102 of the Act;
 - (ii) all fees received by the Joint Commission under the Act;
 - (iii) all sums received by the Joint Commission from other sources as may be decided upon by the Central Government from time to time.
- 4.** The Fund shall be applied for meeting the —
- (a) salary, allowances and other remuneration of the Chairperson, Members, Secretary, officers and other employees of the Joint Commission;
 - (b) expenses of the Joint Commission in discharge of its functions under section 86 of the Act;
 - (c) expenses on objects and for purposes authorised by the Act.
- 5. Release of amount from Fund. -** (1) The Joint Commission shall seek release of amount from the Fund against its annual budget twice, in the month of April and September, in a financial year, and upon receiving such a requisition from the Joint Commission, -
- (a) the Central Government shall transfer the appropriate part of the sums of grants and loans for the Joint Commission approved by the Parliament in the annual budget of the Ministry of Power to the Fund;
 - (b) the participating State Government shall transfer the sums of grants and loans for the Joint Commission approved by the participating State Legislature to the Fund;
 - (c) the Central Government shall, simultaneously, release the amount as requisitioned from the Fund to the Joint Commission by account payee cheque through its pay and accounts office.
- (2) The Joint Commission shall maintain proper accounts and other records of the grants and loans in accordance with the provisions of the Joint Electricity Regulatory Commission for the State of Goa and Union territories (Form of Annual Statement of Accounts and Records) Rules, 2015.
- (3) At the close of financial year, the Joint Commission shall furnish a utilisation certificate

stating therein the opening balance, amount (including of grants and loans) received from the Fund and utilised and the balance remaining unutilised.

6. Manner of applying funds, opening of bank account and drawing of funds from banks. - (1)

The Joint Commission shall meet expenses required in connection with the discharge of its functions under section 86 of the Act and also for meeting objects and purposes authorised by the Act.

(2) The Joint Commission shall, after taking a decision of the full Commission to open the main account of the Fund to be maintained in a nationalised commercial bank, and subsidiary accounts to be maintained at such other branches of such banks as the said Commission considers appropriate, make available the specimen signatures of two of its officers to the authorised signatory to the nominated bank or banks for their information and record.

(3) The nominated bank(s) shall furnish daily payments and receipts scrolls to the Joint Commission which will ensure that the cheques appearing in the payment scrolls are those issued by the Joint Commission and reconcile each transaction with the banks.

(4)

(a) The Drawing and Disbursing Officer, who shall be not below the rank of Deputy Secretary, as may be designated by the Chairperson from time to time, shall operate the Fund of the Joint Commission.

(b) Withdrawal from the bank account shall be made only on presentation of cheque signed by the Drawing and Disbursing Officer and one other officer designated by the Commission.

(c) The Drawing and Disbursing Officer shall be responsible for monitoring the proper transactions of receipts and payments on behalf of the Joint Commission.

(d) The Drawing and Disbursing Officer shall be responsible to ensure that the amount specified in cheques or demand drafts deposited in the accredited banks have been timely credited in the accounts of the Joint Commission and shall also reconcile the receipts and payments accounts with them.

7. Budget.- (1) The Joint Commission shall prepare its budget which shall be the annual financial statement of the estimated receipts and expenditure of the Commission for the ensuing financial year.

(2) The budget for the ensuing financial year shall be prepared by the Joint Commission by the end of September every year and forwarded to the Central Government, after taking into account its estimated receipts, in accordance with section 106 of the Act.

(3) The Central Government may, after due appropriation made by the Parliament, make to the Joint Commission grants and loans of such sums of money as considers necessary, after having due regard to the requirement as communicated by the Joint Commission.

(4) The budget of the Joint Commission shall include the revised estimates of the current year and the budget estimates for the next year, giving details of estimated receipts and expenditure in Form-I and final grant in Form-II and submit them to the Central Government by the 30th day of September and the 15th day of January of each financial year, respectively.

8. Accounts. - (1) The accounts of the Fund shall be maintained in accordance with the provisions of the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Form of Annual Statement of Accounts and Records) Rules 2015.

(2) The accounts of the Joint Commission shall be authenticated by the Chairperson, one Member dealing with the finance and the Secretary of the Commission.

9. Audit of accounts .- (1) The accounts of the Joint Commission shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him.

(2) The Joint Commission shall forward its accounts annually as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the report of the audit thereon, to the Central Government and the participating State Government to enable the Central Government and the participating State Government to lay the accounts and the report of the audit before each House of Parliament and the participating State Legislature, as the case may be.

10. Delegation of powers .- (1) The Chairperson of the Joint Commission shall have the same powers as are conferred on a Department of the Central Government relating to the matters specified in Schedules V and VI read with rule 13 of the Delegation of Financial Powers Rules, 1978, the General Financial Rules, 2005 and the General Provident Fund (Central Services) Rules, 1960, except in respect of the following, namely:—

- (i) creation of posts;
- (ii) re-appropriation of funds from one head to another;
- (iii) purchase of vehicles;
- (iv) write off of loss;
- (v) permitting any officer of the Joint Commission to participate in seminars, conferences or training programmes abroad:

Provided that the exercise of these powers shall be subject to the general restrictions and conditions contained in the Delegation of Financial Powers Rules, 1978 and other general rules and orders issued by the Central Government from time to time.

(2) The Joint Commission shall lay down the detailed procedure for sanction of various expenditure and delegation of power among the Joint Commission, Chairman and Secretary of the Joint Commission.

FORM-I

[see rule 7(4)]

Revised Estimates of (Current Year)/ Budget Estimates of (Next Year)

Head of Account	Actuals Last two Years		Budget Allotment	Actuals of first six months (previous two years and financial year)			Actuals for the last six months (previous two years)	
	(2)	(3)		(5)	(6)	(7)	(8)	(9)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Estimate last six months (financial year)	Total revised estimate	Budget estimate	Difference between allotment and revised estimates (11-4)
(10)	(11)	(12)	(13)

Difference between (budget estimate and revised estimate) (12-11)	Reasons for variation
(14)	(15)

Note1. — Heads of account shall be as per list at Appendix A

Note 2. — Budgetary provisions shall be explained with detailed memoranda as listed at Appendix B.

FORM-II

[see rule 7(4)]

Final Grant Statement (Financial Year)

Head of account	Revised allotment received	Actuals of first ten months	Requirement of last two months	Total final grant	Net savings/excess	Remarks
1	2	3	4	5	6	7

Note 1.- Heads of account shall be as per list at Appendix A.

Note 2.- Budgetary provisions shall be explained with detailed memoranda as listed at Appendix B.

[F. No. 47/2/2010-R&R(ii)]

JYOTI ARORA, Jt. Secy.

Appendix A

Detailed heads of account (with description) under which Joint Commission shall furnish budget statements and explanatory memoranda thereto

Description Code	15	Staff
<u>Revenue</u>	15.1	Pay and allowances
2. Fee and Charges	15.2	Retirement benefits
2.1 Fee	15.3	Other benefits
2.2 Charges	15.4	Travelling expenses
2.3 Fines	15.4.1	Overseas
Total	15.4.2	Domestic
2.4 Others (Specify)	16	Hire of conveyance
Grand total	17	Wages
3 Grants	18	Overtime
3.4 From Government	19	Honorarium
3.5 From others	20	Other office expenses
Total	21	Expenditure on research
4 Gifts	22	Consultation fee
5 Seminars and conferences	23	Seminars and conferences
6 Sales of publications	24	Publications of the Joint Commission
7 Income on investments and deposits	25	Rent and taxes
7.1 Income on Investments	26	Interest on loans
7.2 Income on Deposits	27	Promotional Expenses
8 Loans	28	Membership fee
8.1 From Government	29	Subscription
8.2 From Others (specify)	30	Purchase of fixed assets
9 Sale of assets	31	Investments and deposits
10 Sale of investments	31.1	Investments
11 Recoveries from pay bills	31.2	Deposits
11.1 Principal amount of loans and advances	32	Security deposits
11.2 Interest on loans and advances	33	Loans and advances
12 Miscellaneous Income	33.1	To employees
12.1 Gain on sale of assets	33.1.1	Bearing interest
12.2 Any others (specify)	33.1.2	Not-bearing interest
<u>Expenditure</u>	33.2	To Suppliers and contractors
13. Chairperson and Members	33.3	Others (to specify)
13.1 Pay and allowances	34	Repayment of loans
13.2 Other benefits	35	Others
13.3 Travelling expenses	35.1	Leave salary and pension contribution
13.3.1 Overseas	35.2	Audit fee
13.3.2 Domestic	35.3	Miscellaneous
14. Officers	36	Depreciation
14.1 Pay and allowances	37	Loss on sale of assets
14.2 Retirement benefits	38	Bad debt written off
14.3 Other benefits		

14.4	Travelling expenses	39	Provision for bad & doubtful debts
14.4.1	Overseas		Total
14.4.2	Domestic		

Appendix B

Explanatory Memoranda to RE/BE Statements of the Joint Commission for the State of Goa and Union Territories

- (1) Statement showing grade-wise details of establishment with provision sought therefor in the estimates, with actual establishment strength and cost thereof in previous year.
- (2) Estimates of individual projects/consultancies costing over Rs. 5 lakhs indicating original cost, revisions if any and provisions sought for the project in the budget grants.
- (3) Details of Foreign exchange component in the Budget/Revised estimates.
- (4) Estimates of Revenue Receipts in Budget Year and previous year.
- (5) Statement showing financial results of the Joint Commission for the budget year and previous year.


सत्यमेव जयते

भारत का राजपत्र The Gazette of India

EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 17th March, 2016

NOTIFICATION

G.S.R. 316 (E).—Whereas the Joint Electricity Regulatory Commission for Union Territories was constituted by the Central Government by notification published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii), vide number S.O.643(E) dated the 2nd May, 2005;

And whereas, after the State Government of Goa agreed to join the said Joint Commission and authorised the Central Government in this behalf under section 83 of the Electricity Act, 2003 (36 of 2003), the Central Government by notification published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii), vide number S.O.1271(E), dated the 30th May, 2008 has facilitated the State of Goa to join the said Joint Commission;

Now, therefore, the Central Government, in exercise of powers conferred by section 104 and clause (h) of sub-section (2) of section 180 of the Electricity Act, 2003 (36 of 2003), and in consultation with the Comptroller and Auditor- General of India, hereby makes the following rules, namely: -

- 1. Short title and commencement.** — (1) These rules may be called the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Form of Annual Statement of Accounts and Records) Rules, 2016.
(2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Definitions.** —(1) In these rules, unless the context otherwise requires, –
 - (a) “Accounts Officer” means an Officer responsible for maintenance of accounts and preparation of annual accounts as nominated by the Chairperson of the Joint Commission;
 - (b) “Act” means the Electricity Act, 2003 (36 of 2003);
 - (c) “Audit Officer” means the Comptroller and Auditor-General of India or any Officer appointed by him in connection with the audit of accounts of the Joint Commission;
 - (d) “Chairperson” means the Chairperson of the Joint Commission;
 - (e) “financial year” means a period not exceeding twelve calendar months commencing on the 1st day of April of a year and ending on the 31st day of March of the successive year;
 - (f) “Form” means a Form annexed to these rules;
 - (g) “Joint Commission” means the Joint Electricity Regulatory Commission for the State of Goa and Union Territories constituted under section 83 of the Act;

- (h) “Member” means a Member of the Joint Commission;
 - (i) “Participating State” means the State of Goa;
 - (j) “Participating Union Territory” means any Union Territory, except Delhi;
 - (k) “Schedule” means the Schedule annexed to these rules;
 - (l) “Secretary” means the Secretary of the Joint Commission.
- (2) Words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in that Act.

3. Accounts of Commission. — (1) The Joint Commission shall prepare the annual statement of accounts for every financial year and the Secretary of the Joint Commission may authorise an Officer of the Joint Commission to prepare the account on his behalf.

- (2) The Secretary of the Joint Commission shall supervise the maintenance of the accounts of the Joint Commission, the compilation of financial statement and return, and shall ensure that all accounts, books, connected vouchers and other documents and papers of the Joint Commission required by the Audit Officer for the purpose of auditing the accounts of the Joint Commission are placed at the disposal of that Officer.
- (3) The Secretary of the Joint Commission shall submit the annual statement of accounts duly approved by the Joint Commission and certified by the Audit Officer, to the Central Government and the participating State Government by such date as may be specified by the Central Government.
- (4) The Joint Commission shall prepare the following accounts, namely: -
 - (a) receipt and payment account;
 - (b) income and expenditure account;
 - (c) balance sheet.
- (5) The Secretary of the Joint Commission shall be the authorised signatory to sign and authenticate the receipt and payment accounts, the income and expenditure accounts and the balance sheet.
- (6) The Secretary of the Joint Commission shall also submit the annual statement of accounts to the Audit Officer on or before the 30th day of June following the year to which the accounts relate and the Audit Officer shall audit the accounts of the Joint Commission and submit his report thereon.
- (7) Save as otherwise provided, the Joint Commission shall submit the statement of accounts in the Forms annexed to these rules for the period from the date of its constitution till the 31st March, 2015 to the Audit Officer within three months from the date of publication of these rules in the Official Gazette.
- (8) The Joint Commission shall, on receipt of the report of the audit, correct any defect or irregularity mentioned therein and give a report to the Central Government and the Audit Officer about the action taken by it thereon.

4. Form and time of preparation of annual statement of accounts of Commission.—(1) The Joint Commission shall prepare the annual statement of accounts for every financial year which shall comprise of the following, namely:-

- (i) balance sheet;
- (ii) income and expenditure account;

- (iii) schedules to the above financial statements;
 - (iv) instructions and accounting principles;
 - (v) notes and instructions for the Schedules; and
 - (vi) statement of receipts and payments.
- (2) The annual statement of accounts shall be prepared as per the Forms specified in Schedule-I and Schedule-IV, in accordance with the Instructions and Accounting Principles and the Notes and Instructions specified in the Schedule-II and Schedule-III respectively, as devised by the Committee of Experts on Uniform Format of Accounts for Central autonomous bodies appointed on the recommendation of the Parliamentary Committee on Papers Laid on the Table.
- (3) The annual statement of accounts shall be finalised by the Joint Commission within three months following the financial year to which the accounts relate.
- 5. Approval of annual statement of accounts.** —(1) Within three months after the end of the financial year, the Accounts Officer shall prepare the annual statement of accounts and the Secretary shall submit the same to the Joint Commission for its approval and after the approval of the Joint Commission, the annual statement of accounts shall be forwarded to the Comptroller and Auditor-General or any other person appointed by him for audit.
- (2) The accounts of the Joint Commission shall be authenticated by the Chairperson, one Member dealing with the Finance and the Secretary of the Joint Commission.
- 6. Preservation of records of accounts, etc.**— (1) The Joint Commission shall preserve the records of balance sheet, income and expenditure accounts and receipts and payments account prepared under these rules for a minimum period of ten years.
- (3) The books of accounts and other relevant records shall be kept in the office of the Joint Commission and it shall be the responsibility of the Accounts Officer to ensure that the books of accounts and other relevant records are properly maintained and securely preserved in safe custody and produced to Audit as and when required.
- 7. Authorised signatory.** — The balance sheet, income and expenditure accounts and receipts and payments account shall be signed by the Director (Administration) or any other Officer authorised by the Joint Commission.

Schedule - I
Form A
[See rule 4(2)]

Name of Entity: Joint Electricity Regulatory Commission for the State of Goa and Union Territories

BALANCE SHEET AS AT _____

(Amount–Rs.)

	Sch edul e	Cu rre nt Yea r	Previ ous Year
<u>CORPUS/ CAPITAL FUND AND LIABILITIES</u>			
Corpus/Capital Fund	1		
Reserves and Surplus	2		
Earmarked/ Endowment Funds	3		
Secured Loans and Borrowings	4		
Unsecured Loans and Borrowings	5		
Deferred Credit Liabilities	6		
Current Liabilities and Provisions	7		
TOTAL			
<u>ASSESTS</u>			
Fixed assets	8		
Investments – from earmarked/endowment funds	9		
Investment -others	10		
Current Assets, Loans and Advances, etc.	11		
Miscellaneous expenditure (to the extent not written off or adjusted)			
TOTAL			
Significant accounting policies	24		
Contingent liabilities and Notes on Accounts	25		

Form B
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories

INCOME AND EXPENDITURE ACCOUNT FOR THE PERIOD/YEAR ENDED -----

(Amount – Rs.)

	Schedule	Current Year	Previous Year
<u>INCOME</u>			
Income from Sale / Services	12		
Grants/ Subsidies	13		
Fees/ Subscriptions	14		
Income from Investments (income on invest.	15		
from earmarked/endow. funds transferred to funds)	16		
Income from royalty, publication etc.	17		
Interest earned	18		
Other income	19		
Increase/ (decrease) in stock of finished goods and works-in-progress			
TOTAL(A)			
<u>EXPENDITURE</u>			
Establishment Expenses	20		
Other Administrative Expenses etc.	21		
Expenditure on Grants, Subsidies etc.	22		
Interest	23		
Depreciation (net total at the year-end corresponding to Schedule 8)			
TOTAL(B)			
Balance being excess of Income over Expenditure (A-B)			
Transfer to Special Reserve (Specify each)			
Transfer to / from General Reserve			
Balance being surplus/ (deficit) carried to corpus/capital fund			
Significant accounting policies	24		
Contingent liabilities and Notes on Accounts	25		

Form C
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union territories
SCHEDULES FORMING PART OF BALANCE SHEET AS AT _____

(AMOUNT-Rs.)

	Current Year		Previous Year	
<u>SCHEDULE 1- CORPUS/CAPTIAL FUND:</u>				
Balance as at the beginning of the year				
Add: Contributions towards Corpus/Capita				
1 Fund Add/(Deduct): Balance of net income/ expenditure) transferred from the Income and Expenditure Account				
<u>BALANCE AS THE YEAR –END</u>				

Form D
[See rule 4(2)]

Name of Entity: Joint Electricity Regulatory Commission for the State of Goa and Union territories

SCHEDULES FORMING PART OF BALANCE SHEET AS AT _____

(AMOUNT – Rs.)

	Current Year		Previous Year	
<u>SCHEDULE 2-RESERVES AND SURPLUS:</u>				
<u>1. Capital Reserve:</u>				
As per last Account Addition during the year				
Less: Deductions during the year				
<u>2. Revaluation Reserve:</u>				
As per last Account Addition during the year				
Less: Deductions during the year				
<u>3. Special Reserves:</u>				
As per last Account Addition during the year				
Less: Deductions during the year				
<u>4. General Reserve:</u>				
As per last Account Addition during the year				
Less: Deductions during the year				
<u>TOTAL</u>				

Form E
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union territories

SCHEDULES FORMING PART OF BALANCE SHEET AS AT ___

(AMOUNT – Rs.)

	FUND – WISE BREAK UP TOTALS				TOTAL S	
	F u n d W X W	F u n d X X	F u n d Y Y	F u n d Z Z	Cu rre nt Ye ar	Previ ous Year
<u>SCHEDULE 3- EARMARKED/ENDOWMENT FUNDS</u>						
a) Opening balance of the funds						
b) Additions to the funds:						
i. Donations/grants						
ii. Income from investments made on account of funds						
iii. Other additions (specify nature)						
TOTAL (a+b)						
c) Utilization / Expenditure towards objectives of funds						
i. Capital Expenditure						
- fixed assets						
- others						
Total						
ii. Revenue Expenditure						
- salaries, wages and allowances etc.						
- rent						
- other administrative expenses						
Total						
TOTAL (c)						
NET BALANCE AS AT THE YEAR –END (a+ b-c)						

Notes: 1) Disclosures shall be made under relevant heads based on conditions attaching to the grant.
 2) Plan Funds received from the Central/State Governments are to be shown as separate funds and not to be mixed up with any other funds. .

Form F
 [See rule 4(2)]

Name of Entity: Joint Electricity Regulatory Commission for the State of Goa and Union territories

SCHEDULES FORMING PART OF BALANCE SHEET AS AT _____

(AMOUNT – Rs.)

	Current Year		Previous Year	
<u>SCHEDULE 4 – SECURED LOANS AND BORROWINGS:</u>				
1. Central Government				
2. State Government (specify)				
3. Financial Institutions				
a) Term Loans				
b) Interest accrued and due				
4. Banks:				
a) Term Loans				
- Interest accrued and due				
b) Other Loans (specify)				
- Interest accrued and due				
5. Other Institutions and Agencies				
6. Debentures and Bonds				
7. Others (specify)				
<u>TOTAL</u>				
<u>Note</u> : Amounts due within one year				

Form G
 [See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union territories

SCHEDULES FORMING PART OF BALANCE SHEET AS AT _____

(AMOUNT – Rs.)

	Current Year	Previous Year
<u>SCHEDULES 5-UNSECURED LOANS AND BORROWINGS</u>		
1. Central Government		
2. State Government (specify)		
3. Financial institutions		
4. Banks:		
a) term loans		
b) other loans (specify)		
5. Other institutions and agencies		
6. Debentures and bonds		
7. Fixed deposits		
8. Other (specify)		
<u>TOTAL</u>		
<u>Note</u> : Amounts due within one year		

Form H
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union territories
SCHEDULES FORMING PART OF BALANCE SHEET AS AT _____
(AMOUNT – Rs.)

	Current Year	Previous Year
<u>SCHEDULE 6- DEFERRED CREDIT LIABILITIES:</u>		
a) Acceptances secured by hypothecation of capital equipment and other assets		
b) Others		
<u>TOTAL</u>		
<u>Note</u> : Amounts due within one year		

Form I
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union territories
SCHEDULES FORMING PART OF BALANCE SHEET AS AT _____
(AMOUNT – Rs.)

	Current Year		Previous Year	
<u>SCHEDULES 7-CURRENT LIABILITIES AND PROVISIONS</u>				
<u>A. CURRENT LIABILITIES</u>				
1. Acceptances				
2. Sundry creditors:				
a) For Goods				
b) Others				
3. Advances received				
4. Interest accrued but not due on:				
a) Secured loans/borrowings				
b) Unsecured loans/borrowings				
5. Statutory Liabilities:				
a) Overdue				
b) Others				
c) Other current liabilities				
<u>TOTAL (A)</u>				
<u>B. PROVISIONS</u>				
1. For taxation				
2. Gratuity				
3. Superannuation/pension				
4. Accumulated leave encashment				
5. Trade warranties/claims				
6. Others (specify)				
<u>TOTAL (B)</u>				
<u>TOTAL (A+B)</u>				

Form J
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories

SCHEDULES FORMING PART OF BALANCE SHEET AS AT _____

(AMOUNT – Rs.)

<u>SCHEDULE 8 – FIXED ASSESTS</u>			
<u>Description</u>	<u>GROSS BLOCK</u>	<u>DEPRECIATION</u>	<u>NET BLOCK</u>

	Cost/Valuation as at the beginning of the year	Additions during the year	Deductions during the year	Cost/Valuation at the year end	As at the beginning of the year	On Additions During the year	On deductions during the year	Total up to the year-end	As at the current year-end	As at the previous year-end
1. Land										
a) Freehold										
b) Leasehold										
2. Buildings:										
a) On Freehold Land										
b) On leasehold land										
c) Ownership flats/premises										
d) superstructures on land not belonging to the entity										
3. Plant, machinery and equipment										
4. Vehicles										
5. Furniture and fixtures										
a. Office equipment										
b. Computer peripherals										
c. Electric installations										
d. Library books										
e. Tube wells and water supply										
6. Other fixed assets										
Total of current year										
Previous year										
<u>B. CAPITAL WORK-IN-PROGRESS</u>										
<u>TOTAL</u>										
(Note to be given as to cost of assets on hire purchase basis included above)										

Form K
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories
SCHEDULES FORMING PART OF BALANCE SHEET AS AT _____

(AMOUNT – Rs.)

	Current Year	Previous Year
<u>SCHEDULE 9- INVESTMENTS FROM EARMARKED/ENDOWMENT FUNDS</u>		
1. In Government securities		
2. Other approved securities		
3. Shares		
4. Debentures and bonds		
5. Subsidiaries and joint Ventures		
6. Others (to be specified)		
<u>TOTAL</u>		

Form L
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories
SCHEDULES FORMING PART OF BALANCE SHEET AS AT _____

(AMOUNT – Rs.)

	Current Year	Previous Year
<u>SCHEDULE 10- INVESTMENTS - OTHERS</u>		
1. In Government securities		
2. Other approved securities		
3. Shares		
4. Debentures and Bonds		
5. Subsidiaries and Joint Ventures		
6. Others (to be specified)		
<u>TOTAL</u>		

Form M
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories
SCHEDULES FORMING PART OF BALANCE SHEET AS AT _____

(AMOUNT – Rs.)

	Current Year	Previous Year
Schedule 11- CURRENT ASSETS, LOANS, and ADVANCES ETC.		
A. CURRENT ASSETS:		
1. <u>Inventories:</u>		
a) Stores and Spares		
b) Loose Tools		
c) Stock-in-trade		
Finished Goods		
Work-in-Progress		
Raw Materials		
2. <u>Sundry Debtors:</u>		
a) Debts Outstanding for a period exceeding six months		
b) Others		
3. <u>Cash balances in hand</u> (including cheques/drafts and imprest)		
4. <u>Bank Balances:</u>		
a) <u>With Scheduled Banks:</u>		
-On Current Accounts		

-On Deposit Account (includes margin money) -On Saving Accounts b) <u>With non-Scheduled Banks:</u> -On Current Accounts - On Deposit Accounts -On Saving Accounts 5. <u>Post Office – Saving Accounts</u>				
TOTAL (A)				
<u>B. LOANS, ADVANCES AND OTHER ASSETS</u>				
1. <u>Loans:</u> a) Staff b) Other entities engaged in activities/ objectives similar to that of the Entity c) Other (specify) 2. <u>Advances and other amounts recoverable in cash or in kind or for value to be received:</u> a) On Capital Account b) Prepayments c) Others 3. <u>Income Accrued:</u> a) On Investments from Earmarked/Endowment Funds b) On Investments – Others c) On Loans and Advances d) Others (includes income due unrealized- Rs...) 4. <u>Claims Receivable</u>				
TOTAL (B)				
TOTAL (A+B)				

Form N
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories
SCHEDULES FORMING PART OF INCOME AND EXPENDITURE FOR THE PERIOD/YEAR ENDED -----

(AMOUNT – Rs.)

	CURREN T YEAR	PREVIU S YEAR
<u>SCHEDULE 12- INCOME FROM SALES/SERVICES</u>		
1) <u>Income from Sales</u>		
a) Sale of finished goods		
b) Sale of raw material		
c) Sale of scraps		
2) <u>Income from Services</u>		
a) Labour and processing charges		
b) Professional/consultancy services		
c) Agency commission and brokerage		
d) Maintenance services (equipment/property)		
e) Others (specify)		
<u>TOTAL</u>		

Form O

[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories

SCHEDULES FORMING PART OF INCOME AND EXPENDITURE FOR THE PERIOD/YEAR ENDED -----

(AMOUNT – Rs.)

	Current year	Previou s year
<u>SCHEDULE 13- GRANTS/SUBSIDIES</u>		
(Irrevocable grants & subsidies received)		
1) Central Government		
2) State Government(s)		
3) Government agencies		
4) Institutions/ welfare bodies		
5) International organizations		
6) Others (specify)		
<u>TOTAL</u>		

Form P

[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories

SCHEDULES FORMING PART OF INCOME AND EXPENDITURE FOR THE PERIOD/YEAR ENDED -----

(AMOUNT – RS)

	Curre nt year	Previous year
<u>SCHEDULE 14- FEES/SUBSCRIPTIONS</u>		
1) Entrance fees		
2) Annual fees/subscriptions		
3) Seminar/program fees		
4) Consultancy Fees		

5) Others (specify)		
TOTAL		
NOTE – Accounting policies towards each item are to be disclosed		

Form Q
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories

SCHEDULES FORMING PART OF INCOME AND EXPENDITURE FOR THE PERIOD/YEAR ENDED -----

(AMOUNT – RS)

	CURRENT YEAR		PREVIOUS YEAR	
<u>SCHEDULE 15- INCOME FROM INVESTMENTS</u> (Income on Invest. from earmarked/endowment funds transferred to funds)				
1) <u>Interest</u>				
a) On Govt. securities				
b) Other bonds/debentures				
2) <u>Dividends:</u>				
a) On shares				
b) On mutual fund securities				
3) <u>Rents</u>				
4) Others (specify)				
<u>TOTAL</u>				
<u>TRANSFERRED TO EARMARKED/ENDOWMENT FUNDS</u>				

Form R
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories

SCHEDULES FORMING PART OF INCOME AND EXPENDITURE FOR THE PERIOD/YEAR ENDED -----

(AMOUNT – RS)

	CURRENT YEAR	PREVIOUS YEAR
<u>SCHEDULE 16- INCOME FROM ROYALTY, PUBLICATIO ETC.</u>		
1) Income from royalty		
2) Income from publications		
3) Others (specify)		
<u>TOTAL</u>		

Form S
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories
SCHEDULES FORMING PART OF INCOME AND EXPENDITURE FOR THE PERIOD/YEAR ENDED -----

(AMOUNT – Rs.)

	CURRENT YEAR	PREVIOUS YEAR
<u>SCHEDULE 17- INTEREST EARNED</u>		
1) <u>On Term Deposits:</u>		
a) With scheduled banks		
b) With non-scheduled banks		
c) With institutions		
d) Others		
2) <u>On Savings Accounts:</u>		
a) With scheduled banks		
b) With non-scheduled banks		
c) Post Office savings accounts		
d) Others		
3. <u>On Loans:</u>		
a) Employees/ staff		
b) Others		
4) <u>Interest on Debtors and Other Receivables</u>		
<u>TOTAL</u>		
<u>NOTE</u> – Tax deducted at source to be indicated		

Form T
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories
SCHEDULES FORMING PART OF INCOME AND EXPENDITURE FOR THE PERIOD/YEAR ENDED -----

(AMOUNT – Rs.)

	CURRENT YEAR	PREVIOUS YEAR

<u>SCHEDULE 18- OTHER INCOME</u>		
1) <u>Profit on Sale/disposal of Assets:</u>		
a) Owned assets:		
b) Assets acquired out of grants, or received free of cost		
2) Export incentives realized		
3) Fees for miscellaneous service		
4) Miscellaneous income		
<u>TOTAL</u>		

Form U

[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories

SCHEDULES FORMING PART OF INCOME AND EXPENDITURE FOR THE PERIOD/YEAR ENDED -----

(AMOUNT – Rs.)

	CURRENT YEAR	PREVIOUS YEAR
<u>SCHEDULE 19- INCREASE/(DECREASE) IN STOCK OF FINISHED GOODS & WORK IN PROGRESS</u>		
a) Closing stock		
- Finished goods		
- Work-in--progress		
b) Less: Opening stock		
- Finished goods		
- Work-in-progress		
<u>NET INCREASE /(DECREASE) [a-b]</u>		

Form V

[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories

SCHEDULES FORMING PART OF INCOME AND EXPENDITURE FOR THE PERIOD/YEAR ENDED -----

(AMOUNT – Rs.)

	CURRENT YEAR	PREVIOUS YEAR

<u>SCHEDULE 20- ESTABLISHMENT EXPENSES</u>		
a) Salaries and wages		
b) Allowances and bonus		
c) Contribution to provident fund		
d) Contribution to other fund (specify)		
e) Staff welfare expenses		
f) Expenses on employees' retirement and terminal benefits		
g) Others (specify)		
<u>TOTAL</u>		

Form W
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories
SCHEDULES FORMING PART OF INCOME AND EXPENDITURE FOR THE PERIOD/YEAR ENDED -----

(AMOUNT – Rs.)

<u>SCHEDULE 21- OTHER ADMINISTRATIVE EXPENSES ETC.</u>		
a) Purchases		
b) Labour and processing expenses		
c) Cartage and carriage inwards		
d) Electricity and power		
e) Water charges		
f) Insurance		
g) Repairs and maintenance		
h) Excise duty		
i) Rent, rates and taxes		
j) Vehicles running and maintenance		
k) Postage, telephone and communication charges		
l) Printing and stationary		
m) Traveling and conveyance expenses		
n) Expenses on seminar/ workshops		
o) Subscription expenses		
p) Expenses on fees		
q) Auditors remuneration		
r) Hospitality expenses		
s) Professional charges		
t) Provision for bad and doubtful debts/advances		
u) Irrecoverable balances written off		
v) Packing charges		
w) Freight and forwarding expenses		
x) Distribution expenses		
y) Advertisement and publicity		
z) Others (specify)		

TOTAL		
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Form X
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories
SCHEDULES FORMING PART OF INCOME AND EXPENDITURE FOR THE PERIOD/YEAR ENDED -----

(AMOUNT – Rs.)

<u>SCHEDULE 22- EXPENDITURE ON GRANTS, SUBSIDIES ETC.</u>	Current Year	Previous Year
a) Grants given to institutions/ organizations		
b) Subsidies given to institutions/organizations		
<u>TOTAL</u>		
<u>NOTE-</u> Name of the entities, their activities along with the amount of grants/subsidies are to be disclosed		

Form Y
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories
SCHEDULES FORMING PART OF INCOME AND EXPENDITURE FOR THE PERIOD/YEAR ENDED -----

(AMOUNT – Rs.)

	CURRENT YEAR	PREVIOUS YEAR
<u>SCHEDULE 23- INTEREST</u>		
a) On fixed loans		
b) On other loans (including bank charges)		
c) Others (specify)		
<u>TOTAL</u>		

Form Z
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories
SCHEDULES FORMING PART OF THE ACCOUNTS FOR THE PERIOD/YEAR ENDED -----

SCHEDULE 24-SIGNIFICANT ACCOUNTING POLICIES (Illustrative)

1. ACCOUNTING CONVENTION

The financial statements are prepared on the basis of historical cost convention, unless otherwise stated and on the accrual method of accounting.

2. INVENTORY VALUATION

- 2.1 Stores and Spares (including machinery spares) are valued at cost.
- 2.2 Raw materials, semi-finished goods and finished goods are valued at lower of cost and net realizable value. The costs are based on weighted average cost. Cost of finished goods and semi-finished goods is determined by considering material, labour and related overheads.

3. INVESTMENTS

- 3.1 Investments classified, as “long term investments” are carried at cost. Provision for decline, other than temporary, is made in carrying cost of such investments.
- 3.2 Investments classified as “Current” are carried at lower of cost and fair value. Provision for shortfall on the value of such investments is made for each investment considered individually and not on a global basis.
- 3.3 Cost includes acquisition expenses like brokerage, transfer stamps.

4. EXCISE DUTY

Liability for excise duty in respect of goods produced by the entity, other than for exports, is accounted upon completion of manufacture and provision is made for excisable manufactured goods at the year-end.

5. FIXED ASSETS

- 5.1 Fixed Assets are stated at cost of acquisition inclusive of inward freight, duties and taxes and incidental and direct expenses related to acquisition. In respect of projects involving construction, related pre-operational expenses (including interest on loans for specific project prior to its completion), form part of the value of the assets capitalized
- 5.2 Fixed Assets received by way of non-monetary grants, (other than towards the Corpus Fund), are capitalized at values stated, by corresponding credit to Capital Reserve.

6. DEPRECIATION

- 6.1 Depreciation is provided on straight-line method as per rates specified in the Income tax Act, 1961 except depreciation on cost adjustments arising on account of conversion of foreign currency liability for acquisition of fixed assets, which is amortized over the residual life of the respective assets
- 6.2 In respect of additions to /deductions from fixed assets during the year, depreciation is considered on pro-rata basis.
- 6.3 Assets costing Rs. 5,000 or less each are fully provided.

7. MISCELLANEOUS EXPENDITURE

Deferred revenue expenditure is written off over a period of 5 years from the year it is incurred.

8. ACCOUNTING FOR SALES

Sales include excise duty and are net of sales returns, rebate and trade discount.

9. GOVERNMENT GRANT/SUBSIDIES

- 9.1 Government grants of the nature of contribution towards capital cost of setting up projects are treated as Capital Reserve.
- 9.2 Grants in respect of specific fixed assets acquired are shown as a deduction from the cost of the related assets.
- 9.3 Government grants/subsidy are accounted on realization basis.

10. FOREIGN CURRENCY TRANSACTIONS

- 10.1 Transactions denominated in foreign currency are accounted at the exchange rate prevailing at the date of the transaction.

10.2 Current assets, foreign currency loans and current liabilities are converted at the exchange rate prevailing at the year-end and the resultant gain/loss is adjusted to cost of fixed assets, if the foreign currency liability relates to fixed assets, and in other cases is considered to revenue.

11. LEASE

Lease rentals are expensed with reference to lease terms.

12. RETIREMENT BENEFITS

12.1 Liability towards gratuity payable on death/retirement of employees is accrued based on actuarial valuation.

12.2 Provisions for accumulated leave encashment benefit to the employees is accrued and computed on the assumption that employees are entitled to receive the benefit as at each year end

Form AA [See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories
SCHEDULES FORMING PART OF THE ACCOUNTS FOR THE PERIOD/YEAR ENDED.

SCHEDULE 25- CONTINGENT LIABILITIES AND NOTES ON ACCOUNTS (Illustrative)

1. CONTINGENT LIABILITIES

1.1 Claims against the Entity not acknowledged as debts – Rs. (Previous year Rs.) _____).

1.2 In respect of:

- Bank guarantees given by/on behalf of the Entity – Rs. __ (Previous year Rs. _____).

- Letters of Credit opened by Bank on behalf of the Entity –Rs _____ (Previous year Rs. _____).

- Bills discounted with banks Rs. _____ (Previous year Rs. _____).

1.3 Disputed demands in respect of:

Income tax Rs. _____ (Previous year Rs. _____). Sales tax Rs. _____ (Previous year Rs. _____).
Municipal Taxes Rs. _____ (Previous year Rs. _____).

In respect of claims from parties for non-execution of orders, but contested by the Entity – Rs. _____ (Previous year Rs. _____).

2. CAPITAL COMMITMENTS

Estimated value of contracts remaining to be executed on capital account and not provided for (net of advances) Rs. _____ (Previous year Rs. _____).

3. LEASE OBLIGATIONS

Future obligations for rental under finance lease arrangements for plant and machinery amount to Rs. ____ (Previous year Rs. _____).

4. CURRENT ASSETS, LOANS AND ADVANCES

In the opinion of the Management, the current assets, loans and advances have a value on realization in the ordinary course of business, equal authorities least to the aggregate amount shown in the Balance Sheet.

5. TAXATION

In view of there being no taxable income under Income-tax Act 1961, no provision for Income tax has been considered necessary.

6. FOREIGN CURRENCY TRANSACTIONS

6.1 Value of Imports Calculated on C.I.F Basis:

- Purchase of finished goods
- Raw, materials & components (including in transit)
- Capital goods
- Stores, spares and consumables

6.2 Expenditure in Foreign currency:

- a) Travel
- b) Remittances and interest payment to financial institutions/ banks in foreign currency
- c) Other expenditure
 - Commission on sales
 - Legal and professional expenses
 - Miscellaneous expenses

6.3 Earnings:

Value of Exports on FOB basis

6.4 Remuneration to auditors: As Auditors

- Taxation matters
- For management services
- For certification
- Others

7. Corresponding figures for the previous year have been regrouped/rearranged, wherever necessary.
8. Schedules 1 to 25 are annexed to and form an integral part of the Balance Sheet as at and the Income and Expenditure Account for the year ended on that date.

Schedule-II

Instructions and Accounting Principles [See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories

- 1) The financial statements of non-profit and other similar organizations (viz., Balance Sheet and Income and Expenditure Account) shall be prepared on accrual basis; shall be in the form suggested, or as near thereto as possible.

If the information required to be given under any of the items or sub-items in this Form cannot be conveniently included in the Balance Sheet or the Income and Expenditure Account itself, as the case may be, it can be furnished in a separate Schedule or Schedules to be annexed to and forming part of the Balance Sheet or The Income and Expenditure Account. This is recommended where items are numerous.

- 2) A statement of all significant accounting policies adopted in the preparation of the Balance Sheet and the Income and Expenditure Account shall be included in the financial statements, and the

significant Accounting Policies should be disclosed at one place. Accounting Policies refer to the specific accounting principles and the method of applying those principles adopted by the Entity in the preparation of the financial Statements. Where any of the accounting policies is not in conformity with accounting standards, and the effect of departures from accounting standards is material, the particulars of the departure shall be disclosed, together with the reasons there for and the financial effect thereof, except where such effect is not ascertainable.

- 3) Accounting policies shall be applied consistently from one financial year to the next. Any change in the accounting policies which has a material effect in the Current period or which is reasonably expected to have a material effect in latter periods shall be disclosed. In case of a change in accounting policies, which has a material effect in the current period, the amount by which any item in the financial statements is affected by such change shall also be disclosed to the extent ascertainable. Where such amount is not ascertainable, wholly or in part, the fact shall be disclosed.
- 4) The accounting treatment and presentation in the Balance Sheet and the Income and Expenditure Account, of transactions and events shall be governed by their substance and not merely by the legal form.
- 5) In determining the accounting treatment and manner of disclosure of an item in the Balance Sheet and/ or the Income and Expenditure Account, due consideration shall be given to the concept of materiality.
- 6) Provision shall be made for all known liabilities and losses even though the amount cannot be determined with substantial accuracy (and the amount of provision represents only a best estimate in the light of available information).

‘Provision’ means any amount written off or retained by way of providing for (depreciation, renewals or diminution in value of assets, or retained by way of providing for any known liability, the amount of which cannot be determined with substantial accuracy.

Provision shall be made for contingent loss if:

- a) It is probable that future events will confirm that, after taking into account any related probable recovery, an asset has been impaired or liability has been incurred at the balance sheet date, and
- b) A reasonable estimate of the amount of the resulting loss can be made.

If either of the above conditions is not met, the existence of the contingent loss shall be disclosed by way of a note to the Income and Expenditure account, unless the possibility of the loss is remote.

- 7) Where any amount written off or retained by way of providing for depreciation, renewals or diminution in the value of assets or retained by way of providing for any known liability is in excess of the amount, which is considered reasonably necessary for the purpose, the excess shall be treated as a reserve and not as a provision.
- 8) Revenue shall not be recognized unless:
 - a) The related performance has been achieved;
 - b) No significant uncertainty exists regarding the amount of the consideration; and
 - c) It is not unreasonable to expect realization and ultimate collection.
- 9) Separate disclosure shall be made in the Income and Expenditure Account in respect of:
 - a) “Prior Period” items, which comprise material items of income or expenses which arise in the current period as a result of errors or omissions in the preparation of the financial statements of one or more prior periods.

- b) “Extra-ordinary” items, which are material items of income or expenses, that arises from events or transactions that are clearly distinct from the ordinary activities of the entity and, therefore, are not expected to recur frequently or regularly.
- c) Any item under the head “Miscellaneous Income” which exceeds 1 percent of the total turnover/gross income of entity or Rs. 50,000/-, whichever is higher. This shall be shown against an appropriate account head in the Income and Expenditure Account.
- d) Any item under the head “Miscellaneous Expenses “ which exceeds’ 1 percent of the total turnover/gross income of entity or Rs. 50,000/- whichever is higher. This shall be shown as a separate and distinct item against an appropriable head in the Income and Expenditure account.
- 10) The Schedules referred to in the form, the accounting policies and explanatory notes shall form an integral part of the financial statements.
- 11) Notes to the Balance Sheet and Income and Expenditure Account shall contain the explanatory material pertaining to the items in the Balance Sheet and the Income and Expenditure Account.
- 12) The figures in the Balance Sheet and the Income and Expenditure Account, if rounded off, shall be rounded off as below:

Amount of turnover (in Rs.)	Rounding off to (Rs.)
Less than One lakh	Hundred
One lakh or more but less than one crore	Thousand
One crore or more but less than one hundred crore	Lakh
One hundred or more but less than one thousand crore	Creore

- 13) Reference may also be made to the enclosed Notes and Instructions for compilation in relating to in the formats Suggested.

Schedule-III
Notes and Instructions
[See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories

CORPUS/CAPITAL FUND AND LIABILITIES SCHEDULE 1- CORPUS/CAPITAL FUND

- a) Corpus/Capital Fund is akin to Capital, Share Capital or Owner’s Funds. It comprises amounts received by way of contributions specifically to the Corpus, as increased/decreased by the net operating results shown in the Income and Expenditure Account (other than surplus, if any, transferred to any Reserves or Earmarked Funds).
- b) The Opening Balance, Additions to, Deductions from and the Closing Balance of the Corpus/ Capital Fund shall be shown under this head.
- c) Additions to the Corpus Fund shall be net of transfers, if any, to any Reserve or Earmarked Fund required under statute or as per applicable Regulations.

SCHEDULE 2- RESERVES AND SURPLUS

1. CAPITAL RESERVES:

- * *Opening balance*
- * *Additions during the year*
- * *Deductions during the year*

The expression 'capital reserves' shall not include any amount regarded as free for distribution through the Income and Expenditure Account. Surplus on revaluation should be treated as Capital Reserves and shown separately. Surplus on translation of financial statements of foreign branches, if any, is no revaluation reserve.

2. REVALUATION RESERVE:

- * *Opening balance*
- * *Additions during the year*
- * *Deductions during the year*

To reflect effects of changing prices, fixed assets otherwise stated at historical cost substituted by a revaluation, normally done by competent valuers. Such substitution resulting in an upward revaluation is required to be shown as a "Revaluation Reserve". This reserve is an unrealized gain and should not be credited as income in the income and Expenditure Account

3. SPECIAL RESERVES (S):

- * *Opening balance*
- * *Additions during the year*
- * *Deductions during the year*

These would comprise Special reverse requires to be create pursuant to any statutory or regulatory requirement applicable to the entity; and if so, should be clarified in the Notes on Accounts in Schedule 27.

4. GENERAL RESERVE:

- * *Opening balance*
- * *Additions during the year*
- * *Deductions during the year*

The expression 'General Reserve' shall mean any reserve other than capital reserve and revaluation reserve. This item will include all reserves, other than those separately classified.

NOTES GENERAL

- (a) Movements in various categories of reserves should be shown as indicated in the schedule.
- (b) The expression 'reserve' shall not include any amount written off or retained by way of providing for depreciation, renewals or diminution in value of assets or Retained by way of providing for any known liability.

SCHEDULE 3-EARMARKED/ENDOWMENT FUNDS

Amounts received as grants or assistance, or retained by the entity to be utilized for specific or earmarked purposes and remaining to be expended/utilized for the specific purpose for which these are intended, are required to be disclosed under this head. Such funds may be received in cash or kind from Government, Govt. agencies, institutions and other agencies etc. and are subject to compliance by the entity, of certain stipulated terms and conditions. For this reason, the balances available and their utilization should be disclosed in the manner suggested in the Schedule. The plan Funds received from the Central and /or State Governments are to be shown as distinct category of Fund.

Other plan funds earmarked/endowed for any chair, house, building, Trust etc. are to be shown as distinct category of Fund.

The following shall not be reckoned as part of Earmarked Funds:

- a) Grants/funds, which have the characteristics of promoters' contribution, which are of the nature of additions/accretion to the Corpus Fund:
- b) Funds/grants received by the Entity as compensation for expenditure/losses incurred in the

earlier years, as these would be reckoned only in the Income and Expenditure Account for the year.

- c) Non-monetary grants by way of capital assets or other resources, corresponding credit of which is of the nature of capital reserve, unless such grants are specified as irrevocable contribution to the Corpus.

Notes- General

- a) It is appropriate to ensure that the accretions to and utilization of earmarked funds is in accordance with the terms and conditions attaching to the same.
- b) Earmarked Funds, considering their nature, are represented by specifically earmarked investments or other assets.
- c) Plan Funds received from the Central/State Governments are to be shown as separate Funds and not to be mixed up with any other Funds.
- d) Records relating to fixed assets acquired/constructed should be maintained for each earmarked fund. However, for the purpose of the annual financial statements disclosure may be made of the aggregate accumulated cost up to each year and of such fixed assets in respect of each fund, unless the assets are taken over and are incorporated in Schedule 8.

SCHEDULE 4 – SECURED LOANS AND BORROWINGS

- | | |
|----------------------------------|---|
| 1. Central Government | Indicate the nature of security and terms of repayment. Indicate the name of State Govt. and nature of security and terms of repayment. |
| 2. State Government | |
| 3. Financial Institutions | Includes borrowings/refinance obtained from Industrial Development Bank of India, Export-Import Bank of India, National Bank for Agriculture and Rural Development (including liability against participation certificates, if any.) Normally these may be in the form of Term Loans. |
| 4. Banks | Includes borrowings/refinance obtained from commercial banks (including co-operative banks). Term Loans need to be segregated from other facilities. |
| a) Terms Loans | |
| b) Other Loans | |
| 5. Other institutions & agencies | Includes institutions/agencies other those mentioned above. |
| 6. Debentures and Bonds | The terms of redemption of debentures and bonds should be stated with the earliest date of their redemption. |

Notes - General

- a) Information shall be given in each case as regards the nature of security given.
- b) Secured loans and borrowings shall be such as are against hypothecation/pledge/charge on the assets of the entity.
- c) The Aggregate amount of loans under each head, as are guaranteed by the Central/State Govt. may also be mentioned along with the fact that these are so guaranteed.
- d) Loans and borrowings include refinance from Institutions and agencies liability against participation certificates.

- e) Amounts received by way of discount of debtors or receivables or rediscount of bills, shall not be included under this head, but shall be shown as borrowings.
- f) Interest accrued and due shall be included under sub-head. Interest accrued but not due shall not be included under this head, but shall be shown as part of Current Liabilities’.
- g) Unrecognized Inter-branch outstanding entries at credit should not be shown as borrowings.
- h) Amounts due within a period of less than 12 months as at the Balance Sheet date need to be disclosed.

SCHEDULE 5 –UNSECURED LOANS AND BORROWINGS

- | | |
|------------------------------------|--|
| 1. Central Government | Indicate the terms of repayment. |
| 2. State Governments (s) | Indicate name of the State Government and the terms of repayment. |
| 3. Financial Institutions | Includes borrowings obtained from Industrial Bank of India. Export-Import Bank of India, National Bank for Agriculture and Rural Development.

Normally these may be in the form of Term Loans. Pending creation of a charge on assets, bridge loans may be given as ‘unsecured’ loans |
| 4. Banks | Includes borrowings obtained from Commercial Banks (including Cooperative Banks).

Indicate the nature of facilities.

Overdrawn balances as per books do not constitute loans and generally arise due to cheques issued in excess of book balances such balances can be shown as loans only where the Entity enjoys or is granted overdraft facility. |
| 5. Other institutions and agencies | Includes Loans from Institutions/Agencies other than those mentioned above. |
| 6. Debentures and Bonds | The terms of redemption of Debenture and Bonds should be stated with the earliest date of their redemption. |
| 7. Fixed Deposits | These comprise deposits received from Public or otherwise for fixed period and against no security. |

Notes- General

- a) Unsecured loans and borrowings comprise amounts in respect of which no assets of the entity is charged as security or encumbered.
- b) Interest accrued and due shall be included under each sub-head. Interest accrued but not due shall not be included under this head, but shall be shown as part of Current Liabilities.
- c) Amount due within a period of less than 12 months as at the Balance Sheet date need to be disclosed.

SCHEDULE 6 –DEFERRED CREDIT LIABILITIES

- 1) Acceptances and other similar long –term obligations contracted in respect of acquisition of assets, the liability for payment of which falls in periods longer than 12 months as at date of the Balance Sheet should be included here.

4. Accumulated Leave Provisions for liability towards accumulated leave encashment of employees needs to be accrued on actuarial basis, and provided upto the year-end
5. Trade Warranties/Claims Where the entity is manufacturing/processing goods for sale, it may be liable to trade warranty risks, which needs to be provided for on a reasonable/rational basis
6. Others: These need to be specified, and shall not include provision for doubtful debts/advances, which shall be reduced from the relevant asset heads.

Notes- General

Provisions is an amount written off or retained by way of providing for depreciation or diminution in the value assets, or retained by way of providing for a known liability, the amount of which cannot be determined with substantial accuracy.

ASSETS

SCHEDULE 8 – FIXED ASSETS:

<p>1 LAND</p> <p>a) Freehold</p> <p>b) Leasehold</p>	<p>Where immovable properties are purchased/acquired by paying a composite cost, a reasonable/reliable estimate should be made of the land cost and shown separately.</p> <p>Leasehold land should be amortized over the period of lease unless the lease is in perpetuity.</p>
<p>2 BUILDINGS</p> <p>a) On freehold land</p> <p>b) On leasehold land</p> <p>c) Ownership Flats/ Premises</p> <p>d) Superstructures on Land not belonging to the Entity</p>	<p>As far as practicable, distinction may be made between factory and office buildings for purposes of provision for depreciation at different rates.</p> <p>Building/premises shall be those which are intended to be wholly/partly used for the purposes of the activities of the Entity and would not include “Investment Properties”.</p> <p>Superstructures on leasehold lands should be depreciated to be co-terminus with the amortisation of land, unless the superstructures have a shorter life.</p> <p>Building shall include roads, bridges, and culverts.</p>

3. PLANT, MACHINERY & EQUIPMENT	<p>Included under this Sub-head would be items like:</p> <ul style="list-style-type: none"> - Earth moving Machinery - Boilers - Furnaces - Generators - Dyes/Mould - Machinery used for specific industry/services like Building contractors, in hospitals/clinics, processing units, hydraulic works (including pipelines), Tool rooms - Other items used for manufacture/processing etc. <p>Separate Account heads should be maintained in the ledgers and kept reconciled with the Fixed Assets registers. Disclosure of Information under the above sub- heads is encouraged.</p>
4. VEHICLES	<p>Included under this sub-head would be items like:</p> <ul style="list-style-type: none"> - Tractors/Trailers - Trucks, Jeeps and Vans - Motor Cars - Motor Cycles, Scooters, Three Wheelers and Mopeds - Rickshaws <p>Separate Account heads should be maintained in the ledgers and kept reconciled with the Fixed Assets registers. Disclosure of Information under the above sub-heads is encouraged</p>
5. FURNITURE, FIXTURES	<p>Included under the above sub-head would be items like:</p> <ol style="list-style-type: none"> a) Cabinets/Almirahs/Filing Racks b) Air-conditioners / Air conditioning Plant c) Air Coolers d) Water Coolers e) Tables/Chairs/Sofas/Carpets f) Wooden partitions/temporary structures g) Voltage Stabilizers, UPS Systems h) Other Items <p>Separate Account heads should be maintained in the ledgers and kept reconciled with the Fixed Assets registers. Disclosure of Information under the above sub- heads is encouraged, for material amounts.</p>
6. OFFICE EQUIPMENT	<p>Included under the above sub-head would be items like:</p> <ol style="list-style-type: none"> a) Typewriters b) Photocopiers/duplicators c) Fax Machines <p>Separate Account heads should be maintained in the ledgers and kept reconciled with the Fixed Assets registers. Disclosure of Information under the above sub- heads is encouraged, for material amounts.</p>

7.COMPUTER/ PERIPHERALS	Computers, Printers and their peripherals like the Floppies, CDs, and Software etc. would the items under this head. Separate Account heads should be maintained in the ledgers and kept reconciled with the Fixed Assets registers. Disclosure of Information under the above subheads is encouraged, for material amounts.
8.ELECTRIC INSTALLATION	Include under the above sub-head would be items like: a) Electrical Machinery b) Electric Lights/Fans c) Switch gear instruments d) Transformers e) Electric Wiring and fittings Separate Account heads should be maintained in respect of above items and kept reconciled with the Fixed Assets registers. Disclosure information under the above sub-heads is encouraged, for material amounts.
9. LIBRARY BOOKS	In some cases the number of Library Books could be very large or there may be an established Library. In such cases these books may be disclosed as a separate category of assets. Library books will include books/ journals/ information stored in CD ROMs.
10 TUBEWELLS & WATER SUPPLY SYSTEMS	Tube wells and Water Supply System may be shown as a distinct category.
11 CAPITAL WORK- IN- PROGRESS	Fixed assets in the course of construction should be shown against this head till they are ready for their intended use. Plant. Machinery and equipment acquired and pending installation should also be included here.

Notes - General

- 1 Fixed Assets are those assets, which are held with the intention of being used for the purpose of producing or providing services and not held for sale in the normal course of trade.
- 2 Under each sub- head should be shown:
 - a) The cost or the valuation as at the beginning of the year.
 - b) Additions during the year (both acquisitions and by way of grants).
 - c) Deductions (including sales, disposals, write-offs) during the year.
 - d) The total cost/valuation as at the year-end.
 - e) Depreciation upto the previous year-end, that on addition during the year and the total accumulated depreciation upto the year ends.
 - f) The net block of the assets as at the year-end.
- 3 The accounting policy relating to accounting for fixed assets acquired (including by way of grants or at concessional rates), or constructed should be disclosed along with the method adopted for depreciation/amortization.
- 4 Where sums have been written up for any assets due to their revaluation, the basis thereof should be disclosed; and every balance sheet after the first balance sheet subsequent to the revaluation

should shown the revised figures for a period of five years with the date and amount of revision.

- 5 Where grants relating to specific fixed assets are received and these are equal to the whole or virtually the whole of the cost of the asset, the fixed assets should be shown in the Balance Sheet at nominal value.

Alternatively, grants related to depreciable fixed assets may be treated as deferred income and recognized in the income and Expenditure Account On a systematic and rational basis over the useful life of such assets i.e. such grants should be allocated to income over the periods and in the proportions in which depreciation is charged. Grants related to non- depreciable assets should be credited to “Capital Reserve” ‘ unless there are pre-conditions requiring fulfillment.

6 Depreciation

Depreciation shall be provided so as to charge the depreciable amount of a depreciable asset over its useful life.

Depreciation is a measure of the wearing out, consumption or other loss of value of a depreciable asset arising from use, effluxion of time or obsolescence through technology and market charges. It includes amortization of assets the useful life of which is determined and depletion of wasting assets.

For this purpose:

- a) Depreciable asset means an asset which -
- i. is expected to be used during more than one accounting period, and
 - ii. Has a limited useful life; and
 - iii. Is held by the entity for use in the production or supply of goods and services, for rental to others, or for administrative purpose and not for the purpose of sale in the ordinary course of its business/operating activities.
- b) Depreciable amount of a depreciable asset means its original cost, or other amount substituted for original cost in the financial statements less the residual value;
- c) Useful life means either-
- i. The period over which a depreciable asset is expected to be used by the Entity, or
 - ii. The number of production or similar units expected to be obtained from the use of the asset by the Entity.

SCHEDULE 9 – INVESTMENTS – FROM EARMARKED/ENDOWMENT FUNDS:

1 Government Securities	Includes Central and State Government securities and Government Treasury Bills. These securities should be shown at cost/book value. However, the difference between such value and market value should be given in the notes to the Balance Sheet.
2 Other approved Securities	Securities other than Government Securities, treated as approved securities (such as Trustee securities), should be included here.
3 Shares	Investments in shares of companies and Corporations not included in item 2 should be included here.
4 Debentures and Bonds	Investments in debentures and bonds of companies and corporations not included in item 2 should be included here.
5 Subsidiaries and /or joint ventures	Investments in subsidiaries/associate entities should be included

here. An entity shall be treated as a subsidiary or joint venture, if the entity exercises control over the composition of management/governing body, with or without any financial investment there in.

An entity will be considered as subsidiary for the purpose of this classification if more than 25% of the corpus of that entity is held by the entity as at the beginning of the year.

- 6 Others(to be specified) Includes residual investments, if any, like commercial paper, investments (to be specified) in Mutual Funds and other instruments not being in the nature of shares/debentures/bonds. Investments in Properties, if any, would also be included here.

Notes- General

1. The Gross value in aggregate, the depreciation in aggregate and net value of Investments are to be separately disclosed. Approved securities [covered by 1 and 2 above] are required to be bifurcated into “permanent” and “current” categories for valuation and determination of shortfall in value.
2. a) Investments can either be “Long term “ or “Permanent “ or “Current”.
- b) “Current Investment” means an investment, which is by its very nature, readily realizable and is intended to be held for not more then one year from the date on which it is made. Such investments should be shown at lower of cost or their fair value, which shall be determined on individual investment basis and the shortfall shall be provided, while appreciation shall be ignored.
- c) Long term investments are those investments, which are other than current investments, and these are intended to be held for the purposes of Capital appreciation and yield. Such investments are held at cost and shall be reduced when there is a decline, other than temporary, in their value-reduction being made for each investment.
3. Investments held against earmarked/endowment funds need to be separately disclosed.
4. Investments in properties, if held, shall be shown at cost less depreciation in the same manner as in the case of fixed assets.
5. The entity shall disclose the Accounting Policy in relation to investments, their cost, depreciation and carrying value- both for long term & current investments.
6. Any premium paid on acquisition of permanent investments shall be amortized on a time proportion basis upto the date of their maturity. Discount on Acquisition shall not be amortized.
7. Matured investments, not realized may be separately disclosed.

SCHEDULE 10 – INVESTMENTS – OTHERS:

- | | |
|-----------------------------|--|
| 1 Government Securities | Includes Central and State Government securities and Government Treasury Bills.

These securities should be shown at cost/book value. However, the difference between such value and market value should be given in the notes to the Balance Sheet. |
| 2 Other approved Securities | Securities other than Government Securities, treated as approved securities (such as Trustee securities), should be included here. |
| 3 Shares | Investments in shares of companies and corporations not included in |

item 2 should be included here.

- | | | |
|---|-----------------------------------|--|
| 4 | Debentures and Bonds | Investments in debentures and bonds of Companies and Corporations not included in item 2 should be included here. |
| 5 | Subsidiaries and / joint ventures | <p>Investments in subsidiaries/associate entities should be included here. An entity shall be treated as a subsidiary or joint venture, if the entity exercises control over the composition of management/governing body, with or without any financial investment there in.</p> <p>An entity will be considered as subsidiary for the purpose of this classification if more than 25% of the corpus of that is held by the entity as at the beginning of the year.</p> |
| 6 | Others | Includes residual investments, if any, like commercial paper, investments (to be specified) in Mutual Funds and other instruments not being in the nature of shares/debentures/bonds. Investments in properties, if any, would also be included here. |

Notes- General

1. The gross value in aggregate, the depreciation in aggregate and net value of investments are to be separately disclosed. Approved securities [covered by 1 and 2 above] are required to be bifurcated into “permanent” and “current” categories for valuation and determination of shortfall in value.
2. a) Investments can either be “Long term “ or “Permanent” or “Current”.
b) “Current Investments” means an investment, which is by, is very nature, readily realizable and is intended to be held for not more than one-year from the date on which it is made. Such investments should be shown at lower of cost or their fair value, which shall be determined on individual investment basis and the shortfall shall be on provided, while appreciation shall be ignored.
c) Long term investments are those, which are other than current investment, and these are intended to be held for the purposes of capital appreciation and yield. Such investments are held at cost and shall be reduced when there is a decline, other than temporary, in their value-reduction being made for each
Investment.
3. Investments held against earmarked/endowment funds are disclosed in Schedule 9.
4. Investments in properties, if held, shall be shown at cost less depreciation in the same manner as in the case of fixed assets.
5. The entity shall disclose the Accounting Policy in relation to investments, their cost, depreciation and carrying value- both for long term & current investments.
6. Any premium paid on acquisition of permanent investments shall be amortized on a time proportion basis upto the date of their maturity. Discount on Acquisition shall not be amortized.
7. Matured investments, not realized may be separately disclosed.

SCHEDULE 11 – CURRENT ASSETS, LOANS, ADVANCES, ETC.

A. CURRENT ASSETS:

1. Inventories: Inventories comprise tangible property held for sale in the ordinary course of business, or in the

- a) Stores and Spares
 - b) Loose Tools
 - c) Stock-in-trade
 - Finished Goods
 - Work-in-progress
 - Raw Materials
- process of production for such sales, or for consumption in the production of goods or services for sale, including maintenance supplies and consumables other than machinery parts
- Basis of valuation of inventories should be disclosed
- Finished goods would include goods purchased/produced and lying in hand at all locations of the entity.
- Raw materials would also include parts or components used or consumed in the progress of production of goods for sale.
- Debtors comprise persons from whom amounts are due for goods sold or service rendered or in respect of contractual obligations.
- Debits considered good for recovery and those considered doubtful shall be shown separately. Provisions for doubtful debts, if made, should be shown as a reduction from the amount of debts considered doubtful.
2. Sundry Debtors:
- a) Debts Outstanding for a period exceeding six months
 - b) Others
3. Cash balances in hand:
(Including cheques/drafts and imprest)
4. Bank Balances:
- a) With Scheduled Banks
 - On Current Accounts
 - On Deposit Accounts
(Includes margin money)
 - On Saving Accounts
 - b) With Non- Schedule Banks
 - On Current Accounts
 - On Deposit Accounts
 - On Saving Accounts
- Amounts held, as bank balances against earmarked/endowment funds should be separately disclosed.
- Where any deposit accounts are pledged or charged as security or are encumbered, the fact should be disclosed.
- Overdue/Matured Deposits should be separately disclosed
5. Post Office – Saving Accounts:

B. LOANS, ADVANCES AND OTHER ASSETS:

- 1. Loans:
 - a) Staff
 - b) Other Entities engaged in activities/Objectives similar to that of the Entity
- Loans and advances as are considered good & recoverable should be disclosed. Doubtful amounts, if any, should be stated under each sub- head, and provision, if made, should be shown as a reduction there from.
- Interest accrued on interest bearing staff loans should be accounted notwithstanding that actual recoveries of

- c) Others (specify) interest might commence after repayment of principal. Irrevocable grants/subsidies/donation to such entities shall not be included here. If interest –bearing, the amount of interest earned up to the year-end should be adjusted.
2. Advances and other amounts recoverable in cash or in kind or for value to be received:
- a) On Capital Account Advances to suppliers/contractors for capital works should be shown against this sub-head. This includes prepaid expenses. This would comprise receivables other than the debtors.
- b) Prepayments
- c) Others
3. Income Accrued: Both ‘Income accrued and due’ and ‘Income accrued but not due’ upto the year- end should be included under this head.
- a) On Investments from Earmarked/Endowment Funds Income on Investment from Earmarked/ Endowment Funds and that on Other Investment should be shown separately.
- b) On Investments – Others If uncertainty attaches to realization or ultimate collection, income should not be recognized, and if recognized, should be provided for.
- c) On Loans and Advances Dividends should be recognized based on the date(s) of their declaration.
- d) Others (includes income due unrealized -Rs) Separate disclosure should be made in respect of Income accrued, due but not realized.
4. Claims Receivable: Only claims, which are considered good and realizable, should be included.

SCHEDULE 12 – INCOME FROM SALES/SERVICES

INCOME FROM SALES:

1. Income from sales Sales comprise the aggregate amount for which sales are affected. These would be shown net of trade discounts, rebate and returns.
- a) Sale of Finished Goods Sales are complete when significant risks and rewards of ownership get transferred from the seller to the buyer, irrespective of the time of payment or delivery of the goods. Disclosure of export sales should be made separately.
- b) Sale of Raw Material Income must be shown at gross figures and tax deducted at source should be indicated separately.
- c) Sale of Scraps Labour and Processing charges realizable for processing/ fabrication of goods/materials of other entities should be disclosed against this sub-head.
2. Income from Services
- a) Labour and Processing Charges
- b) Professional/Consultancy Services
- c) Agency Commission and Brokerage

- d) Maintenance Services
(Equipment/property)
- e) Others (Specify)

Consultancy charges and fee for rendition of Professional services by the entity should be included under this sub head.

Where the Entity acts as a broker or agent for arranging supply of goods/ services of others, i.e. without acting on a principal to principal basis, the commission and brokerage income earned would be shown against this sub-head

Where the Entity undertakes maintenance contracts for equipment or property etc., the income earned up to the ear-end from this source should be included under this sub-head.

SCHEDULE 13 – GRANTS/SUBSIDIES:

(Irrevocable Grants & Subsidies Received)

- 1) Central Government Grants Subsidies or other similar assistance received for the general purpose and objectives of the Entity, on an irrevocable basis, or to cover expenditure incurred in prior periods shall be included in this Schedule.
- 2) State Government(s)
- 3) Government Agencies
- 4) Institutions/ Welfare Bodies These grants etc. are without any conditions attached as to their utilization and are of the nature of non-refundable amounts, which are to be appropriated to income.
- 5) International Organizations
- 6) Others (specify) The gross receipts shall be shown against each sub-head, and grants/subsidies which are given in turn to other institution/organizations on irrevocable basis, as expenditure should be considered in Schedule 22.

SCHEDULE 14 – FEES/SUBSCRIPTIONS:

- 1) Entrance fees Accounting policies on each item will have to be disclosed.
- 2) Annual fees/subscriptions In case the fees like entrance fee, subscriptions etc. are in the nature of capital receipts, such amount should go to the Corpus/Capital Fund. Otherwise such fees will be incorporated in this schedule.
- 3) Seminar/program fees
- 4) Consultancy fees: In case the major activities of the entity are to organize seminar/workshop and/ or provide consultancy services, such income should form part of the Schedule 12.
- 5) Others (specify) The gross receipts should be shown here. Expenditure incurred on seminar/ workshops, consultancy etc. should be shown as ‘other administrative expenses’ in the schedule 21.

SCHEDULE 15 – INCOME FROM INVESTMENTS:

- 1) Interest 1) Income form investments shall be disclosed at

- | | |
|---|---|
| <ul style="list-style-type: none"> a) On Govt. Securities b) Other Bonds/Debentures | <p>gross figures and tax deducted at source is to be stated separately.</p> |
| <ul style="list-style-type: none"> 2) Dividends: <ul style="list-style-type: none"> a) On shares b) On mutual fund securities | <ul style="list-style-type: none"> 2) Interest on Govt. securities shall comprise <ul style="list-style-type: none"> a) Interest earned at coupon rate upto the last applicable date of interest, i.e. interest accrued & due; and b) Interest accrued thereafter upto the year-end at the coupon rate. |
| <ul style="list-style-type: none"> 3) Rents | <ul style="list-style-type: none"> 3) Income on bonds and debentures would include discount accrued upto the year-end on bonds issued at a discount, to be redeemed at par or on premium, based on the terms of their issue. |
| <ul style="list-style-type: none"> 4) Others (Specify) | <ul style="list-style-type: none"> 4) Dividends shall be accrued, based on the dates of declaration thereof i.e. when the entity has a right to receive the same. 5) Rent shall be shown as income on investments on properties, if any. 6) Interest claimed on overdue/matured investments shall not be recognized unless pre-conditions for such recognition are satisfied. 7) Distinction should be made in respect of income on investments: <ul style="list-style-type: none"> a) Owned by the entity; and b) Those held against earmarked/endowment funds 8) At the year- end total of the income on investment from earmarked/ endowment funds should be transferred to the funds through schedule 13. |

SCHEDULE 16 – INCOME FROM ROYALTY, PUBLICATION ETC:

- | | |
|---|---|
| <ul style="list-style-type: none"> 1) Income from Royalty | <p>Accounting policies on each item will have to be disclosed.</p> |
| <ul style="list-style-type: none"> 2) Income from Publications | <p>In case the major activities of the entity are to publish books, journals, documents etc., such income should form part of the Schedule 12.</p> |
| <ul style="list-style-type: none"> 3) Others (Specify) | <p>The gross receipts should be shown here. Expenditure incurred on publication etc. should be shown as ‘other administrative expenses’ in the schedule 21.</p> |

SCHEDULE 17 – INTEREST EARNED:

- | | |
|--|--|
| <ul style="list-style-type: none"> 1. On Term Deposits: <ul style="list-style-type: none"> a) With Scheduled Banks b) With Non-Scheduled Banks c) With Institutions | <ul style="list-style-type: none"> 1. Interest income earned should be shown at gross figures and tax deducted at source is to be stated separately |
|--|--|

- d) Others
 - 2. On Savings Accounts:
 - a) With Scheduled Banks
 - b) With Non-Scheduled Banks
 - c) Post Office Savings Accounts
 - d) Others
 - 3. On Loans:
 - a) Employees/Staff
 - b) Others
 - 4. Interest on Debtors & Other Receivables
2. Distinction should be made in respect of Income;
- a) on assets owned by the entity; and
 - b) those held against earmarked/endowment fund;

SCHEDULE 18 – OTHER INCOME:

- 1. Profit on Sale/disposal of Assets
 - a) Owned assets
 - b) Assets acquired out of Grants or received free of cost.

Sales proceeds/realization, net of the book value of the assets shall, if a surplus, be included under sub-head.
- 2. Export Incentives realized

Export incentives claimed and not realized upto the year –end shall be included in Income
- 3. Fees for Miscellaneous Services

Items of material amounts included in Miscellaneous Income should be separately disclosed.
- 4. Miscellaneous Income

SCHEDULE 19– INCREASE/(DECREASE) IN STOCK OF FINISHED GOODS & WORK-IN-PROGRESS:

- a) Closing stock
 - Finished Goods
 - Work- in- Progress

Accounting policies regarding valuation of stock should be declared.
- b) Less: Opening Stock
 - Finished Goods
 - Work- in - Process

SCHEDULE 20– ESTABLISHMENT EXPENSES:

- a) Salaries and Wages
 - b) Allowances and Bonus
- The gross expenditure against each head including in respect of staff on deputation should

- | | |
|--|--|
| c) Contribution to Provident Fund | be disclosed. |
| d) Contribution to Other Fund (specify) | Statutory obligations of the entity towards provident fund, Employees' state insurance, retirement benefits etc. should be disclosed clearly and item-wise. |
| e) Staff Welfare Expenses | |
| f) Expenses on Employees' retirement and terminal benefits | In case of recoveries like fines, penalties etc. the same should not be deducted for the expense heads but included under 'Other Income' in the Schedule 18. |
| g) Others (specify) | |

Notes – General

Prior period items:

Prior period and extraordinary items shall be separately disclosed so that the effect thereof on the net expenditure for the year is known.

SCHEDULE 21– OTHER ADMINISTRATIVE EXPENSES, ETC.

- | | |
|--|---|
| a) Purchases* | The gross expenditure against each head should be disclosed. |
| b) Labour and processing expenses | In case of recoveries e.g. rent recoveries, freight charges recovered, fines, penalties, damages from suppliers etc., the amount of such recoveries should not be deducted from the expenses heads but included under Schedule 16 "Other Income". |
| c) Cartage and Carriage Inwards | |
| d) Electricity and Power | |
| e) Water charges | Prior period and extraordinary Items shall be separately disclosed so that the effect thereof on the net expenditure for the year is known. |
| f) Insurance | |
| g) Repairs and maintenance | |
| h) Excise Duty | The list of heads is not exhaustive but illustrative. As far as possible only these heads of accounts should be used unless there is compelling reasons to add or delete any of these heads. |
| i) Rent, Rates and Taxes | |
| j) Vehicles running and maintenance | * Purchase should be segregated between raw materials and stores for manufacture and for finished goods traded in. In case of manufacturing entities, 'Consumption of Raw Materials' and 'Stores' may be given instead of Purchases'. |
| k) Postage, telephone and communication charges | |
| l) Printing and stationary | |
| m) Traveling and conveyance Expenses: | |
| n) Expenses on seminar/workshops | |
| o) Subscription expenses | |
| p) Expenses on fees | |
| q) Auditors remuneration | |
| r) Hospitability expenses | |
| s) Professional charges | |
| t) Provision for bad and doubtful debts/advances | |

- u) Irrecoverable balances
 Written off
- v) Packing charges
- w) Freight and forwarding
 Expenses
- x) Distribution expenses
- y) Advertisement and
 publicity
- z) Others (specify)

SCHEDULE 22– EXPENDITURE ON GRANTS, SUBSIDIES, ETC.

- | | |
|--|--|
| a) Grants given to
Institutions/Organizations | Grants, subsidies or other similar assistance given to the Institutions/Organizations for general purposes and objectives of the Entity, on an irrevocable basis, shall be included in this Schedule. |
| b) Subsidies given to
Institutions
/Organizations: | Name of the Institutions/Organizations, their activities along with the amounts in each case should be disclosed.

These grants etc. are with or without any conditions attached as to their utilization and are of the nature of non-refundable amounts which are to be appropriated as expenditure.

The gross receipts shown against each sub-head in the Schedule 13, could be the source of these Grants/subsidies that are given, in turn to other institutions/ organizations on irrevocable basis.

The gross expenditure against each head should be disclosed. |

SCHEDULE 23– INTEREST:

- | | |
|---|---|
| a) On fixed loans | 1. Interest would include commitment charges. |
| b) On other loans (including
bank charges) | 2. Fixed loans are loans, which are for fixed period, like term loans. |
| c) Others (specify) | 3. Expenditure by way of interest as per Schedule 23 is the minimum disclosure requirement. The entity should be encouraged to disclose interest expended based on the sources of loans and borrowings as per the heads in Schedules 4 and 5. |

SCHEDULE 25 – CONTINGENT LIABILITIES AND NOTES ON ACCOUNTS:

A. CONTINGENT LIABILITIES

- | | |
|---|---|
| 1. Claims against the entity
not acknowledged as debts | _____ |
| 2. Liability for partly paid | Liability on partly paid shares, debentures etc. is |

- | | |
|---|--|
| investments | required to be stated. |
| 3. Liability on account of outstanding forward exchange contracts | Amount of outstanding forward exchange contracts at the exchange rates applicable as at the year-end should be stated. |
| 4. Guarantees and letters of credit outstanding: | Liability towards guarantees given by the entity or on its behalf and letter of credits outstanding as at the year-end are required to be disclosed. |
| 5. Bills discounted | Bills discounted outstanding as at the year-end to be disclosed. |
| 6. Other items for which the entity is contingently liable | Included here would be disputed statutory and other demands/claims, Bills rediscounted, commitments under-writing contracts and other items for which the entity is contingently liable. |

B. NOTES ON ACCOUNTS

- | | |
|--|---|
| 1. Commitments on capital Account not provided for | This would arise in terms of contracts/arrangements in terms of which amounts would have to provided for be paid for acquisition/construction of assets. The amount, net of advances is required to be disclosed. |
| 2. Others Notes | |

Schedule-IV

Form of Statement of Receipts and Payments [See rule 4(2)]

Name of Entity : Joint Electricity Regulatory Commission for the State of Goa and Union Territories

RECEIPTS AND PAYMENTS FOR THE PERIOD /YEAR ENDED _____

(Amount –Rs)

RECEIPTS	CURR ENT YEAR	PREVI OUS YEAR	PAYMENTS	CURR ENT YEAR	PREVIO US YEAR

<p><u>1. Opening Balances</u></p> <p>a) Cash in hand</p> <p>b) Bank Balances</p> <p> i) In current accounts</p> <p> ii) In deposit accounts</p> <p> iii) Savings accounts</p> <p><u>II. Grants Received</u></p> <p>a) From Government of India</p> <p>b) From State Government</p> <p>c) From other sources (details)</p> <p>(Grants for capital & revenue exp. To be shown separately).</p> <p><u>III. Income on Investments from</u></p> <p>a) Earmarked/Endow. Funds</p> <p>b) Own Funds (Other Investment)</p> <p><u>IV. Interest Received</u></p> <p>a) On Bank deposits b) Loans, Advances etc.</p> <p><u>V. OTHER INCOM (SPECIFY)</u></p>			<p><u>1. Expenses</u></p> <p>a) Establishment Expenses (corresponding to Schedule 20)</p> <p>b) Administrative Expenses (corresponding to Schedule 21)</p> <p><u>II. Payments made against funds for various projects</u></p> <p>(Name of the fund or project should be shown along with the particulars of payments made for each project)</p> <p><u>III. Investments and deposits made</u></p> <p>a) Out of Earmarked/Endowment funds</p> <p>b) Out of Own Funds (Investments- Others)</p> <p><u>IV. Expenditure on Fixed Assets & Capital Work-in-Progress</u></p> <p>a) Purchase of Fixed Assets</p> <p>b) Expenditure on Capital</p>		
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<p><u>VI. Amount Borrowed</u></p> <p><u>VII. Any other receipts (give details)</u></p>			<p>Work-in-progress</p> <p><u>V. Refund of Surplus money/Loans</u></p> <p>a) To the Government of India</p> <p>b) To the state Government</p> <p>c) To other providers of Funds</p> <p><u>VI. Finance Charges (Interest)</u></p> <p><u>VII. Other Payments (Specify)</u></p> <p><u>VIII. Closing Balances</u></p> <p>a) Cash in hand.</p> <p>b) Bank Balances.</p> <p> i) In current accounts</p> <p> ii) In deposit account</p> <p> iii) Savings accounts.</p>		
<p>TOTAL</p>			<p>TOTAL</p>		

[F. No. 47/2/2010-R&R(i)]

JYOTI ARORA, Jt. Secy.


सत्यमेव जयते

भारत का राजपत्र The Gazette of India

EXTRAORDINARY – PART II – Section 3 – Sub-section (i)
GOVERNMENT OF INDIA
MINISTRY OF POWER

New Delhi, the 31st December, 2020

NOTIFICATION

G.S.R. 818(E) — In exercise of the powers conferred by sub-section (1) read with clause (z) of sub-section (2) of section 176 of the Electricity Act, 2003 (Act 36 of 2003), the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement.**- (1) These rules may be called the Electricity (Rights of Consumers) Rules, 2020.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** - (1) In these rules, unless the context otherwise requires,-
 - (a) “**Act**” means the Electricity Act, 2003;
 - (b) “**applicant**” means an owner or occupier of any premises who files an application form with a distribution licensee for supply of electricity, increase or decrease in sanctioned load or contract demand, change in title or mutation of name, change in consumer category, disconnection or restoration of supply, or termination of agreement, shifting of connection or other services as the case may be, in accordance with the provisions of the Act, rules and regulations made thereunder;
 - (c) “**application**” means an application form complete in all respects in the appropriate format, as specified by the Commission, along with documents and other compliances;
 - (d) “**billing cycle or billing period**” means the period for which regular electricity bills as specified by the Commission, are issued for different categories of consumers by the distribution licensee;
 - (e) “**Commission**” means the State Electricity Regulatory Commission constituted under section 82 of the Act;
 - (f) “**Consumer**” means any person who is supplied with electricity for his own use by a distribution licensee or the Government or by any other person engaged in the business of supplying electricity to the public under the Electricity Act, 2003 or any other law for the time being in force and includes any person whose premises are for the time being connected for the purpose of receiving electricity with the works of a distribution licensee, the Government or such other person, as the case may be;
[(fa) “customer average interruption duration index “means the average interruption duration of the sustained interruptions for those who experienced interruptions during the reporting period, as specified by the State Commission”];
(fb) “customer average interruption frequency index “means the average interruption frequency of the sustained interruptions for those who experienced interruptions during the reporting period, as specified by the State Commission”]¹

¹ Inserted vide Amendment Rules, 2022 w.e.f. 20.04.2022.

- (g) “**days**” means clear working days;
- (h) “**disconnection**” means the physical separation or remote disconnection of a consumer from the distribution system of the distribution licensee;
- (i) “**fixed charges**” has the same meaning as per the provisions of the prevailing Tariff Order issued for the distribution licensee by the Commission;
- [(ia) “**gross-metering**” means a mechanism whereby the total solar energy generated from Grid Interactive rooftop Solar Photovoltaic system of a Prosumer and the total energy consumed by the Prosumer are accounted separately through appropriate metering arrangements and for the billing purpose, the total energy consumed by the Prosumer is accounted at the applicable retail tariff and total solar power generated is accounted for at feed-in tariff determined by the Commission;]²
- (j) “**maximum demand**” means the highest load measured in average kVA or kW at the point of supply of a consumer during any consecutive period of thirty minutes or as specified by the Commission, during the billing period;
- [(ja) “momentary average frequency interruption frequency index “means the average number of momentary interruptions per consumer occurring during the reporting period, as specified by the State Commission”]³
- [(jb) “**net-billing or net feed-in**” means a single bidirectional energy meter used for net-billing or net feed-in at the point of supply wherein the energy imported from the Grid and energy exported from Grid Interactive rooftop Solar photovoltaic system of a Prosumer are valued at two different tariffs, where-
 - (i) the monetary value of the imported energy is based on the applicable retail tariff;
 - (ii) the monetary value of the exported solar energy is based on feed-in tariff determined by the Commission;
 - (iii) the monetary value of the exported energy is deducted from the monetary value of the imported energy to arrive at the net amount to be billed (or credited / carried-over);
- (jc) “**net-metering**” means a mechanism whereby solar energy exported to the Grid from Grid Interactive rooftop Solar Photovoltaic system of a Prosumer is deducted from energy imported from the Grid in units (kWh) to arrive at the net imported or exported energy and the net energy import or export is billed or credited or carried-over by the distribution licensee on the basis of the applicable retail tariff by using a single bidirectional energy meter for net-metering at the point of supply;]⁴
- (k) “**occupier**” means the owner, tenant or person in occupation of the premises where electricity is used or proposed to be used;
- (l) “**point of supply**” means the point, as may be specified by the State Commission, at which a consumer is supplied electricity;
- (m) “**prosumer**” means a person who consumes electricity from the grid and can also inject electricity into the grid for distribution licensee, using same point of supply;
- [(ma) “system average interruption duration index” means the average duration of the sustained interruptions per Consumer occurring during the reporting period, as specified by the State Commission”;
- (mb) “system average interruption frequency index” means the average frequency of the sustained interruptions per Consumer occurring during the reporting period, as specified by the State Commission”]⁵

² Inserted vide Amendment Rules,2021 w.e.f. 28.06.2021.

³ Inserted vide Amendment Rules,2022 w.e.f. 20.04.2022.

⁴ Inserted vide Amendment Rules,2021 w.e.f. 28.06.2021.

⁵ Inserted vide Amendment Rules,2022 w.e.f. 20.04.2022.

- (n) **“temporary connection”** means an electricity connection required by a person for meeting his temporary needs such as-
- (i) for construction of residential, commercial and industrial complexes including pumps for dewatering;
 - (ii) for illumination during festivals and family functions;
 - (iii) for threshers or other such machinery excluding agriculture pump sets;
 - (iv) for touring cinemas, theatres, circuses, fairs, exhibitions, melas or congregations.
- (o) **“unauthorised use of electricity”** has the meaning as assigned to it under section 126 of the Act.

(2) The words and expressions used and not defined in these rules but defined in the Act shall have the meanings assigned to them in the Act and in absence thereof, the meanings as commonly understood in the electricity supply industry.

3. Rights and Obligations.- It is the duty of every distribution licensee to supply electricity on request made by an owner or occupier of any premises in line with the provisions of Act. It is the right of consumer to have minimum standards of service for supply of electricity from the distribution licensee in accordance with the provisions made in these rules.

4. Release of new connection and modification in existing connection.- (1) The distribution licensee shall prominently display on its website and on the notice board in all its offices, the following; namely:-

- (a) detailed procedure for grant of new connection, temporary connection, shifting of meter or, service line, change of consumer category, enhancement of load, reduction of load or change in name, transfer of ownership and shifting of premises etc;
 - (b) address and telephone numbers of offices where filled-up application forms can be submitted;
 - (c) address of website for online submission of application form;
 - (d) complete list of copies of the documents required to be attached with the application;
 - (e) all applicable charges to be deposited by the applicant.
- (2) Application forms for all type of connections as well as modification in existing connection shall be available at all the local offices of the distribution licensee free of cost as well as on its website for free download.
- (3) The distribution licensee shall create a web portal and a mobile app for submission of online application forms.
- (4) The applicant shall have an option to submit an application form in hard copy form or an electronic means such as online through web portal or mobile app of distribution licensee.
- (5) In case hard copy of the application form is submitted, the same shall be scanned and uploaded on the website as soon as it is received and acknowledgement with the registration number for that applicant shall be generated and intimated to the applicant.
- (6) In case of online application form through web portal or mobile app of distribution licensee, the acknowledgement with the registration number shall be generated on submission of application.
- (7) An application, complete with all the required information, shall be deemed to be received on the date of generation of acknowledgement with registration number. In case of hard copy submission, the acknowledgement with registration number shall be generated within such period as may be specified by the Commission, not exceeding twenty four hours, of receipt of the application, complete with all the required information.
- (8) The application tracking mechanism based on the unique registration number shall be provided by the distribution licensee through web-based application or mobile app or through SMS or by any other mode to monitor the status of processing of the application like receipt of application, site inspection, issuance of demand note, external connection, meter installation and electricity

flow.

- (9) For new connections up to a load of 10 kW or such higher load as may be specified by the Commission, the application form shall be accompanied with only two mandatory documents-
 - (1) identity proof (i.e. Passport, Aadhar Card etc.) of the applicant; and
 - (2) proof of applicant's ownership or occupancy over the premises for which new connection is being sought or in the absence of any proof of ownership or occupancy, any other address proof not given as part of identity proof under (1) above. For new connections beyond the specified load, and modification of existing connection, the Commission shall explicitly specify the documents required to be submitted with the application.
 - (10) In case, an agreement is required to be executed between distribution licensee and the consumer, the same shall become the part of the application form and there shall not be any requirement of a separate agreement form.
 - (11) The Commission shall specify the maximum time period, post submission of application complete in all respect, not exceeding seven days in metro cities, fifteen days in other municipal areas and thirty days in rural areas, within which the distribution licenses shall provide new connection and modify an existing connection:

Provided that where such supply requires extension of distribution mains, or commissioning of new sub-stations, the distribution licensee shall supply the electricity to such premises immediately after such extension or commissioning or within such period as may be specified by the Commission.
 - (12) If a distribution licensee fails to supply electricity within the period specified by the Commission, it shall be liable to a penalty as may be determined by the Commission, which shall not exceed one thousand rupees for each day of default.
 - (13) For electrified areas up to 150 kW or such higher load as the Commission may specify the connection charges for new connection shall be fixed on the basis of the load, category of connection sought and average cost of connection of the distribution licensee so as to avoid site inspection and estimation of demand charges for each and every case individually. The demand charges, in such cases, may be paid at the time of application for new connection.
5. **Metering** – (1) No connection shall be given without a meter and such meter shall be the smart pre-payment meter or pre-payment meter. Any exception to the smart meter or prepayment meter shall have to be duly approved by the Commission. The Commission, while doing so, shall record proper justification for allowing the deviation from installation of the smart pre-payment meter or pre-payment meter.
- (2) At the time of seeking a new connection the consumer shall have the option to -
 - (a) purchase the meter, MCB or CB and associated equipment himself; or
 - (b) require that the meter, MCB or CB and associated equipment be supplied by the distribution licensee, on payment of applicable charges.
 - (3) The distribution licensee shall ensure that tested and sealed meters of approved meter manufacturers are available to consumers for purchase and information of the places from where the consumers can purchase them is made available on its website.
 - (4) The meter shall be read at least once in every billing cycle in urban as well as rural areas by an authorised representative of the distribution licensee.
- [(5) All types of smart meters shall be read remotely at least once in a day and the other pre-payment meters shall be read by an authorised representative of the distribution licensee at least once in every three months and the data regarding energy consumption shall be made available to the consumer, through website or mobile application or Short Message Service and the like, provided that the consumers having smart pre-payment meters shall also be given the data access for checking their consumption and balance amount atleast on daily basis.

- (5A) After the installation of smart meters, no penalty shall be imposed on the consumer, based on the maximum demand recorded by the smart meter, for the period before the installation date.
- (5B) In case maximum demand recorded by the smart meter exceeds the Sanctioned Load in a month, the bill, for that billing cycle, shall be calculated based on the actual recorded maximum demand and consumers shall be informed of this change in calculation through Short Message Service or mobile application:
Provided that the revision of the Sanctioned Load, if any, based on the actual recorded maximum demand shall be as under:
- (a) in case of increase in recorded maximum demand, the lowest of the monthly maximum demand, where the recorded maximum demand has exceeded the sanctioned load limit at least three times during a financial year, shall be considered as the revised Sanctioned Load, and the same shall be automatically reset from the billing cycle in next financial year; and
 - (b) in case of reduction of maximum demand, the revision of sanctioned load shall be done in accordance with the Supply codes/ Standard Operating Procedures issued by the respective Regulatory Commission.]⁶
- (6) For post payment meters, if the meter is inaccessible to the meter reader on two consecutive meter reading dates, the consumer shall have the option to send the picture of the meter indicating the meter reading and date of meter reading through registered mobile or through e-mail. In such a case, distribution licensee may not send any notice or provisional bill to the consumer
- (7) Testing of meters shall be done by the distribution licensee within a period as may be specified by the Commission, not exceeding thirty days, of receipt of the complaint from the consumer about their meter readings not being commensurate with his consumption of electricity, stoppage of meter, damage to the seal, burning or damage of the meter, etc.
- (8) No test fee shall be charged from the consumer at the time of reporting if the meter is found to be defective or burnt due to reasons attributable to the consumer, the consumer shall bear the cost of new meter and test fee shall be charged from the consumer through subsequent bills.
- (9) The distribution licensee shall give a copy of the meter test report to the consumer duly signed by both the distribution licensee or their authorised representatives and the consumer, and retain one such copy as acknowledgment. The distribution licensee shall communicate the date and time for such test to the consumer and convey the said consumer to present at the site for testing. However, if the consumer chooses not to be present at the site for testing, the distribution licensee will carry out such testing and shall give the copy of the meter test report to the consumer for signing.
- (10) In case, during testing, the meter is found to be inaccurate, the excess or deficit charges shall be adjusted in the subsequent bills as specified by the Commission.
- (11) If a consumer disputes the results of testing, the meter shall be tested at a third party testing facility selected by the consumer from the list of third party testing agencies approved by the Commission. If it is successfully established that the results of this test are contrary to the results of the test performed by the distribution licensee, then the cost of undertaking such test shall be borne by the distribution licensee. However, in case it is established that the results of this test are same as the results of the test performed by the distribution licensee in sub-rule (7), then the cost of undertaking such test shall be borne by the Consumer. The meter test results and the meter data shall be issued to the consumer after such test has been completed and the said results are final and binding on both the consumer and the distribution licensee.
- (12) The list of third party agencies approved by the Commission shall be available in their various offices as well as on the website of the distribution licensee.
- (13) Replacement of defective or burnt or stolen meters shall be done,-
- (a) either on consumer's complaint or upon inspection by the distribution licensee, if the meter is prima facie found to be defective or burnt or stolen not due to causes attributable to the

⁶ Substituted vide Amendment Rules, 2023 w.e.f. 14.06.2023.

consumer, the licensee shall restore supply through a new meter at its own cost within the timelines as specified by the Commission;

(b) if, after investigation, it is found that the meter has become defective or burnt or stolen due to causes attributable to the consumer, the necessary charges shall be recovered from the consumer as specified by the Commission;

(c) within a time period, to be specified by the Commission not exceeding twenty-four hours in urban areas and seventy-two hours in rural areas by the distribution licensee.

(14) Non-availability of meter shall not be a reason for delay in restoration of supply.

(15) If the meter is installed outside the consumer's premises, distribution licensee shall be responsible for safe custody of the meter, and if the same is installed within the consumer's premises, the consumer shall be responsible for the safe custody of meter.

6. Billing and payment – (1) Tariff for each category of consumers shall be displayed on distribution licensee's website and consumers shall be notified of change in tariff including fuel surcharge and other charges, a full billing cycle ahead of time, through distribution licensee's website as well as through energy bills.

(2) The distribution licensee shall prepare the bill for every billing cycle based on actual meter reading, except where pre-payment meters are installed, and the bill shall be delivered to the consumer by hand or post or courier or e-mail or any other electronic mode at least ten days prior to the due date of payment.

(3) In case of non-receipt of original bill, the consumer shall be entitled to get a duplicate copy of the bill and shall also have the option to deposit self-assessed bill as per the procedure approved by the Commission:

Provided that the excess or deficit payment, as the case may be in case of self-assessment, shall be adjusted in the next bill or bills, as the case may be.

(4) In case of pre-payment metering, the distribution licensee shall issue the bill, to the consumer, on his or her request.

(5) The distribution licensee shall intimate the consumer about despatch of bill through SMS or email, or by both, SMS and e-mail, immediately and the intimation shall consist of the details of bill amount and the due date for payment.

(6) The distribution licensee shall also upload the bill on its website on the day of bill generation:

Provided that the billing details of last one year for all consumers shall also be made available on the licensee's website.

(7) The distribution licensee shall issue the first bill within a time period to be specified by the Commission, not exceeding two billing cycles, of energising a new connection where post payment meters are installed.

(8) In case the consumer does not receive the first bill within such period, he may complain, in writing, to the distribution licensee and the distribution licensee shall issue the bill within a time period, not exceeding seven days.

(9) The distribution licensee shall not generate more than two provisional bills for a consumer during one financial year and if the provisional billing continues for more than two billing cycles except under extraordinary situation due to force majeure, the consumer may refuse to pay the dues until bill is raised by the distribution licensee as per actual meter reading.

(10) If any bill is served with a delay of such period as specified by the Commission, not exceeding sixty days, the consumers shall be given a rebate of two to five percent as specified by the Commission.

(11) The information regarding the authority with whom grievance or complaint pertaining to bill can be lodged shall be provided along with the bill and the same shall also be made available on

distribution licensees' website.

- (12) In case of vacation of premises, the distribution licensee shall arrange to take a special reading of the meter on receiving the consumer's written request and issue a final bill including all arrears till the date of billing and issue a No-Dues Certificate on receiving final payment, within a time period not exceeding seven days from the receipt of such final payment.

7. Method of payment of Bills .- (1) Consumer shall have the option to pay bills online or offline.

- (2) Bill amount of more than one thousand rupees or an amount specified by the Commission shall mandatorily be paid online. Commission shall specify a suitable incentive or rebate for payment through online system.
- (3) For bill amounts less than or equal to one thousand rupees consumer may pay the bill through cash or cheque or demand draft or electronic clearing system at designated counters of a bank or through credit or debit cards or online payment through distribution licensees' web portal or any digital mode of payment and any change or further addition in the mode of payment shall be more user friendly for the consumers than the prevailing system.
- (4) The distribution licensee shall establish online portal as well as sufficient number of collection centres or drop boxes at suitable locations with necessary facilities, where consumer can deposit the bill amount with ease.

8. Advance payment of bills.- (1) In case of post payment meters, when a domestic consumer gives prior information in writing about his continued absence from residence, the distribution licensee shall not send any notice or provisional bill to the consumer provided that the consumer pays the fixed charges for such period in advance and his supply line shall not be disconnected.

- (2) Interest shall be paid on advance amount paid under sub-rule (1), at such rate as may be decided by the Commission.

[(8A) **Time of Day Tariff.**-The Time of Day tariff for Commercial and Industrial consumers having maximum demand more than ten Kilowatt shall be made effective from a date not later than 1st April, 2024 and for other consumers except agricultural consumers, the Time of Day tariff shall be made effective not later than 1st April, 2025 and a Time of Day tariff shall be made effective immediately after installation of smart meters, for the consumers with smart meters:

Provided that, the Time of Day Tariff specified by the State Commission for Commercial and Industrial consumers during peak period of the day shall not be less than 1.20 times the normal tariff and for other consumers, it shall not be less than 1.10 times the normal tariff:

Provided further that, tariff for solar hours of the day, specified by the State Commission shall be atleast twenty percent less than the normal tariff for that category of consumers:

Provided also that the Time of Day Tariff shall be applicable on energy charge component of the normal tariff:

Provided also that the duration of peak hours shall not be more than solar hours as notified by the State Commission or State Load Despatch Centre.

Explanation:- For the purposes of this rule, the expression "solar hours" means the duration of eight hours in a day as specified by the State Commission.

(8B) **Display of Tariff.**-The tariff for each category of consumers shall be displayed on distribution licensee's website and consumers shall be notified of change in tariff excluding fuel surcharge and other charges, at least one month ahead of time, through distribution licensee's website as well as through energy bills or Short Message Service or Mobile Application and the like.]⁷

9. Disconnection and reconnection .- (1) (a) In case a consumer desires that his meter to be permanently disconnected, he shall apply for the same to the distribution licensee and the licensee shall arrange for a special meter reading and prepare a final bill.

⁷ Inserted vide Amendment Rules,2023 w.e.f. 14.06.2023.

- (b) The disconnection shall be done immediately after payment of the final bill. The balance amount due to any consumption between the final reading and the permanent disconnection, if any, may be adjusted against the security amount with the distribution licensee. The remaining security deposit shall be refunded to the consumer within such period as specified by the Commission, not exceeding seven days.
- (2) In case the disconnection has been done on account of non-payment of past dues, the licensee shall reconnect the consumer's installation within such time as specified by the Commission, not exceeding six working hours of receipt of past dues and other charges as applicable.
- (3) Pre-payment meters will be designed to automatically cut off supply when the amount credited is exhausted. This shall however not be treated as a disconnection and the supply will be resumed whenever the meter is recharged.

10. Reliability of supply.- (1) The distribution licensee shall supply 24x7 power to all consumers. However, the Commission may specify lower hours of supply for some categories of consumers like agriculture.

- (1) The Commission shall specify the following parameters to maintain the reliability of supply by the distribution licensee; namely:-
 - (a) total duration and frequency of outages per consumer in a year -
 - a. System average interruption duration index (SAIDI);
 - b. System average interruption frequency index (SAIFI);
 - (b) the minimum outage time (in minutes) that the distribution licensee shall consider for the calculation of SAIDI or SAIFI, as the case may be
- (2) The distribution licensee shall put in place a mechanism, preferably with automated tools to the extent possible, for monitoring and restoring outages.
- [(3) In view of the increasing pollution level particularly in the metros and the cities with a population 100,000 and above, the distribution licensee shall ensure 24x7 uninterrupted power supply to all the consumers, so that there is no requirement of running the diesel generator sets and accordingly, the State Commission shall give trajectory of system average interruption frequency index and system average interruption duration index for such cities.
- (4) The State Commission may consider the customer average interruption duration index, customer average interruption frequency index and momentary average interruption frequency index as additional indicators of reliability of supply and the minimum interruption time for calculation of additional reliability indicators shall be as specified by the State Commission and in case the interruption time is not specified by the State Commission, three minutes shall be considered as interruption time for calculating the additional reliability indicators.
- (5) The State Commission shall have an online mechanism for reviewing and monitoring of reliability indices of distribution licensees and such Commission may consider a separate reliability charge for the distribution company, if they require funds for investment in the infrastructure for ensuring the reliability of supply to the consumers.
- (6) The consumers, who are using the diesel generator sets as essential back up power, shall endeavor to shift to cleaner technology such as renewable energy with battery storage and the like in five years from the date of commencement of these rules or as per the timelines given by the State Commission for such replacement based on the reliability of supply in that city covered under area of supply of the distribution licensee.
- (7) The process of giving temporary connections to the consumers for construction activities or any temporary usage and the like shall be simplified by the distribution licensee and given on an urgent basis and not later than forty eight hours and within seven days in case augmentation of the distribution system is required and this shall avoid any use of diesel generator sets for temporary activities in the area of the distribution licensee.

- (8) The temporary connection shall be through a prepayment meter or through consumer meters as defined in the Central Electricity Authority (Installation and Operation of Meters) Regulations as amended from time to time]⁸
- (9) The distribution licensee shall put in place a mechanism, preferably with automated tools to the extent possible, for monitoring and restoring outages.

11. Consumer as prosumer.-(1) While the prosumers will maintain consumer status and have the same rights as the general consumer, they will also have right to set up Renewable Energy (RE) generation unit including roof top solar photovoltaic (PV) systems – either by himself or through a service provider.

- (2) Renewable Energy (RE) generation unit may also be set up on other part of the premises of the prosumers, apart from the roof, however the total generation capacity of the RE unit shall not exceed the limit as specified by the Commission.
- (3) The Commission shall lay down regulations on Grid Interactive Roof top Solar PV system and its related matters with timelines of not exceeding six months from the date of notification of these rules, in case the same has not been notified.

[(4) The arrangements for net-metering, gross-metering, net-billing or net feed-in shall be in accordance with the regulations made by the State Commission, from time to time:

Provided that where the regulations does not provide for net-metering, net-billing or net feed-in, the Commission may allow net metering to the Prosumer for loads up to five hundred Kilowatt or upto the sanctioned load, whichever is lower and net-billing or net feed-in for other loads:

Provided further that in the case of Prosumers availing net-billing or net feed-in, the Commissions may introduce time-of-the-day tariffs whereby Prosumers are incentivised to install energy storage for utilization of stored solar energy by them or feeding into the grid during peak hours thus helping the grid by participating in demand response of the Discoms:

Provided also that in case of net-metering or net-billing or net feed-in, the distribution licensee may install a solar energy meter to measure the gross solar energy generated from the Grid Interactive rooftop Solar Photovoltaic system for the purpose of renewable energy purchase obligation credit, if any:

Provided also that the Commission may permit gross-metering for Prosumers who would like to sell all the generated solar energy to the distribution licensee instead of availing the net-metering, net-billing or net feed-in facility and the Commission shall decided for this purpose the generic tariff for gross-metering as per tariff regulations]⁹

- (5) The distribution licensee shall facilitate the process for setting up of RE generation system at prosumers’ premises. In this regard, the licensee shall-
 - (a) create an online portal for receiving applications from prosumers for installation, interconnection and metering of distributed renewable energy systems or devices at their premises, and update the same on a regular basis;
 - (b) prominently display on its website and in all its offices, the following; namely:-
 - (i) detailed standardized procedure for installation and commissioning of roof top solar system;
 - (ii) a single point of contact to facilitate the consumers in installation of roof top solar system from submission of application form to commissioning.
 - (iii) address and telephone numbers of offices where filled-up application forms can be submitted;

⁸ Inserted vide Amendment Rules,2022 w.e.f. 20.04.2022.

⁹ Substituted vide Amendment Rules,2021 w.e.f. 28.06.2021.

- (iv) complete list of documents required to be furnished along with such applications;
 - (v) applicable charges to be deposited by the applicant;
 - (vi) empanelled list of service providers for the benefit of consumers who want to install roof top solar PV system through service providers; and
 - (vii) financial incentives to the prosumers, as applicable under various schemes and programmes of the Central and State Governments;
- (6) The distribution licensee shall ensure that-
- (i) application forms shall be accepted online or through hard copy;
 - (ii) in case the application form submitted in hard copy form, the same shall be scanned and uploaded on the website as soon as it is received and acknowledgement with the registration number for that application shall be generated and intimated to the applicant;
 - (iii) in case the application form received online through web portal of the distribution licensee, the acknowledgement with the registration number shall be generated on submission of application;
 - (iv) application shall be deemed to be received on the date of generation of acknowledgement with registration number; and
 - (v) the application tracking mechanism based on the unique registration number shall be provided by the distribution licensee through web-based application or any other mode to monitor the status of processing of the application like receipt of application, site inspection, meter installation and commissioning, etc.
- (7) The technical feasibility study shall be completed within the time period specified by the Commission, not exceeding twenty days and the outcome of the study shall be intimated to the applicant.
- (8) During the time period from the feasibility study till the completion of installation, in case, there is any requirement of upgradation of distribution infrastructure like augmentation of service line, distribution transformer capacity, etc., for installation of the required capacity of solar PV system, the same shall be carried out by the distribution licensee or consumer, as the case may be.
- (9) After installation of solar PV system, the consumer shall submit the installation certificate to the distribution licensee. The licensee shall complete signing of connection agreement, installation of meter and successful commissioning of the solar PV system within the timelines specified by the Commission which shall not be more than thirty days from the date of submission of the installation certificate. Formats of contract agreement and installation certificate shall be placed on web-portal of the distribution licensee.
- (10) Consumer shall have the option of purchasing the requisite meter himself which shall be tested and installed by the distribution licensee.
- (11) The timelines as specified by the Commission shall be adhered to by the distribution licensee. In case of delay, the licensee may take approval from the Commission in specific cases along with justification for the same.
- (12) In case of any delay on the part of distribution licensee without any just cause, the Licensee shall be liable to pay compensation to the consumer at a rate which shall not be less than five hundred rupees per day for each day of default.
- [(13) The solar energy generated by prosumer shall be adjusted against energy consumed and bill amount as per regulations made by the Commission for Grid Interactive rooftop Solar Photovoltaic system.]¹⁰
- (14) The distribution licensee shall pass on the financial incentives to the prosumers, as may be provided under various schemes and programmes of the Central and State Governments.

¹⁰ Substituted vide Amendment Rules,2021 w.e.f. 28.06.2021.

- 12. Standards of performance .-** (1) The Commission shall notify the standards of performance for the distribution licensees as per sub-section (1) of section 57 of the Act and in consonance with the rules or regulations made thereunder.
- (2) The Commission shall determine the compensation amount to be paid to the consumers by the distribution licensees for violation of standards of performance as per sub-section (2) of Section 57 of the Act.
- 13. Compensation mechanism .-** (1) Consumer shall be automatically compensated for those parameters which can be monitored remotely when it can be successfully established that there is a default in performance of the distribution licensee.
- (2) The Commission shall notify regulations for establishment of mechanism, by the distribution licensee, for automatic payment of compensation amount determined under the provisions of sub-section of section 57 of the Act within six months from the notification of these rules.
- (3) The Commission shall oversee that the distribution licensee designs and maintains its distribution system in such a way that there is a gradual increase in the list of parameters, which can be monitored remotely and for which automatic compensation can be made to the consumer.
- (4) The standards of performance for which the compensation is required to be paid by the distribution licensee include, but are not limited to, the following, namely:-
- (i) no supply to a consumer beyond a particular duration, to be specified by the Commission;
 - (ii) number of interruptions in supply beyond the limits as specified by the Commission;
 - (iii) time taken for connection, disconnection, reconnection, shifting;
 - (iv) time taken for change in consumer category, load;
 - (v) time taken for change in consumer details;
 - (vi) time taken for replacement of defective meters;
 - (vii) time period within which bills are to be served;
 - (viii) time period of resolving voltage related complaints; and
 - (ix) bill related complaints.
- (5) The distribution licensee, within six months from the date of notification of the regulations by the Commission under sub-rule (2), shall create an online facility on which consumers may register and claim the compensation amount. The information in this regard shall be widely circulated among consumers through appropriate means including mass media, bills, SMS, e-mails or by uploading on licensee's website.
- (6) In all cases of compensation, the payment of compensation shall be made by adjustment against current or future bills for supply of electricity, within stipulated time from the determination of claim as specified by the Commission.
- 14. Call Centre for Consumer Services .-** (1) For providing common services like new connection, disconnection, reconnection, shifting of connection, change in name and particulars, load change, replacement of meter, no supply, the distribution licensee shall establish a centralised 24x7 toll-free call centre with effect from such date as may be specified by the Commission.
- (2) While other modes to provide services like paper application, email, mobile, website, etc., may continue, the licensees shall endeavour to provide all services through a common Customer Relation Manager (CRM) System to get a unified view of all the services requested, attended and pending, at the backend for better monitoring and analytics.
- (3) The CRM shall have facilities for sms,email alerts, notifications to consumers and officers for events like receipt of application, completion of service, change in status of application, etc; online status tracking and auto escalation to higher level, if services are not provided within the specified time period.

15. Grievance redressal mechanism - (1) The distribution licensee shall establish Consumer Grievance Redressal Forum (CGRF) under sub-section (5) of section 42 of the Act at different levels to cater the needs of the sub- division, division, circle, zone, company level. The forum shall be headed by an officer of the licensee of appropriate seniority. The forum shall consist of officers of the licensee and have not more than four members as consumer and prosumer representatives. The Appropriate Commission shall nominate one independent member who is familiar with the consumer affairs. The forum may be assigned different types of grievances depending on the nature of the grievance and the level at which it can be best resolved.

Provided that the manner of appointment and the qualification and experience of the persons to be appointed as member of the forum and the procedure of dealing with the grievances of the consumers by the Forum and other similar matters would be as per the guidelines specified by the Commission.

- (2) The licensee shall specify the time within which various types of grievances by the different levels of the forums are to be resolved. Normally, a grievance shall be decided within a period of thirty days and in any case not exceeding forty five days from the date of receipt of such grievance. The consumer aggrieved by the decision of sub-divisional or divisional or circle forum will have the option to approach the company level forum before making an appeal to the Ombudsman.
- (3) If a consumer's grievance is not redressed by the company level forum within the specified time or the consumer is not satisfied with the disposal of his grievance, he will be free to approach the Ombudsman appointed by the Commission.
- (4) The distribution licensee shall give wide publicity of the forum office, its complete address, contact details and procedure for registration of grievances through print and electronic media and notice boards of its various offices and also intimate the same to the consumers through electricity bills.
- (5) The distribution licensee shall set up a mechanism for monitoring of the grievances redressal.
- (6) The licensee will send quarterly reports to the Ombudsman and to the Commission, in respect of standards of performance, other performance parameters and consumer grievances related information showing the extent to which the time schedule has been followed in redressing the consumer grievances.
- (7) The performance of CGRF shall be monitored by the Commission.

16. General Provisions.- (1) The distribution licensee shall provide access to various services such as application submission, monitoring status of application, payment of bills, status of complaints raised ,etc., to consumers through its website,web portal, mobile app and its various designated offices area-wise.

- (2) The distribution licensee shall provide all services such as application submission, payment of bills, etc., to senior citizens at their door-steps.
- (3) The details of scheduled power outages shall be informed to the consumers. In case of unplanned outage or fault, immediate intimation shall be given to the consumers through SMS or by any other electronic mode along with estimated time for restoration. This information shall also be available in the call center of the distribution licensee.
- (4) For creating proper awareness among consumers and licensee staff, the distribution licensee shall ensure to undertake the following steps, namely:-
 - (a) Manual of procedure for providing common services and handling customer grievances shall be made available for reference of consumers at every office of the distribution licensee and downloadable from its website
 - (b) The distribution licensee shall publish the guaranteed standards of performance along with compensation structure, information on procedure for filing of complaints, in the bills for month of January and July. If it is not possible to publish the same at the back of the bills, the distribution licensee shall publish it on a separate hand out and distribute it along with the bills.

- (c) The distribution licensee shall arrange to give due publicity through media, TV, newspaper, website and by displaying in boards at consumer service related offices to bring awareness of consumer rights, standards of performance, compensation provisions, grievance redressal, measures for energy efficiency and any other schemes of the distribution licensee.
- (d) The distribution licensee shall arrange to display feeder wise outage data, efforts made for minimising outages, prevention of theft or unauthorised use of electricity or tampering, distress or damage to electrical plant, electric lines or meter and results obtained during the year, on its website.
- (e) Whenever the existing meters are to be replaced by any new technology meters, the distribution licensee shall take adequate measures to create consumer awareness regarding the advantages of such replacement. Distribution licensee shall issue a public notice in at least four daily newspapers. Such information shall also be displayed in conspicuous manner on the distribution licensee's website and the distribution licensee shall indicate the area wise schedule of dates for replacement of such meter.

[F.No. 23/05/2020-R&R]

GHANSHYAM PRASAD, Jt. Secy.


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EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 1st October, 2021

NOTIFICATION

G.S.R. 711(E)—In exercise of the powers conferred by sub-section (1) and clause(z) of sub-section (2) of section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement. – (1) These rules may be called the Electricity (Transmission System Planning, Development and Recovery of Inter-State Transmission Charges) Rules, 2021.

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

2. Definitions. – (1) In these rules, unless the context otherwise, requires,

(a) “Act” means the Electricity Act, 2003 (36 of 2003);

(b) “Designated Inter-state Customer” means the user of any element of the Inter-State Transmission System and include Generating Station, State Transmission Utility, Distribution Licensee, State Electricity Board and its successor company, Electricity Department of the State and Union Territory, Bulk Consumer and any other entity directly connected to the Inter-State Transmission System;

(c) “General Network Access” means non-discriminatory access to the Inter - State Transmission System as requested by a Designated Inter-State Customer and granted by the Central Transmission Utility for a maximum injection or drawal, as the case may be in Mega Watt and for a specific period.

(2) The words and expressions used and not defined herein but defined in the Act shall have the meanings assigned to them in the Act.

3. Planning and Approvals.-(1)The Central Electricity Authority shall draw up short term plan every year on rolling basis for upto next five years and perspective plan every alternate year on rolling basis for next ten years for development of the electricity system and co-ordinate the activities of the planning agencies for the optimal utilisation of resources to subserve the interests of the national economy and to provide reliable and affordable electricity in accordance with section 73 of the Act.

(2) The Central Electricity Authority shall also draw up the perspective plan for development of transmission system after consultation with all the relevant stakeholders such as, Central Transmission Utility, State Transmission Utilities, System Operators, generating and distribution companies, industry associations and the State Governments, etc., and after assessing the rate of growth in demand as well as the growth of generation in different areas of country.

(3) The Central Transmission Utility shall draw up plan for Inter-State Transmission System for upto next five years on rolling basis every year identifying specific transmission projects which

are required to be taken up along with their implementation time lines, after considering the plans made by Central Electricity Authority and studying the progress in generation capacity and demand in different parts of the country as well as taking note of General Network Access requests made by Designated Inter-state Customers, any signals of any congestion in any part of the Inter-State Transmission System and difficulties in obtaining right of way for development of transmission corridors. For preparing this plan, Central Transmission Utility shall consult with State Transmission Utilities, Central Government, State Governments, generating companies, Regional Power Committees, Central Electricity Authority, System Operators, licensees and any other person notified by the Central Government in this behalf.

- (4) The principle for planning of the Inter-State Transmission System shall be to ensure that it is available as per the requirements of the States and the generators, as reflected by their General Network Access requests and the planning should be such that the lack of availability of the transmission system does not act as a brake on the growth of different regions. The transmission system shall, be planned and developed matching with growth of generation and load, as far as possible and while doing the planning, care shall be taken that there is no wasteful investment.
- (5) The Inter-State Transmission System projects drawn up by Central Transmission Utility shall be placed before the National Committee on Transmission constituted by the Central Government and the National Committee on Transmission shall also include a nominee of each Regional Power Committee. The projects along with their timeline for implementation shall be approved by the Central Government after considering the recommendations of the National Committee on Transmission:

Provided that the Central Government may approve any transmission project as deemed necessary from the system or strategic point of view, without waiting for the recommendation of the National Committee on Transmission.

4. Connectivity. -(1) The Generation or Distribution Companies or Inter-State Transmission System Consumers shall be connected to the network and shall be able to sell or buy power from any Generator or Distribution Company Or Inter-State Transmission System connected entity and the Appropriate Commission shall issue appropriate regulations to regulate General Network Access.

- (2) While transitioning to General Network Access, all existing Long Term Access granted or deemed granted to a Designated Inter-state Customer may be considered as sanctioned General Network Access for that Designated Inter-state Customer, unless otherwise stated.
- (3) The General Network Access shall be applied for and provided for a specific capacity and the General Network Access shall be granted for a specific period.
- (4) The Central Commission may specify by regulations from time to time laying down the duration for which General Network Access can be granted and the procedure and fees thereof.
- (5) The costs of the connectivity system to the network shall be borne by connecting entity and the costs of strengthening of the system shall be a part of system cost and recovered in tariff.

5. Recovery of inter-state transmission charges. -(1) The entire Inter-State Transmission System shall be treated as one integrated system and any Designated Inter-state Customer seeking General Network Access shall pay the one time General Network Access charges as prescribed by the Central Commission:

Provided that existing Designated Inter-state Customers with existing Long Term Access quantum need not pay one time General Network Access charges.

- (2) All Designated Inter-state Customers shall pay per Mega Watt tariff fixed by the Central Commission as monthly transmission charges in addition to one time General Network Access charges, as applicable.
- (3) Where a Designated Inter-state Customer desires to relinquish the General Network Access, fully or partly, it may be allowed, subject to satisfactory grounds, upon making advance payment of reasonable relinquishment charges as specified by the Central Commission, such

that other Designated Inter-state Customers are not burdened and after full relinquishment of General Network Access by a Designated Inter-state Customer, it shall be disconnected from the Inter-State Transmission System.

- (4) The monthly transmission charges shall be paid by all Designated Inter-state Customers on per Mega Watt basis at the rates determined by the Central Commission.
- (5) The monthly transmission charges shall be paid by the Designated Inter-state Customers for the General Network Access capacity sanctioned for them or drawal or injections as the case may be, whichever is higher and all drawals or injections within the sanctioned capacity shall be at normal rate and excess drawal or injection over the capacity sanctioned shall be charged at rates, which are at least 25% higher, as determined by the Central Commission.
- (6) The transmission charges shall be levied in such manner that the total transmission charges are fully recovered and the Central Commission shall true up the total Inter-State Transmission System charges every month after obtaining reports from Central Transmission Utility about the additions or reductions in generation or transmission capacity and the number or capacity of General Network Access Consumers.
- (7) The liability to pay transmission charges, shall be effective from the date the General Network Access gets operationalised.
- (8) The Central Transmission Utility shall be responsible for billing, collection and disbursement of the transmission charges as per the regulations made by the Central Commission in this regard.
- (9) The Central Commission shall bring out Regulation on fees and charges for Central Transmission Utility to carry out the statutory functions as per provisions of the Act, and rules, regulations made there under.
- (10) The General Network Access capacity, or part thereof, can be shared with, sold to or purchased from any other Designated Inter-state Customers in such manner as may be provided by regulations by the Central Commission.
- (11) Any generator shall be allowed to be connected at the switchyard of another generator which is directly connected with Inter-State Transmission System, in such manner as may be provided by regulations by the Central Commission.
- (12) The Central Government may, if it is satisfied, waive Inter-State Transmission System charges and losses for notified sources of energy for a specified duration.

[F No. 3/7/2017]

MRITUNJAY KUMAR NARAYAN, Jt. Secy.


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EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 22nd October, 2021

NOTIFICATION

G.S.R. 751(E). —In exercise of the power conferred by sub-section (1), read with clause (z) of sub-section (2), of section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules, namely: —

1. Short title, commencement and application. — (1) These rules may be called the Electricity (Timely Recovery of Costs due to Change in Law) Rules, 2021.

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

(3) These rules shall apply to a generating company and transmission licensee.

2. Definitions. — (1) In these rules, unless the context otherwise requires, —

(a) “Act” means the Electricity Act, 2003 (36 of 2003);

(b) “agreement” means an agreement for the purchase, supply or transmission of electricity entered into under the Act;

(c) “change in law” in relation to tariff, unless otherwise defined in the agreement, means any enactment or amendment or repeal of any law, made after the determination of tariff under section 62 or section 63 of the Act, leading to corresponding changes in the cost requiring change in tariff, and includes—

(i) a change in interpretation of any law by a competent court; or

(ii) a change in any domestic tax, including duty, levy, cess, charge or surcharge by the Central Government, State Government or Union territory administration leading to corresponding changes in the cost; or

(iii) a change in any condition of an approval or license obtained or to be obtained for purchase, supply or transmission of electricity, unless specifically excluded in the agreement for the purchase, supply or transmission of electricity, which results in any change in the cost,

but does not include—

(A) any change in any withholding tax on income or dividends distributed to the shareholders of the generating company or transmission licensee; or

(B) change in respect of deviation settlement charges or frequency intervals by an Appropriate Commission;

(d) law includes any Act, Ordinance, order, bye-law, rule, regulation, notification, for the time being in force, in the territory of India.

(2) The words and expressions used and not defined herein but defined in the Act shall have the meaning respectively assigned to them in the Act.

3. Adjustment in tariff on change in law. — (1) On the occurrence of a change in law, the monthly tariff or charges shall be adjusted and be recovered in accordance with these rules to compensate the affected party so as to restore such affected party to the same economic position as if such change in law had not occurred.

- (2) For the purposes of sub-rule (1), the generating company or transmission licensee, being the affected party, which intends to adjust and recover the costs due to change in law, shall give a three weeks prior notice to the other party about the proposed impact in the tariff or charges, positive or negative, to be recovered from such other party.
- (3) The affected party shall furnish to the other party, the computation of impact in tariff or charges to be adjusted and recovered, within thirty days of the occurrence of the change in law or on the expiry of three weeks from the date of the notice referred to in sub-rule (2), whichever is later, and the recovery of the proposed impact in tariff or charges shall start from the next billing cycle of the tariff.
- (4) The impact of change in law to be adjusted and recovered may be computed as one time or monthly charges or per unit basis or a combination thereof and shall be recovered in the monthly bill as the part of tariff.
- (5) The amount of the impact of change in law to be adjusted and recovered, shall be calculated—
 - (a) where the agreement lays down any formula, in accordance with such formula; or
 - (b) where the agreement does not lay down any formula, in accordance with the formula given in the Schedule to these rules;
- (6) The recovery of the impacted amount, in case of the fixed amount shall be, —
 - (a) in case of generation project, within a period of one-hundred eighty months; or
 - (b) in case of recurring impact, until the impact persists.
- (7) The generating company or transmission licensee shall, within thirty days of the coming into effect of the recovery of impact of change in law, furnish all relevant documents along with the details of calculation to the Appropriate Commission for adjustment of the amount of the impact in the monthly tariff or charges.
- (8) The Appropriate Commission shall verify the calculation and adjust the amount of the impact in the monthly tariff or charges within sixty days from the date of receipt of the relevant documents under sub-rule (7).
- (9) After the adjustment of the amount of the impact in the monthly tariff or charges under sub-rule (8), the generating company or transmission licensee, as the case may be, shall adjust the monthly tariff or charges annually based on actual amount recovered, to ensure that the payment to the affected party is not more than the yearly annuity amount.

THE SCHEDULE

[See rule 5(b)]

FORMULA FOR DETERMINATION OF IMPACT IN TARIFF OR CHARGES DUE TO CHANGE IN LAW

Formula to calculate adjustment in the monthly tariff due to the impact of Change in Law, which is non-recurring in nature—

For Generation Project: —

Let financial impact of change in law = **P**;

then the modification in the monthly tariff (**MT**) for compensating the financial impact is given by—

$$\mathbf{MT} = \frac{\mathbf{Y}}{\mathbf{X}}$$

where **X** = estimated monthly electricity generation (in kWh) = (1/12) × [contracted capacity of the power plant as per the Agreement (in MW) × Normative Plant Load Factor (PLF) or Availability factor* or Capacity Utilisation Factor (CUF) (in case of RE), as per the Agreement (in %) × 8760 hours × 10];

(* in case PLF and CUF is not provided, the availability factor mentioned in the agreement may be considered. However, it will be true up with reference to the actual generation on annual basis.)

$$\text{and } Y = \frac{(P \times M_r)(1 + M_r)^n}{(1 + M_r)^n - 1};$$

where, —

n = No. of months over which the financial impact has to be paid (subject to a maximum of 180 months in case of the non-recurring fixed amount but in case of recurring impact it will be till the impact persists); and

$$M_r = \text{monthly rate of interest} = \frac{R}{12 \times 100};$$

where **R** = annual rate of interest on loan component (in %) as considered by the Central Electricity Regulatory Commission in its Order for Tariff determination from Conventional or Renewable Energy Sources (whichever is applicable) for the year in which the project is commissioned. In absence of relevant Orders of the Central Electricity Regulatory Commission for the concerned year, the interest rate shall be average interest rate plus 200 basis points above the average State Bank of India Marginal Cost of Funds based leading rate, of one year tenor, prevalent during the last available six months for such period.

Further, generating company or intermediary procurer or the trading licensee shall true up the MT annually based on actual generation of the year so as to ensure that the payment to the affected party is capped at the yearly annuity amount.

[F. No. 23/18/2020–R&R]

GHANSHYAM PRASAD, Jt. Secy.


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EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA
MINISTRY OF POWER

New Delhi, the 22nd October, 2021

NOTIFICATION

G.S.R. 752(E).—In exercise of the power conferred by sub-section (1), read with clause (z) of sub-section (2), of section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Electricity (Promotion of Generation of Electricity from Must-Run Power Plant) Rules, 2021.

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

2. **Definitions.**—(1) In these rules, unless the context otherwise requires,—

- (a) “Act” means the Electricity Act, 2003 (36 of 2003);
- (b) “intermediary procurer” means an intermediary company, nominated by the Central Government or the State Government, between the distribution licensees and the generating company, required either to aggregate the purchased of electricity from different generators and sell it to the distribution licensee, or to enhance the credit profile;
- (c) “must-run power plant” means a power plant, deemed to be a must-run power plant under sub-rule (1) of rule 3;
- (d) the expressions “credit profile”, “merit order dispatch”, “day ahead market”, “real time market”, “bucket filling basis” and “trading margin” shall have the meanings respectively assigned to them under the National Electricity Policy or the Tariff Policy made under section 3 of the Act.

(2) The words and expressions used and not defined herein but defined in the Act shall have the meaning respectively assigned to them in the Act.

3. **Must-run power plant.**—(1) A wind, solar, wind-solar hybrid or hydro power plant (in case of excess water leading to spillage) or a power plant from any other sources, as may be notified by the Appropriate Government, which has entered into an agreement to sell the electricity to any person, shall be treated as a must-run power plant.

(2) A must-run power plant shall not be subjected to curtailment or regulation of generation or supply of electricity on account of merit order dispatch or any other commercial consideration:

Provided that electricity generated from a must-run power plant may be curtailed or regulated in the event of any technical constraint in the electricity grid or for reasons of security of the electricity grid:

Provided further that for curtailment or regulation of power, the provisions of the Indian Electricity Grid Code shall be followed.

(3) In the event of a curtailment of supply from a must-run power plant, compensation shall be payable by the procurer to the must-run power plant at the rates specified in the agreement for

purchase or supply of electricity.

- (4) Where, in the event of any technical constraint in the electricity grid or for reasons of security of the electricity grid, procurer gives the notice for curtailment to the must-run power plant in advance, prior to the start of the day ahead market or real time market or any other product introduced from time to time in the power exchange, the must-run power plant shall sell the electricity not scheduled by the procurer in the power exchange.
 - (5) The amount realised by such must-run power plant from such sale of electricity in a power exchange, after deducting actual expenses paid for the sale in the power exchange, if any, shall be adjusted against the compensation payable by the procurer under sub-rule (3).
 - (6) Any deficit in realisation of amount, with respect to the compensation shall be paid by the procurer on monthly basis.
 - (7) Any excess realisation of amount during a month from sale of electricity in a power exchange, if any, shall be carried forward and adjusted in the next month or months.
 - (8) The final adjustment of excess realisation of amount, if any, shall be paid by the must-run power plant to the procurer within one month of the close of the financial year.
- 4. Intermediary procurer to procure electricity for distribution licensees.**—(1) The intermediary procurer, an agency nominated by the Central Government or State Government, may procure electricity through a transparent process of bidding in accordance with the guidelines issued by the Central Government under section 63 of the Act for sale to one or more distribution licensees.
- (2) The intermediary procurer referred to in sub-rule (1) shall be deemed to be a trader for the purposes of the Act, buying electricity from the must-run power plant and selling the same to one or more distribution licensees.
 - (3) In case of a bid on the bucket filling basis, where multiple generating companies, as successful bidders, are selected at different rates in order to meet the full quantum of electricity specified in the bid, the weighted average of all the selected bids shall be the resultant bid rate for that bid and power may be offered by the intermediary procurer or trading licensee for sale at the said resultant bid rate to the procurer:
 - (4) The manner of resultant bid rate specified under sub-rule (3), shall also be applicable to agreements entered into between the intermediary procurer and distribution licensees, prior to the commencement of these rules, for sale of electricity based on sources of renewable energy from suppliers selected in a bidding process conducted under the guidelines issued by the Central Government under section 63 of the Act.
 - (5) The Appropriate Commission, on application made to it by the intermediary procurer or distribution licensee, may adopt the weighted average tariff after hearing the parties concerned.
 - (6) The Appropriate Commission shall adjust the rate of tariff on annual basis based on the actuals.
 - (7) The intermediary procurer, from the sale of electricity under these rules, shall be allowed to retain only the trading margin as specified in the agreements or the regulations or as may be determined by the Appropriate Commission.

[F. No. 23/18/2020–R&R]

GHANSHYAM PRASAD, Jt. Secy.


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EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 3rd June, 2022

NOTIFICATION

G.S.R. 416(E). —In exercise of powers conferred by sub-section (1) of section 176 of the Electricity Act, 2003 (36 of 2003), and in supersession of the Electricity (Late Payment Surcharge) Rules, 2021, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely: -

1. **Short title, Commencement and Applicability.** - (1) These rules may be called the Electricity (Late Payment Surcharge and Related Matters) Rules, 2022.
 - (2) They shall come into force on the date of their publication in the Official Gazette.
 - (3) These rules shall be applicable to outstanding dues of generating companies inter-state transmission licensees and electricity trading licensees.
2. **Definitions.** - (1) In these rules, unless the context otherwise requires, -
 - (a) "Act" means the Electricity Act, 2003 (36 of 2003);
 - (b) "agreement" means and includes the following, namely: -
 - (i) Power Purchase Agreement between the distribution licensee and the generating company or electricity trading licensee; or
 - (ii) Power Supply Agreement between the distribution licensee and the electricity trading licensee; or
 - (iii) Transmission Service Agreement between the transmission licensee and distribution licensee or other user of transmission system;
 - (iv) such other agreements by whatever name called and binding on the generating company, electricity trading licensee, transmission licensee, distribution licensee, and other user of transmission system, for supply of power and transmission services.
 - (c) "base rate of Late Payment Surcharge" means the marginal cost of funds based on lending rate for one year of the State Bank of India, as applicable on the 1st April of the financial year in which the period lies, plus five per. cent and in the absence of marginal cost of funds based lending rate, any other arrangement that substitutes it, which the Central Government may, by notification, in the Official Gazette, specify:

Provided that if the period of default lies in two or more financial years, the base rate of Late Payment Surcharge shall be calculated separately for the periods falling in different years;
 - (d) "defaulting entity" means a distribution licensee or other user of transmission system having outstanding dues of a generating company or electricity trading licensee or transmission licensee.

- (e) **"default trigger date"** means, -
- (i) in case of non-payment of dues, one month after the due date of payment or two and half months after the presentation of bill by the generating company, electricity trading licensee or the transmission licensee, as the case may be, whichever is later, and;
 - (ii) in case of non-maintenance of the payment security mechanism, shall be from the next bank working day after the payment security mechanism due to be replenished but is not done.
- (f) **"due date"** means the date by which the bill for the charges for power supplied by the generating company or electricity trading licensee or for the transmission service provided by a transmission licensee are to be paid, in accordance with the agreement, as the case may be, and if not specified in the agreement, forty-five days from the date of presentation of the bill by such generating company, electricity trading licensee or transmission licensee:

Provided that if due date for payment of any invoice falls on a bank non-working day, the next bank working day shall be considered as due date for payment.

- (g) **"Late Payment Surcharge "** means the charges payable by a distribution licensee to a generating company or electricity trading licensee for power procured from it, or by a user of a transmission system to a transmission licensee on account of delay in payment of monthly charges beyond the due date.
- (h) **"outstanding dues"** means the dues of a generating company, electricity trading licensee, or a transmission licensee, **not stayed by a competent court or Tribunal or dispute resolution agency as designated in the Power Purchase Agreement**, which remains unpaid by the beneficiary beyond the due date and includes the amount of installment not paid after the re-determined due date under rule 5.
- (i) **"payment security mechanism"** means Letter of Credit or Letter of Credit backed by Escrow Account as per the agreement:

Provided that, advance payment shall constitute payment security if there are no outstanding dues:

Provided further that the payment security may be for a shorter duration or lower capacity in case of generating company, if there are no outstanding dues:

- (j) **"regulated entity"** means the defaulting entity whose power supply is regulated in accordance with these rules.
- (k) **"regulating entity"** means the generating company or the electricity trading licensee or the transmission licensee or the Central Transmission Utility as the case may be, which notifies the Regional Load Despatch Centre or the State Load Despatch Centre in whose control area the source of power is located, to regulate the power supply of the defaulting entity.
- (2) Words and expressions used and not defined herein but defined in the Act shall have the meaning respectively assigned to them in the Act.
3. **Late Payment Surcharge.** -(1) Late Payment Surcharge shall be payable on the payment outstanding after the due date at the base rate of Late Payment Surcharge applicable for the period for the first month of default.
- (2) The rate of Late Payment Surcharge for the successive months of default shall increase by 0.5 per. cent for every month of delay provided that the Late Payment Surcharge shall not be more than three per. cent higher than the base rate at anytime:
- Provided that the rate, at which Late Payment Surcharge shall be payable, shall not be higher than the rate of Late Payment Surcharge specified in the agreement, if any.

4. **Adjustment towards Late Payment Surcharge.** - All payments by a distribution licensee to a generating company or a trading licensee for power procured from it or by a user of a transmission

system to a transmission licensee shall be first adjusted towards Late Payment Surcharge and thereafter, towards monthly charges, starting from the longest overdue bill.

5. **Liquidation of arrears.** - (1) The total outstanding dues including Late Payment Surcharge upto the date of the notification of these rules shall be rescheduled and the due dates re- determined for payment by a distribution licensee in the following maximum number of equated monthly installments: -

Outstanding dues amount (in Rs. Crore)	Maximum no. of equated monthly installments (months)
Up to 500	12
501 - 1,000	20
1,001 - 2,000	28
2,001 - 4,000	34
4,001 - 10,000	40
>10,000	48

- (2) The distribution licensee shall communicate, in writing, to the generating company, transmission licensee, electricity trading licensee, as the case may be, the outstanding dues and number of installments in which, the outstanding dues would be paid and this communication shall be sent within thirty days of the promulgation of these rules:

Provided that if distribution licensees fails to communicate to generating company, transmission licensee, electricity trading licensee, as the case may be, the rescheduling of dues in accordance with sub-rule (1) of rule 5 within thirty days, these provisions shall not be applicable to it:

Provided further that the distribution licensee may make payment in a month more than the equated monthly installment for the month.

Provided also that the first due date for payment of the equated monthly installment shall be the fifth day of the immediate month that comes after forty five days from notification of these rules and due date for all subsequent equated monthly installments shall be due on fifth day of date the subsequent months.

Illustration: If these rules come into effect on 10th March, 2022 then the due date of the equated monthly installment shall start from 5th May, 2022 and subsequent equated monthly installment shall be due on 5th of subsequent months i.e. 5th June, 2022 and so on:

Provided also that the payment of installment shall be done to all the concerned generating companies, transmission licensees, electricity trading licensees, as the case may be, on pro-rata basis, depending upon the proportion of their individual outstanding dues.

- (3) Notwithstanding anything contained in rule 3, if the distribution licensee agrees to payment of the arrears dues as per the installment fixed under the rule, and makes timely payment of these installment then Late Payment Surcharge shall not be payable on the outstanding dues from the day of the notification of these rules:
- (4) In case of delay in payment of an installment under sub-rule (1), Late Payment Surcharge shall be payable on the entire outstanding dues as on the date of notification of these rules.
- (5) In case of non rescheduling of the arrears in accordance with this rule, all payments made by the Distribution Company shall first be adjusted against the arrears.
6. **Operationalising the payment security mechanism and its consequences-** (1) A distribution licensee or other user of transmission system, as the case may be, shall maintain unconditional, irrevocable and adequate payment security mechanism.

(2) In case of non-maintenance of payment security mechanism generating companies, electricity trading licensees and transmission licensees shall regulate power supply to the distribution licensee in accordance with these rules.

(3) The supply of power shall only be made if an adequate payment security mechanism is maintained or in the absence thereof, advance payment is made:

Provided that in case the generating company supplies power without the payment security mechanism or without advance payment, it shall lose the right to collect the late payment surcharge from the distribution licensee:

Provided further that in case of non-payment of outstanding dues by the default trigger date, the obligation of the generating company to supply power shall be reduced to Seventy five per cent of the contracted power to distribution licensee and balance Twenty five per cent of contracted power may be sold by the generating company through the Power Exchanges.

Provided also that if the distribution licensee does not establish payment security mechanism or continues to default in payment of outstanding dues for a period of thirty days then the generating company shall be entitled to sell 100 per. cent of the contracted power through Power Exchanges.

(4) During the period of default, the distribution licensee shall continue to be liable for the payment of fixed charges or capacity charges as applicable under the agreement.

(5) The gains from the sale of such power, which shall be the difference between selling price of such power in the power exchange and the expense borne by the generating company including energy charges, transmission charges; other incidental charges and shall be adjusted in the following order:-

(i) recovery of fixed charges;

(ii) liquidation of overdue amount;

(iii) the balance shall be shared in the ratio of 75:25 between the distribution licensee and the generating company.

(6) The regulating entity shall share the detailed calculation for above, with the regulated entity on a monthly basis.

7. **Regulation of access to defaulting entities.**-In case of non-payment of dues, by the distribution licensee or other user of transmission system, even after two and half months from presentation of bill by the generating company or transmission licensee or trading licensee, or in case of default in the payment of instalments fixed under rule 5, the power supply to the defaulting entity shall be regulated as follows:-

(1) Short-term access, for sale and purchase of electricity including in the power exchange shall be regulated entirely:

Provided that the same shall be also applicable on already approved short-term access:

Provided further that the National Load Despatch Centre may, under exceptional circumstances for grid security, temporarily review the regulation of short-term access under this rule, and record the reasons for doing so, in writing.

(2) If, even one month after the regulation of the short-term access or if the dues have remained unpaid for three and a half months, apart from the regulation of the short-term access in its entirety, the long and medium- term access shall be regulated by Ten per cent.

(3) Reduction or withdrawal of long-term access and medium-term open access shall be in such manner that the quantum of reduction in drawl schedule increases progressively by Ten per cent for each month of default.

(4) On payment of outstanding dues, the regulation of access under this rule shall end and it shall be restored at the earliest, but not later than two days.

- (5) National Load Despatch Centre shall issue detailed procedure to implement the regulation of access according to these rules.
- (6) In case of such reduction of drawl schedule, the liability for payment of capacity charges for its original share in the generating station as also the inter-state transmission charges shall remain with the regulated entity.

Explanation: For the purposes of this rule, the expression —short-term access| means access to inter-state transmission system for periods up to one year, medium term open access means access to inter-state transmission system for one to three years and long-term open access means access to inter-state transmission system for periods of more than three years.

8. **Supply obligation of the generating company.** – (1) In case a generating company fails to offer the contracted power as per the agreement to a distribution licensee and sells the contracted power without its consent to any other party, the said generating company, on a complaint to this effect by the licensee to the load dispatch centre concerned, shall be debarred from participating in Power Exchanges and on the Discovery of Efficient Electricity Pricing portal and scheduling of any new short-term contracts from that generating station for a period of three months from the date on which the default has been taken cognizance by the concerned load dispatch centre.

- (2) The period of debarment shall increase to six months for second default and shall be one year for each successive default. Such debarment of the generating company shall be without prejudice to the rights of the distribution licensee for seeking compensation for the default by the generating company:

Provided that this rule shall not be applicable on the sale of contracted power to third parties, in case of regulation of power supply under rule 6 and rule 7 of these rules.

9. **Power not requisitioned by a distribution licensee.**-(1) A distribution licensee shall intimate its schedule for requisitioning power for each day from each generating company with which it has an agreement for purchase of power at least two hour before the end of the time for placing proposals or bids in the day ahead market for that day, failing which the generating company may sell the un- requisitioned power in the power exchange.

- (2) The gain from the sale of such power shall be adjusted in the following order:-

- (i) payment to generating company of upto three paise per unit;
- (ii) recovery of fixed charges;
- (iii) liquidation of overdue amount;
- (iv) the balance shall be shared in the ratio of 50:50 between the distribution licensee and the generating company.

- (3) The gain will be calculated as the difference between selling price of such power in the power exchange and the expense borne by the generating company including energy charges, transmission charges and other incidental charges.

- (4) The liability of payment of fixed charges towards the un-requisitioned power shall remain with the distribution licensee.

- (5) In case a distribution licensee does not requisition power from a must-run power plant, the compensation shall be payable by the licensee to the generating company owning the must-run power plant at the rate specified in the agreement for purchase of power and if no rate is specified in the agreement then in accordance with the Electricity (Promotion of Generation of Electricity from Must-Run Power Plant) Rules,2021.

10. **Order of payment and adjustment towards Late Payment Surcharge.**- All the bills payable by a distribution licensee to a generating company or a transmission company or a trading company for power procured from it, shall be time tagged with respect to the date and time of submission of the bill and the payment made by the distribution licensee shall be adjusted first against the oldest bill and then to the second oldest bill and so on so as to ensure that payment

against a bill is not adjusted unless and until all bills older than it have been paid for:

Provided that any adjustment towards late payment surcharge shall be done in the manner as specified in rule 4.

11. **Indemnifying Load Dispatch Centers:** The concerned National Load Despatch Centre or Regional Load Despatch Centre or State Load Despatch Centre shall stand indemnified against any consequences or liability, including the cost of litigation that arise on account of action taken under these rules.

[F. No. 23/22/2019-R&RPart-4]

GHANSHYAM PRASAD, Jt. Secy.


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EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, the 6th June, 2022

NOTIFICATION

G.S.R. 418(E) - In exercise of the powers conferred by sub-section (1) read with clause (z) of sub-section (2) of section 176 of the Electricity Act, 2003 (Act 36 of 2003), the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement**– (1) These rules may be called the Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions** – (1) In these rules, unless the context otherwise, requires: -
 - (a) “Act” means the Electricity Act, 2003 (36 of 2003);
 - (b) “entity” means any consumer who has contracted demand or sanctioned load of Hundred kW or more either through single connection or through multiple connections aggregating Hundred kW or more located in same electricity division of a distribution licensee, except for captive consumers:

Provided that in case of captive consumers, there shall not be any load limitation;]¹
 - (c) “forum of regulators” means the forum as referred to in sub-section (2) of section 166 of the Act.
 - (d) “green energy” means the electrical energy from renewable sources of energy including hydro and storage (if the storage uses renewable energy) or any other technology as may be notified by the Government of India from time to time and shall also include any mechanism that utilises green energy to replace fossil fuels including production of green hydrogen or green ammonia as per provision of clause G of sub-rule(2) of rule 4;
 - (e) “obligated entity” means the entities mandated under clause (e) of sub-section (1) of section 86 of the Act to fulfill Renewable Purchase Obligation, which includes distribution licensee, captive user, and open access consumer.

(2) The words and expressions used and not defined herein but defined in the Act shall have the meanings respectively assigned to them in the Act.
3. **Applicability**– This rules shall be applicable for generation, purchase and consumption of green energy as defined under clause (c) of rule 2, including the energy from Waste-to-Energy plant.
4. **Renewable Purchase Obligation**– (1) On and from the date of commencement of these rules, there shall be an uniform renewable purchase obligation, on all obligated entities in area of a distribution licensee.

¹ Substituted vide Amendment Rules, 2023 w.e.f. 23.05.2023.

(2) Any entity, whether obligated or not may elect to generate, purchase and consume renewable energy as per their requirements by one or more of the following methods:-

(A) Own Generation from renewable energy sources.—There shall not be any capacity limit for installation of power plants from renewable energy sources, by entities for their own consumption and such plants may be set up at any location in India and power shall be transmitted by using open access:

Provided that the generating plant may be set up by the entity itself or by a developer with which the entity enters into a power purchase agreement.

(B) By procuring Renewable Energy through Open Access from any Developer either directly or through a trading licensee or through power markets.

Explanation: (1) Developer means the generating company who generate electrical energy from renewable sources of energy.

(2) Trading Licensee means a person who has been granted a licence by appropriate commission, for purchase of electricity for resale thereof.

(C) By requisition from distribution licensee.— [(a) Any consumer may elect to purchase green energy either upto a certain percentage of the consumption or its entire consumption and they may place a requisition for this with their distribution licensee, which shall procure such quantity of green energy and supply it and the consumer shall have the flexibility to give separate requisition for solar and non-solar;]²

(b) The consumer may purchase on a voluntary basis, more renewable energy, than he is obligated to do and for ease of implementation, this may be in steps of Twenty five per cent and going upto Hundred per cent;

(c) The tariff for the green energy shall be determined separately by the Appropriate Commission, which shall comprise of the average pooled power purchase cost of the renewable energy, cross-subsidy charges if any, and service charges covering the prudent cost of the distribution licensee for providing the green energy;

(d) Any requisition for green energy from a distribution licensee shall be for a minimum period of one year;

(e) The quantum of green energy shall be pre-specified for at least one year;

(f) The green energy purchased from distribution licensee or from Renewable Energy sources other than distribution licensee in excess of Renewable Purchase Obligation of obligated entity shall be counted towards Renewable Purchase Obligation compliance of the distribution licensee;

(g) The Accounting of renewable energy supplied at distribution licensee level shall be on a monthly basis;

(D) By consuming green energy from captive power plant.

(E) By purchasing of renewable energy certificates in accordance with the applicable regulations.

(F) Purchase of green hydrogen or green ammonia; —the obligated entity can also meet their Renewable Purchase Obligation by purchasing green hydrogen or green ammonia and the quantum of such green hydrogen or green ammonia would be computed by considering the equivalence to the green hydrogen or green ammonia produced from one MWh of electricity from the renewable sources or its multiples and norms in this regard shall be notified by the Central Commission.

(G) Any other sources, as may be, determined by the Central Government.

5. Green Energy Open Access.— (1) To provide Green Energy Open Access to consumers of green energy, the appropriate Commission may, if necessary, amend the relevant regulations made by it

² Substituted vide Amendment Rules,2023 w.e.f. 27.01.2023.

and such regulations shall be consistent with these rules.

(2) All applications for open access of green energy in this regard shall be allowed by the nodal agency within a period of fifteen days:

[Provided that only consumers who have contracted demand or sanctioned load of Hundred kW or more, either through single connection or through multiple connections aggregating Hundred kW or more located in same electricity division of a distribution licensee, shall be eligible to take power through Green Energy Open Access and there shall be no limit of supply of power for the captive consumers taking power under Green Energy Open Access:]³

Provided further that reasonable conditions such as the minimum number of time blocks, which shall not be more than twelve time blocks, for which the consumer shall not change the quantum of power consumed through open access may be imposed so as to avoid high variation in demand to be met by the distribution licensee.

6. Nodal Agency.– (1) A Central Nodal Agency shall be notified by the Central Government to set up and operate a single window green energy open access system for renewable energy.

(2) The Central Nodal agency shall set up a centralised registry for all Green Energy Open Access consumers and all the applications related to green energy open access shall be submitted on the portal set up by the said the Central Nodal Agency and these applications shall get routed to the concerned nodal agency notified by the Appropriate Commission for grant of green energy open access.

(3) The Appropriate Commission shall notify the appropriate Load Despatch Centre as the nodal agency for grant of green energy open access for short term, to be defined by the Appropriate Commission, and the State or Central Transmission Utility, as the case may be, as the nodal agency for grant of Green Energy Open Access, for medium and long term.

(4) The nodal agencies shall make available all relevant information regarding green energy open access to the public on the portal of the Central Nodal Agency.

7. Procedure for grant of Green Energy Open Access.– (1) The Central Nodal Agency shall prepare, within a period of sixty days of commencement of these rules, a common application format for the Green Energy Open Access in consultation with the Forum of Regulators and applications for the Green Energy Open Access shall be made in this format.

(2) All the applications for the Green Energy Open Access complete in all respects, shall be submitted on the portal set up by the Central Nodal Agency.

(3) The concerned nodal agency shall, by an order in writing, approve the applications for the Green Energy Open Access within a period of fifteen days, failing which it shall be deemed to have been approved subject to the fulfillment of the technical requirements as specified by the appropriate Commission:

Provided that the order of processing of such applications for Green Energy Open Access shall be first in first out.

(4) The Short term and medium term open access shall be allowed, if there is sufficient spare capacity available in the transmission system without any augmentation whereas for long term open access, the transmission system may be augmented if required:

Provided that priority shall be given to long term in the existing system if spare capacity is available and further, open access for non-fossil fuel sources shall be given priority over the open access from the fossil fuel.

Explanation: For the purposes of this rule, the expression — “Fossil Fuel” includes the fuels such as coal, lignite, gas, liquid fuel or combination of these as its primary source of energy, which are used in Thermal Generating Station for generating electricity.

(5) No application for open access shall be denied unless the applicant has been given an

³ Substituted vide Amendment Rules,2023 w.e.f. 23.05.2023.

opportunity of being heard in the matter and all orders denying open access shall be speaking orders.

- (6) Appeals against an order of the concerned nodal agency, shall lie before the Appropriate Commission, within a period of thirty days from the date of receipt of order under sub-rule (4) of rule 7.
- (7) The Appropriate Commission shall dispose the appeal within a period of three months and the order issued by it, shall be binding on the parties.

8. Banking.– (1) Banking shall be permitted at least on a monthly basis on payment of charges to compensate additional costs, if any, to the distribution licensee by the Banking and the Appropriate Commission shall fix the applicable charges.

- (2) The permitted quantum of banked energy by the Green Energy Open Access consumers shall be at least thirty percent of the total monthly consumption of electricity from the distribution licensee by the consumers.

Explanation: For the purposes of this rule, the expression—Banking means the surplus green energy injected in the grid and credited with the distribution licensee energy by the Green Energy Open Access consumers and that shall be drawn along with charges to compensate additional costs if any:

[Provided that the credit for banked energy shall not be permitted to be carried forward to subsequent banking cycles and shall be adjusted during the same banking cycle:

Provided further that the un-utilised surplus banked energy shall be considered as lapsed at the end of each banking cycle and the Renewable Energy generating station shall be entitled to get Renewable Energy Certificates to the extent of the lapsed banked energy.]⁴

9. Charges to be levied for Open Access.– [(1) The charges to be levied on Green Energy Open Access consumers shall be as follows, namely:-

- (a) transmission charges;
- (b) wheeling charges;
- (c) cross subsidy Surcharge;
- (d) standby charges wherever applicable;
- (e) banking Charge; and
- (f) other fees and charges such as Load Despatch Centre fees and scheduling charges, deviation settlement charges as per the relevant regulations of the Commission.]⁵

(2) The Cross subsidy surcharge shall be as per the provisions of tariff policy notified by the Central Government under the Act :

Provided that the cross subsidy surcharge for Green Energy Open Access Consumer purchasing green energy, from a generating plant using renewable energy sources, shall not be increased, during twelve years from the date of operating of the generating plant using renewable energy sources, by more than fifty percent of the surcharge fixed for the year in which open access is granted;

Provided further that the additional surcharge shall not be applicable for Green Energy Open Access Consumers, if fixed charges are being paid by such a consumer:

[Provided also that cross subsidy surcharge and additional surcharge shall not be applicable in case power produced from a non fossil fuel based Waste-to-Energy plant is supplied to the Open Access Consumer:

[Provided also that additional surcharge shall not be applicable in case electricity produced from offshore wind projects, which are commissioned upto December, 2032 and supplied to the Open

⁴ Substituted vide Amendment Rules,2023 w.e.f. 27.01.2023.

⁵ Substituted vide Amendment Rules,2023 w.e.f. 27.01.2023.

Access Consumers.]^{6]}⁷

Provided also that Cross subsidy surcharge and additional surcharge shall not be applicable if green energy is utilized for production of green hydrogen and green ammonia.(3) The cross subsidy surcharge payable by a consumer shall be such as to meet the current level of cross subsidy within the area of supply of the distribution licensee.

(3) The cross subsidy surcharge payable by a consumer shall be such as to meet the current level of cross subsidy within the area of supply of the distribution licensee.

[(4) The standby charges, wherever applicable, shall be specified by the State Commission and such charges shall not be applicable, if the Green Energy Open Access Consumers have given notice, in advance atleast a day in advance before closure time of the Day Ahead Market on „D - [minus] 1“ day, 'D' being the day of delivery of power for standby arrangement to the distribution licensee:

Provided that the applicable standby charges shall not be more than twenty five per cent of the energy charges applicable to consumer tariff category.]⁸

Explanation: For the purposes of this rule, (i) the expression —standby charges means the charges applicable to open access consumers against the standby arrangement provided by the distribution licensee, in case the open access consumer is unable to procure power from the generating sources with whom they have the agreements to procure power due to outages of generator, transmission assets and the like.

(ii) It is hereby clarified that in such situations the open access consumer has to take power from an alternate sources like the distribution licensee and the charges for maintaining standby arrangements for such consumers should be reflective of the costs incurred by distribution licensee for providing these support services.

10. **Green certificate.**—The distribution licensee shall give green certificate on yearly basis to the consumers for the green energy supplied by the licensee to consumer on his request beyond the renewable purchase obligation of the consumers.
11. **Rating.**—The State Commission may introduce the concept of rating of the consumer of the distribution licensee, based on the percent of green energy purchased by such consumer.
12. **Model regulation on methodology.**— (1) In order to have a common methodology for calculation of all the open access charges, the forum of regulators shall prepare a model regulations on methodology for calculation of open access charges, as well as banking charges within a period of four months from the date of commencement of these rules.

(2) The framing of methodology referred to in sub-rule (1), of the forum of regulators shall ensure that various permissible charges are not be onerous and shall meet the prudent cost of the distribution licensee in order to fulfil the objective of promoting the procurement of green energy by Green Energy Open Access Consumers.

[F. No. 23/09/2021-R&R] GHANSHYAM
PRASAD, Jt. Secy.

⁶ Substituted vide Amendment Rules,2023 w.e.f. 23.05.2023.

⁷ Substituted vide Amendment Rules,2023 w.e.f. 27.01.2023

⁸ Substituted vide Amendment Rules,2023 w.e.f. 27.01.2023.


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EXTRAORDINARY – PART II – Section 3 – Sub-section (i)

GOVERNMENT OF INDIA

MINISTRY OF POWER

New Delhi, 27th January, 2023

NOTIFICATION

G.S.R. 58(E). — In exercise of the powers conferred by section 176 of the Electricity Act, 2003 (36 of 2003) and in pursuance of section 83 of the said Act, the Central Government hereby makes the following rules, namely: —

1. **Short title and commencement.** – (1) These rules may be called the Joint Electricity Regulatory Commission for the Union territory of Jammu and Kashmir and Union territory of Ladakh (Preparation of Annual Report) Rules, 2023.
(2) They shall come into force from the date of publication in the Official Gazette.
2. **Definitions.** - (1) In these rules, unless the context otherwise requires, -
 - (a) ‘Act’ means the Electricity Act, 2003;
 - (b) ‘Joint Commission’ means the Joint Electricity Regulatory Commission for the Union territory of Jammu and Kashmir and Union territory of Ladakh, constituted under section 83 of the Act; and
 - (c) ‘Schedule’ means the Schedule annexed to these rules.
(2) The words and expressions used and not defined in these rules but defined in the Electricity Act, 2003 (36 of 2003), shall have the same meanings respectively assigned to them in that Act.
3. **Preparation of Annual Report.** – (1) Every year, the Joint Commission shall prepare an Annual Report, giving a summary of its activities during the previous year commencing from the 1st day of April to the 31st day of March of the following year in the form provided in the Schedule.
(2) The Annual Report shall give an account of the activities during the previous financial year, containing, inter- alia, —
 - (a) a statement of goals and objectives of the Joint Commission;
 - (b) annual targets set for various activities in the background of clause (a) together with a brief review of actual performance with reference to those targets and including in particular a report on the number of cases filed before the Joint Commission during the year, number of cases disposed of, time taken to dispose of the cases and number of cases pending;
 - (c) important additions or changes in the regulations of the Joint Commission;

- (d) the manner of functioning of the State Advisory Committees and other consultation with the stakeholders;
 - (e) the status of Average Cost of Supply - Average Revenue Realised gap, and Aggregate Technical and Commercial losses and the steps proposed to reduce these;
 - (f) the trends of important parameters such as capital cost, cost of electricity, new investment, efficiency gains;
 - (g) the number and details of cases in which orders or regulations of the Commission were challenged in Courts or Appellate Tribunal and the outcome of such cases;
 - (h) the resolution of disputes including the disputes pending at the end of the year;
 - (i) any departure from the tariff being cost reflective, compliance with section 65 of the Act for grant of subsidy, implementation of Open Access, compliance of Renewable Purchase Obligation and any other provisions of the said Act, 2003; and
 - (j) the compliance of any direction given by the appropriate Government under relevant provision of the Act.
4. **Submission of Annual Report.** – The copies of the Annual Report shall be forwarded by the Joint Commission to the Central Government and to the Governments of Participating Union territories by the end of October in each year.

SCHEDULE

(See rule 3)

FORM OF ANNUAL REPORT OF THE JOINT COMMISSION

- (1) THE COMMISSION IN BRIEF.
- (2) THE MANDATE OF THE COMMISSION
- (3) MISSION STATEMENT.
- (4) THE YEAR IN RETROSPECT.
- (5) ANNUAL ACCOUNTS OF THE COMMISSION SHOWING RECEIPTS AND EXPENDITURE.
- (6) OUTCOME OF REGULATORY PROCESS IN TERMS OF BENEFITS TO CONSUMERS AND DEVELOPMENT OF SECTOR.
- (7) WORK PLAN FOR THE YEAR AHEAD.

[F. No. 47/4/2022-R&R]
PIYUSH SINGH, Jt. Secy.