

KERALA STATE ELECTRICITY REGULATORY COMMISSION

THIRUVANANTHAPURAM

NOTIFICATION

No. 581/CL/KSERC/2014

Dated, Thiruvananthapuram 7th August 2014

In exercise of the powers conferred by sub-section (1) of section 181 of the Electricity Act, 2003 (Central Act 36 of 2003), and all other powers enabling it in this behalf and after previous publication, the Kerala State Electricity Regulatory Commission hereby makes the following Regulations to amend the Kerala State Electricity Regulatory Commission (Conduct of Business) Regulations, 2003, namely:-

REGULATIONS

1. Short title and commencement.- (1) These regulations may be called the Kerala State Electricity Regulatory Commission (Conduct of Business) Amendment Regulations, 2014.

(2) They shall come in to force on the date of publication of the same in the official gazette.

2. Amendment of regulations.- In the Kerala State Electricity Regulatory Commission (Conduct of Business) Regulations, 2003,-

(i) for Regulation 67, the following regulation shall be substituted, namely:-

“67. Powers of review,-

(1) Any person or party affected by a decision, direction or order of the Commission may, within forty five days from the date of making such decision, direction or order apply for the review of the same.

(2) An application for such review shall be filed in the same manner as a petition under Chapter III of these regulations.

(3) The Commission may after scrutiny of the application, review such decisions, directions or orders and pass such appropriate orders as the Commission deems fit within forty five days from the date of filing of such application:

Provided that the Commission may, at its discretion, afford the person or party who filed the application for review, an opportunity of being heard and in such cases the Commission may pass appropriate orders as the Commission deems fit within thirty days from the date of final hearing:

Provided further that where the application for review cannot be disposed of within the periods as stipulated, the Commission shall record the reasons for the additional time taken for disposal of the same”.

(ii) Insertion of new regulation.- The following new regulation shall be inserted after regulation 67 of the regulations, namely:-

“67 A. Amendment of orders.- Clerical or arithmetical mistakes in the orders or errors arising therein from any accidental slip or omission may at any time be corrected by the Commission either on its own motion or on an application of any of the parties”.

By order of the Commission

Mathew Kurien
SECRETARY

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

While disposing IA No.66 of 2014 in DFR No.73 of 2014 between the Kerala State Electricity Board Limited and the Kerala State Electricity Regulatory Commission, the Appellate Tribunal for Electricity has directed the Kerala State Electricity Regulatory Commission to frame suitable regulation fixing the time frame for disposal of the review petitions so that the parties who are aggrieved by the order of the State Commission could file appeals before the Tribunal as early as possible. The present regulation 67 of Kerala State Electricity Regulatory Commission (Conduct of Business) Regulations, 2003 is very vast and beyond the scope of section 94 of the Electricity Act, 2003. Hence the Commission has decided to amend regulation 67 of the Kerala State Electricity Regulatory Commission (Conduct of Business) Regulation, 2003, suitably. Accordingly a draft of the Kerala State Electricity Regulatory Commission (Conduct of Business) Amendment Regulations, 2014 has been published for obtaining suggestions and objections from the general public. Now the Commission has decided to notify the final regulations.

This notification is intended to achieve the above purpose.