
**CENTRAL ELECTRICITY REGULATORY COMMISSION
(MISCELLANEOUS PROVISION) ORDER, 1999**

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**CENTRAL ELECTRICITY REGULATORY COMMISSION
(MISCELLANEOUS PROVISION) ORDER, 1999**

Notification No. 8/1(1)/99/CERC, dated 27th August, 1999.1 In exercise of the power conferred under Reg. 110 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999, and all other powers enabling in this behalf, the Central Electricity Regulatory Commission hereby makes the following order :

1. Short title and commencement :-

(i) This order shall be called the Central Electricity Regulatory Commission (Miscellaneous Provisions) Order, 1999.

(ii) This shall be deemed to have come into force on 26th April, 1999, the date of the publication of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 in the Official Gazette.

(iii) The words and expressions used in this order shall have the same meaning as defined in the Electricity Regulatory Commission Act, 1998 and the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.

2. Place of Office and working hours of the Commission :-

The Head Office of the Commission, until further order shall be located at Core 3,5th Floor, Scope Complex, Lodi Road, New Delhi - 110 003. The working hours of the Commission shall be between 9.30 a.m. to 6.00 p.m., with lunch break from 1.30 p.m. to 2.00 p.m.

3. Authentication of orders :-

In addition to the Secretary, the Bench Officer shall be competent to authenticate the judicial orders of the Commission.

4. Seal of the Commission :-

The Official seal of the Commission shall be as under:

5. Presentation of petitions, applications, replies etc. :-

All petitions, applications, replies, etc, and other documents shall be filed before the Bench Officer at the Head Office of the Commission during the working hours, on all working days.

6. Authority to represent before the Commission :-

(i) A person who is a party to any proceedings before the Commission may either appear in person or may authorise a legal practitioner or any other professional who is a member of a statutory body or any of its officers to present its case before the Commission and to do all or any of the acts for the purpose.

Explanation.A member of a statutory body means a practising Chartered Accountant, Company Secretary or Cost and Works Accountant.

(ii) A legal practitioner appearing and acting in the proceedings on behalf of any person before the Commission shall file a Vakalatnama, duly executed by or on behalf of the person for whom he appears.

(iii) Any person other than a legal practitioner representing a party before the Commission shall file a Memorandum of Appearance, in the form in Annexure I, duly signed by him.

7. Seal of the Commission with receipt stamp :-

(i) The person receiving the petition, application, reply or other documents, who shall be the Bench Officer shall affix the receipt stamp with the seal of the Commission on the first page of all the copies and put his initials on the stamp.

(ii) The person receiving the petition, application, reply, or other documents shall enter the details thereof in the Diary register prescribed, as per Annexure II and assign a diary number. The same diary number shall be entered on all the copies.

(iii) The format of the receipt stamp shall be as under :

8. Communication of defects :-

(i) If on scrutiny, any, petition, application or pleading is found to be defective, the defects shall be notified to the party concerned, advising him to rectify the defects within a specified time. A standard letter for notifying the defects shall be in the form as per Annexure III.

(iii) If the party concerned rectifies the defects within the time granted, the petition shall be registered and placed before the Commission.

(iii) In case the party contests the office objection but the Secretary is not satisfied or if the party concerned otherwise fails to rectify them within the time granted, the Secretary shall place the matter before the Chairman for appropriate order.

9. Grant of certified copies :-

(i) Every order granting, refusing or modifying interim relief and final order shall be communicated to the parties to the petition free of cost:

Provided that unless ordered otherwise by the Commission, a copy of the final order may not be sent to any party who has not entered appearance.

(ii) Any person desirous of obtaining a certified copy of any order of the Commission or any document forming part of the record of proceedings before the Commission, may submit an application in the prescribed form as per Annexure IV.

(iii) The application for certified copy shall be accompanied by the fee of Rs. 50 in the form of Demand Draft/Pay Order in favour of Asstt. Secretary, Central Electricity Regulatory Commission, New Delhi.

(iv) A Register of Copy Applications shall be maintained in the form as prescribed in Annexure V.

(v) As far as practicable, the certified copies shall be prepared in the order in which the applications are entered in Register of Copy Applications.

(vi) The certified copies shall be prepared by photocopying process or by typing and when the copy is so made, it shall be compared by the person preparing the copy, to satisfy himself that the copy prepared faithfully and legibly reproduces the document desired.

(vii) An endorsement as under shall be affixed on the reverse of the last page of the document :

(i) SI. No. of the application

(ii) Name of the applicant

(iii) Date of presentation of the application

(iv) No. of pages

(v) Copying fee charged

(vi) Date on which copy is ready

(vii) Date of delivery

(viii) The endorsement shall be made with the help of a rubber stamp got prepared for the purpose. The entries shall be made in ink.

(ix) The Bench Officer of the Commission shall be authorised to issue the certified copies. He shall affix his signature below the endorsement on the reverse of the last page of the certified copy.

(x) In all cases of supplying certified copies, whether supplied free or on the basis of the application submitted by the party, the Bench Officer shall cause to affix the seal of the Commission on all pages of the copy. He shall also append a certificate as under and affix his initials on the last page of the document: "Certified True Copy"

(xi) The copying fee payable for obtaining a certified copy shall be Rs. 3 per page irrespective of number of words/lines in each page.

10. Inspection of Records :-

(i) The application for inspection of documents shall be in the form in Annexure VI and shall be accompanied by a fee of Rs. 100 for each inspection for one day in the form of Demand Draft/Pay Order in favour of Asstt. Secretary, Central Electricity Regulatory

Commission, New Delhi.

(ii) The inspection of records shall be allowed on working days during working hours in the presence of an officer authorised for that purpose, ordinarily during 1430 hours to 1630 hours on any working day of the Commission.

(iii) The person inspecting the records shall not in any manner cause dislocation, mutilation, tampering or damage to records in the course of inspection.

(iv) The officer 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 and shall immediately, make a report about the matter to the Secretary and seek further orders on the matter.

(v) A Register for inspection of Records in the format as per Annexure VII shall be maintained.

11. Fee on petitions, applications, etc. :-

(i) Every petition/application filed before the Commission shall be accompanied by fee specified in the Schedule:

Provided that RLDCs and the Consumer Groups registered with the Government of India are exempt from payment of fee prescribed.

(ii) The fee shall be payable by means of demand draft/pay order drawn in favour of Asstt. Secretary, Central Electricity Regulatory Commission.

(iii) The fee received shall be entered into the register prescribed for the purpose in the form as per Annexure VIII.

SCHEDULE 1

Fee structure

| Sl. No. | Name of Petition | Statutory Provision | Fee (in Rs) |
|---------|---|----------------------|-------------|
| 1. | Petition for determination of generation tariff. | ERC Act 13 (a) & (b) | Rs 10 lakhs |
| 2. | Petition for determination of transmission tariff | ERC Act 13(c) | Rs 2 lakhs |
| 3. | Petition for grant of transmission licence | IE Act 27-C(1) | @ |
| 4. | Petition for enforcing | ES Act 55(9) | Rs 1 lakh |

| | | | |
|----|---|---------------------------|----------------|
| | decision of RLDCs/ SLDC./CEA | | |
| 5. | Any other petition | | Rs 1 lakh |
| 6. | Application for inspection of documents | Regulation 66 CERC,CBR | Rs 100 per day |
| 7. | Application for obtaining certified copies | Regulation 67 CERC,CBR | Rs 3 per page |
| 8. | Interlocutory application | | Rs 10,000 |