

The Electricity (Procedure for Previous Publication) Rules, 2005¹

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 (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 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.

1. Ministry of Power, Noti. No. G.S.R. 387(E), dated June 9, 2005, published in the Gazette of India, Extra., Part II, Section 3(i), dated 9th June, 2005, p. 2, No. 253.