

No. 47/6/2012-R&R
Government of India
Ministry of Power

Shram Shakti Bhavan, Rafi Marg
New Delhi, January 4, 2013

VACANCY CIRCULAR

The Joint Electricity Regulatory Commission (JERC) for Goa & UTs was set up by the Government of India under the provisions of the Electricity Act, 2003. The Commission is located at Gurgaon (Haryana). The Commission consists of a Chairperson and another Member. The post of Chairperson in the above JERC is due to fall vacant on 4.7.2013. It is proposed to fill up the anticipated vacancy.

2. Appointment to the post of Chairperson, JERC for Goa & UTs is governed by the relevant provisions of the Electricity Act and the Joint Electricity Regulatory Commission for Union Territories except Delhi (Salary, Allowances and other Conditions of Service of Chairperson and Member) Rules, 2007. The pay of the Chairperson has since been revised to Rs.80,000/- (fixed) p.m.

3. Section 84 (1) of the Electricity Act prescribes the qualification for appointment of a Member (including Chairperson) i.e. "...the Members of the State Commission shall be persons of ability, integrity and standing who have adequate knowledge of, and have shown in, dealing with, problems relating to engineering, finance, commerce, economics, law, or management."

4. The Chairperson of JERC for Goa & UTs shall hold office for a term of five years from the date on which he/ she enters upon his/ her office or till he/ she attains the age of sixty-five years, whichever is earlier. The candidate will have to give a declaration that he/she does not have any financial or other interest, which is likely to affect prejudicially his/her function as Chairperson of the above JERC (proforma enclosed).

5. Relevant extracts of the Electricity Act, 2003 relating to the requirement of qualification, experience, etc. for Member, JERC for Goa & UTs and a copy of Joint Electricity Regulatory Commission (Salaries, Allowances and other Conditions of Service of Chairperson and Members) Rules, 2007 are available at Ministry's website www.powermin.nic.in and that of DoPT i.e. www.persmin.nic.in.

...2/-

6. Applications/ nominations are invited from suitable persons having qualification and experience as prescribed in the Act for appointment as Chairperson, JERC for Goa & UTs so as to reach the Ministry within six weeks from the date of publication of this circular in the Employment News, addressed to the Director (R&R), Ministry of Power, 2nd Floor (Room No.220A), Shram Shakti Bhavan, Rafi Marg, New Delhi – 110001.

Encl: as above

Sd/-
(Pranay Kumar)
Director
Tel : 2371 5250

Declaration

I hereby declare that I do not have any financial or other interest, which is likely to affect prejudicially my function as Chairperson, Joint Electricity Regulatory Commission (JERC) for Goa & UTs, in the event of my selection.

(Signature of Applicant)

Extracts from the Electricity Act 2003

Section 84: (1) The Chairperson and the Members of the State Commission shall be persons of ability, integrity and standing who have adequate knowledge of, and have shown capacity in, dealing with problems relating to engineering, finance, commerce, economics, law or management.

(2) Notwithstanding anything contained in sub-section (1), the State Government may appoint any person as the Chairperson from amongst persons who is, or has been, a Judge of a High Court:

Provided that no appointment under this sub-section shall be made except after consultation with the Chief Justice of that High Court.

(3) The Chairperson or any other Member of the State Commission shall not hold any other office.

(4) The Chairperson shall be the Chief Executive of the State Commission.

Section 86. (1) The State Commission shall discharge the following functions, namely: -

(a) determine the tariff for generation, supply, transmission and wheeling of electricity, wholesale, bulk or retail, as the case may be, within the State:

Provided that where open access has been permitted to a category of consumers under section 42, the State Commission shall determine only the wheeling charges and surcharge thereon, if any, for the said category of consumers;

(b) regulate electricity purchase and procurement process of distribution licensees including the price at which electricity shall be procured from the generating companies or licensees or from other sources through agreements for purchase of power for distribution and supply within the State;

(c) facilitate intra-state transmission and wheeling of electricity;

(d) issue licences to persons seeking to act as transmission licensees, distribution licensees and electricity traders with respect to their operations within the State;

(e) promote congeneration and generation of electricity from renewable sources of energy by providing suitable measures for connectivity with the grid and sale of electricity to any person, and also specify, for purchase of electricity from such sources, a percentage of the total consumption of electricity in the area of a distribution licence;

(f) adjudicate upon the disputes between the licensees, and generating companies and to refer any dispute for arbitration;

(g) levy fee for the purposes of this Act;

(h) specify State Grid Code consistent with the Grid Code specified under clause (h) of sub-section (1) of section 79;

(i) specify or enforce standards with respect to quality, continuity and reliability of service by licensees;

- (j) fix the trading margin in the intra-State trading of electricity, if considered, necessary; and
- (k) discharge such other functions as may be assigned to it under this Act.

(2) The State Commission shall advise the State Government on all or any of the following matters, namely :-

- (i) promotion of competition, efficiency and economy in activities of the electricity industry;
- (ii) promotion of investment in electricity industry;
- (iii) reorganization and restructuring of electricity industry in the State;
- (iv) matters concerning generation, transmission , distribution and trading of electricity or any other matter referred to the State Commission by that Government.

(3) The State Commission shall ensure transparency while exercising its powers and discharging its functions.

(4) In discharge of its functions the State Commission shall be guided by the National Electricity Policy, National Electricity Plan and tariff policy published under section 3.

Section 89. (1) The Chairperson or other Member shall hold office for a term of five years from the date he enters upon his office;

Provided that the Chairperson or other Member in the Central Commission or the State Commission shall not be eligible for re-appointment in the same capacity as the Chairperson or a Member in that Commission in which he had earlier held office as such :

Provided further that no Chairperson or Member shall hold office as such after he has attained the age of sixty-five years.

(2) The salary, allowances and other terms and conditions of service of the Chairperson and Members shall be such as may be prescribed by the Appropriate Government.

Provided that the salary, allowances and other terms and conditions of service of the Members, shall not be varied to their disadvantage after appointment.

(3) Every Member shall, before entering upon his office, make and subscribe to an oath of office and secrecy in such form and in such manner and before such authority as may be prescribed.

(4) Notwithstanding anything contained in sub-section (1), a Member may-

(a) Relinquish his office by giving in writing to the Appropriate Government a notice of not less than three months; or

(b) be removed from his office in accordance with the provisions of section 90.

(5) Any member ceasing to hold office as such shall –

(a) not accept any commercial employment for a period of two years from the date he ceases to hold such office; and

(b) not represent any person before the Central Commission or any State Commission in any manner.

Explanation. - For the purposes of this sub-section "commercial employment" means employment in any capacity in any organisation which has been a party to the proceedings before the Appropriate Commission or employment in any capacity under, or agency of, a person engaged in trading, commercial, industrial or financial business in electricity industry and includes a director of a company or partner of a firm or setting up practice either independently or as partner of a firm or as an advisor or a consultant.

GOVERNMENT OF INDIA
MINISTRY OF POWER

NOTIFICATION

New Delhi. 19th March, 2007

G.S.R.211(E). - In exercise of the powers conferred by clause (2) & (3) of section 89 of the Electricity Act, 2003 (36 of 2003) the Central Government hereby makes the following rules, namely:-

1. Short title and commencement. - (1) These rules may be called the Joint Electricity Regulatory Commission for Union Territories except Delhi (Salary, Allowances and other Conditions of Service of Chairperson and Member) Rules, 2007.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. – (1) In these rules, unless the context otherwise requires, -

(a) "Act" means the Electricity Act, 2003; and

(b) "Commission" means Joint Electricity Regulatory Commission for Union Territories

(2) Words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. Oath of office and secrecy. - The Chairperson and Member of the Commission shall, before entering upon his office, subscribe to an oath of office and secrecy before the Minister-in-charge of the Ministry of Power. The oath of office and secrecy shall be administered in the following form:-

Oath of secrecy

I ,..... do swear in the name of God and solemnly affirm that I shall not directly or indirectly, communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as Chairperson/Member of the Joint Electricity Regulatory Commission for Union Territories except Delhi, except as may be required for the due discharge of my duties as such Chairperson/Member.

Oath and affirmation of allegiance to Constitution

I ,..... having been appointed Chairperson/Member of the Joint Electricity Regulatory Commission for Union Territories except Delhi, do swear in the name of God and solemnly affirm that I shall bear true faith and allegiance to the Constitution of India as by law established, that I shall uphold the sovereignty and integrity of India, that I shall duly and faithfully and to the best of my ability, knowledge and judgement perform the duties of my office without fear or favour, affection or ill will and that I will uphold the Constitution and the laws of the land

4. Pay. – The Chairperson and Member of the Joint Commission shall be entitled to receive a pay of rupees twenty six thousand per month:

Provided that in case a person appointed as the Chairperson or Member is in receipt of pension from;

- (a) Union Government including Railways, Defence, Posts and Telecommunication; or
- (b) State Governments and Union Territory Administrations; or
- (c) Public Sector Undertakings, Local Bodies, Autonomous Bodies like Universities or Semi-Government Organizations like Port Trusts;

the pay of such person shall be reduced by the gross amount of pension drawn by him:

Provided further that the Chairperson or Member shall be entitled to receive allowances on the original basic pay before such fixation of pay.

5. Dearness allowance and city compensatory allowance. – The Chairperson and Member shall be entitled to receive dearness allowance and city compensatory allowance, and other allowances at the rate admissible to a Group 'A' Officer of the Central Government drawing an equivalent pay:

6. Leave. – The Chairperson or Member shall be entitled to thirty days earned leave for every year of service. The payment of leave salary, during leave, shall be governed under the provisions of rule 40 of Central Civil Services (Leave) Rules, 1972.

7. Leave sanctioning authority. – In the case of the Chairperson, the Minister-in-charge of the Ministry of Power, and in the case of Member, the Chairperson, shall be the leave sanctioning authority.

8. Provident fund. – The Chairperson and Member shall be governed by the provisions of the Contributory Provident Fund (India) Rules, 1962 and no option to subscribe under the provisions of the General Provident Fund Rules (Central Services), 1960 shall be available. Additional pension and gratuity shall not be admissible for service rendered in the Commission.

9. Travelling allowances. – (1) The Chairperson and Member while on tour within India or for the journey undertaken by self and family to join the Commission or on the expiry of term with the Commission to proceed to his home town with family shall be entitled to the journey allowance, daily allowance and transportation of personal effects at the same scales and at the same rates as are applicable to a Group 'A' Officer of the Central Government drawing an equivalent pay.

(2) Foreign tours to be undertaken by the Chairperson or Member shall require prior approval of the Minister-in-charge of the Ministry of Power and of the Screening Committee of the Secretaries and clearance from the Ministry of External Affairs from political angle and from the Ministry of Home Affairs for acceptance of foreign hospitality, if any, under the provisions of the Foreign Contribution (Regulation) Act, 1976 :

Provided that the daily allowance and provision for hotel accommodation during the period of tour abroad, shall be in accordance with such orders of the Central Government as are applicable to a Group "A" officer of the Central Government, drawing an equivalent pay and as per the economy instructions or other instructions issued by the Ministry of Finance from time to time.

10. Leave travel concession. – The Chairperson and Member shall be entitled to leave travel concession at the same scale and at the same rate as applicable to Group 'A' Officers of the Central Government drawing an equivalent pay:

11. Accommodation. – (1) The Chairperson and Member shall be entitled for House Rent Allowance for residence located at the head quarter of the Joint Commission at the rate as applicable in the case of a Central Govt officer drawing equivalent pay.

(2) In the case of a leased accommodation, the entitlement shall be determined by the Central Government keeping in view the entitlements of the Chairman and Managing Director of a Schedule "A" public sector enterprise in terms of plinth area and rental ceiling specified by the Department of Public Enterprises from time to time and also taking into consideration the market rents and plinth area specified by the Ministry of Urban Development for type VI accommodation:

Provided that for such leased accommodation which is according to and within the entitlement of the Chairperson or the Member, the standard license fee shall be the

same as in the case of a Group "A" officer of the Central Government drawing an equivalent pay:

Provided further that for leased accommodation which is higher than the entitlement, recovery at the rate of ten per cent of the basic pay i.e., without deducting pension shall be made from the salary of the Chairperson or Member, as the case may be.

12. Transport. – The Chairperson and Members shall be allowed the option to make use of an official vehicle or reimbursement of such amount as may be fixed by the Central Government from time to time in respect of a Group "A" officer of the Central Government drawing an equivalent pay for the use and maintenance of his personal car.

13. Medical treatment. – The Chairperson and Members shall be entitled to medical reimbursement and facility as may be applicable to a Group "A" officer of the Central Government drawing an equivalent pay.

14. Telephone facility, official meetings and entertainment expenses. – The Chairperson and a Member shall be eligible for telephone facilities, official meetings and entertainment expenses as admissible to a Group "A" officer of the Central Government drawing an equivalent pay.

15. Other conditions of services. – Other conditions of service of the Chairperson and a Member, with respect to which no express provision has been made in these rules, shall be such as are admissible to a Group "A" officer of the Central Government drawing an equivalent pay.

16. Power to relax. – Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, in the public interest by order and for reasons to be recorded in writing, relax any of the provisions of these rules.

[F.No. 47/1/2005-R&R]

Sd/-
(GIREESH B. PRADHAN)
Joint Secretary