



केन्द्रीय विद्युत विनियामक आयोग
CENTRAL ELECTRICITY REGULATORY COMMISSION



No.15/9(1)/2011/APTEL-TA/FOR/CERC

Dated: August 29, 2013

The Registrar,
Appellate Tribunal for Electricity
7th Floor, Core-4, SCOPE Complex
Lodhi Road
New Delhi – 110 003

Subject: Compliance of the directions of Hon'ble Appellate Tribunal for Electricity issued vide order dated 5th August, 2013 in OP No. 1 of 2011

Sir,

This is in reference to the order dated 5th August, 2013 in O.P. No. 1 of 2011 of the Hon'ble APTEL on the above subject. Hon'ble APTEL directed the Forum of Regulators to verify with reference to the State Commissions in which only one Member is there and whether it is functional or not and the provisions of the Act as well as the Regulations with reference to the number of Members to make the State Commissions functional.

2. FOR Secretariat sought information as directed from the State Commissions. Twenty Seven (27) SERCs and JERCs sent the information as on 27.08.2013. The summary statement of the responses received from the SERCs and JERCs is enclosed as **Annexure-I**.
3. It is requested that this may please be brought to the notice of the Hon'ble APTEL.

Yours faithfully,

Encl.: As above (8 copies).

Chandra Prakash
(Chandra Prakash) 29/8/2013
Dy. Chief (Engineering)

Copy to:
Amicus Curiae Counsel (by e-mail)

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Annexure-I

Details of vacant position of SERCs/JERCs are summarized in the following table:

S. No.	SERCs/ JERCs	Chairman	Members	Remarks
1.	Andhra Pradesh	Vacant	One filled & One Vacant	Three Members Commission - Chairman and two Members and is functional. "As per sub-section (4) of Section 9 of Andhra Pradesh Electricity Reform Act, 1998, the quorum for the meeting of the Commission shall be two."
2.	Arunachal Pradesh	Filled	Nil	A single Member cum Chairman Commission and is functional.
3.	Assam	Filled	Filled	Three Members Commission- Chairman and two Members and is functional.
4.	Bihar	Filled	One filled & One Vacant	Three Members Commission - Chairman and two Members, out of which one post of Member is Vacant. The Commission is functioning smoothly.
5.	Chhattisgarh	Filled	Filled	Two Members Commission - Chairman and one Member and Commission is functional. "The quorum for meeting of the Commission shall be two, but the Commission may decide the matters which may be heard by a single Member".
6.	Delhi	Filled	Filled	Three Members Commission - Chairman and two Members and is functional.
7.	Gujarat	Vacant	Filled	Three Members Commission - Chairman and two Members and is functional.
8.	Haryana	Filled	One filled & One Vacant	Three Members Commission - Chairman and two Members, out of which one post of Member is Vacant.
9.	Himachal Pradesh	Filled	NIL	A single Member cum Chairman Commission and is functional.
10.	Jharkhand	Vacant	One filled & One Vacant	Three Members Commission - Chairman and two Members, out of which post of Chairman and one post of Member are Vacant. "As per JSERC (Conduct of Business) Regulations, 2011, the quorum should be of two members among the three members."
11.	Manipur & Mizoram	Filled	Filled	Two Members Commission - Chairman and one Member and is functional.
12.	Goa & UTs	Vacant	Filled	Two Members Commission - Chairman and one Member. At present, the Commission is functioning with a single Member.
13.	Karnataka	Filled	Filled	Three Members Commission - Chairman and two Members and is functional.
14.	Kerala	Filled	Filled	Three Members Commission - Chairman and two Members and is functional.
15.	Madhya Pradesh	Filled	Filled	Three Members Commission - Chairman and two Members and is functional.
16.	Maharashtra	Information not received		

17.	Meghalaya	Filled	NIL	A single Member cum Chairman Commission and is functional.
18.	Odisha	Filled	Filled	Three Members Commission - Chairman and two Members and is functional.
19.	Nagaland	Filled	Filled	A single Member cum Chairman Commission and is functional.
20.	Punjab	Filled	Filled	Three Members Commission - Chairman and two Members and is functional.
21.	Rajasthan	Filled	Filled	Presently no post of Member of Chairman is laying vacant in the Commission.
22.	Sikkim	Filled	Nil	A single Member cum Chairman Commission and is functional.
23.	Tamil Nadu	Vacant	One Filled & One Vacant	Three Members Commission - Chairman and two Members, out of which post of Chairman and one post of Member, are Vacant.
24.	Tripura	Filled	NIL	A single Member cum Chairman Commission and is functional.
25.	Uttarakhand	Filled	Filled	Three Members Commission - Chairman and two Members and is functional. The Commission through its UERC (Conduct of Business) Regulations (Removal of Difficulties) (First) Order, 2010 dated 15.10.2000 has specified that in the absence of Chairperson any other Member nominated by the Chairperson in this behalf and, in the absence of such nomination or where there is no Chairperson, any Member chosen by the Members present from amongst themselves or where there is only one Member, the Member present shall be the Chairperson of the Commission.
26.	Uttar Pradesh	Vacant	One filled & One Vacant	Three Members Commission - Chairman and two Members, out of which one post of Chairman and one post of Member, are Vacant.
27.	West Bengal	Filled	Filled	Three Members Commission - Chairman and two Members and is functional.