

Commission Advisory Committee and Consumer Consultation

Commission Advisory Committee. ♦

(1) The Commission shall, in consultation with the State Government, constitute a committee to be known as the Commission Advisory Committee.

(2) The Commission Advisory Committee shall consist of not more than twenty one members to represent the interests of commerce, industry, transport, agriculture, labor, consumers, non-governmental organizations and academic and research bodies in the energy sector.

(3) The Chairperson and Members of the Commission shall be the ex-officio Chairperson and Members of the Commission Advisory Committee.

(4) The terms of the Members of the Commission Advisory Committee shall be for a period not more than three years and one third of the members shall retire annually:

Provided that for first time one third of the Members shall be appointed for varying period of one year, two years and three years

(5) The Commission Advisory Committee shall advise the Commission on, -

- Major questions of policy ;
- Matters relating to quality, continuity and extent of service provided by the licensees;
- Compliance by licensees with the conditions and requirements of their license;
- Protection of consumer interest; and
- Energy supply and overall standards of performance by utilities.

Consumer protection standards of performance. ♦

(1) The Commission may, after consultation with the holders of supply licenses, other persons or bodies appearing to the Commission to be representative of persons and categories of persons likely to be affected and the Commission Advisory Committee, frame regulations prescribing, -

(a) the circumstances in which such licensees are to inform consumers of their rights;

(b) the standards of performance in relation to any duty arising under sub-clause (a) or otherwise in connection with the electricity supply to the consumers; and

(c) the circumstances in which licensees are to be exempted from any requirements of the regulations or of this section and may make different provisions for different licensees.

(2) Nothing contained in this Act shall in any way prejudice or affect the rights and privileges of the Consumers under other laws including the Consumer Protection Act, 1986(Central Act No.68 of 1986).

Electricity supply, overall performance standards.- The Commission may, after consultation with the licensees, the Commission Advisory Committee, and with persons or bodies appearing to it to be representative of persons likely to be affected, from time to time,-

(a) determine such standards of overall performance in connection with the provision of electricity supply services and in connection with the promotion of the efficient use of electricity by consumers as, in its opinion, is economic and ought to be achieved by such licensees; and

(b) arrange for the publications, in such form and in such manner as it considers appropriate, of the standards so determined.

(2) Different standards may be determined under this section for different licensees.

Information with respect to levels of performance. -

(1) The Commission shall from time to time collect information with respect to, -

- The fines or penalties levied on licensees under this Act;
- The levels of overall performance achieved by such licensees in connection with the transmission and provision of electricity supply services; and
- The levels of performance achieved by such licensees in connection with the promotion of the efficient use of electricity by consumers.

(2) On or before such date in each year as may be specified in a direction given by the Commission, each licensee shall furnish to the Commission the information,-

- With respect to each standard determined the number of cases in which a penalty was levied and the aggregate amount of those penalties; and
- With respect to each standard determined such information with respect to the level of performance achieved by the licensee.

(3) The Commission shall, at least once in every year, arrange for the publication, in such form and in such manner as it considers appropriate, of such of the information collected by or furnished to it under this section as may appear to the Commission to be necessary.

Restriction on disclosure of information.-

(1) Save as otherwise provided under this Act, no information with respect to any particular business which,-

- In the opinion of the Commission is confidential; and
- Has been obtained by the Commission under or by virtue of any of the provisions of this Act; and
- Relates to the affairs of any individual or to any particular business;

shall during the lifetime of that individual or for so long as that particular business continues to be carried on, be disclosed by the Commission without the consent of that individual or the person for the time being carrying on that business.

(2) The restriction contained in sub-section (1) shall not apply to any disclosure of information which is made,-

- For the purpose of facilitating the carrying out by the State Government of any of its functions under a statute;
- For the purpose of facilitating the carrying out by the Central Government of any of its duties or functions under any Central legislation;
- For the purpose of facilitating the Accountant General, Rajasthan to carryout his duties and functions under this Act;
- For the purpose of enabling or assisting any competent person to carryout functions under the enactment relating to insolvency;
- In connection with the investigation of any criminal offence or for the purpose of any criminal proceedings; or
- For the purpose of any civil proceedings brought under or by virtue of this Act or any other State or Central legislation to which the information is directly relevant.

◆◆ (3) The restrictions contained in sub-section (1) do not apply to the disclosure of any information relating to public Domain.