

HIGH COURT OF CHHATTISGARH: BILASPUR

ENDORSEMENT

Endt. No. 862/Confdl./2018
I-8-2/2002 (Pt. XI)

Bilaspur, dated the 9/8/2018

Copy of letter no. 2084/F1-7/CSERC/2007/13/1 dated 02.08.2018 of the Officer on Special Duty, Government of Chhattisgarh, Energy Department, Mahanadi Bhawan, Mantralaya, Naya Raipur for the post of **Member, Chhattisgarh State Electricity Regulatory Commission (CRERC)** is enclosed herewith for information of the candidates concerned.

NSA
9.8.2018

(Neelam Chand Sankhla)
Registrar General

Encl: As above

GOVERNMENT OF CHHATTISGARH
ENERGY DEPARTMENT
MAHANADI BHAWAN
MANTRALAYA, NAYA RAIPUR

High Court of Chhattisgarh
BILASPUR (C.S.)

No. 2084 /F1-7/CSERC/2007/13/1

Naya Raipur dated 02.08.2018

To,

As per list.

154688

Received Clerk

Sub: Selection for the post of Member of CSERC – reg. Invitation of Application for the post of Member.

Dear Sir,

Chhattisgarh State Electricity Regulatory Commission (CSERC) has been reconstituted vide Energy Department Notification No. 1825/F1-2/2018/13/1/ED Naya Raipur dated 30th June 2018 by the Government of Chhattisgarh under Section (82) of the Electricity Act, 2003 (No. 36 of 2003). Accordingly, the reconstituted Commission now consists of three members including the Chairperson of the Commission.

2. Hence, Department of Energy, Government of Chhattisgarh has constituted a selection committee vide its Order No.1827/F 1-7/13/1/चयन समिति/ऊवि/2007 नया रायपुर दिनांक 30 जून 2018 for selection of a panel of suitable candidates for the post of a Person of Law in Chhattisgarh State Electricity Regulatory Commission (CSERC).

3. As per the conclusion in para 114 of the Order dated 12.04.2018 passed by Hon'ble Supreme Court of India in Civil Appeal Nos. 14697, 13451 of 2015 State of Gujarat and Others Vs. Utility Users' Welfare Association and Others, compliance to following is mandatory,

“i. Section 84(2) of the said Act is only an enabling provision to appoint a High Court Judge as a Chairperson of the State Commission of the said Act and it is not mandatory to do so.

ii. It is mandatory that there should be a person of law as a Member of the Commission, which requires a person, who is, or has been holding a judicial office or is a person possessing professional qualifications with substantial experience in the practice of law, who has the requisite qualifications to have been appointed as a Judge of the High Court or a District Judge.

iii. That in any adjudicatory function of the State Commission, it is mandatory for a member having the aforesaid legal expertise to be a member of the Bench.

M. S. Reddy

2.R. (Contd 11)

RL
6/8/18

iv. The challenge to the appointment of the Chairman and Member of the Tamil Nadu State Commission is rejected as also the suo moto proceedings carried out by the Commission.

v. Our judgment will apply prospectively and would not affect the orders already passed by the Commission from time to time.

vi. In case there is no member from law as a member of the Commission as required aforesaid in para 2 of our conclusion, the next vacancy arising in every State Commission shall be filled in by a Member of law in terms of Clause (ii) above.”

4. The member to be appointed in compliance to the order dated 12.04.2018 passed by Hon'ble Supreme court of India shall hold the post for a term of five years from the date on which he/she enters upon office or till he/she attains the age of 65 years, whichever is earlier. Other terms and conditions of service would be as provided in the electricity Act, 2003. The member shall be entitled to pay level of 15 of seventh pay scale notified by Govt. of India plus other allowances as per rule. If the incumbent draws pension then he/she will be entitle to get the pay after deduction of the pension amount. The person so appointed shall not hold any other office. He/she shall have to resign or opt for voluntary retirement from the existing service, if any, to which he belongs, in case he has not attained the age of superannuation.

5. In view of the details in above paras I request you to propose the names of interested and suitable person for the vacant post of Member, Chhattisgarh State Electricity Regulatory Commission with headquarter at Raipur.

6. I shall be grateful if you could forward proposals of suitable persons for the post of Member have qualification and experience as prescribed in para 3 above so as to reach us by evening of 17th August 2018 . While forwarding proposals may kindly make sure that person proposed have not any financial or other interest which is likely to prejudice of his/her function as member, CSERC.

7. The Bio-data of the proposed candidates should include following details:

- (i) Name:
- (ii) Date of Birth & Age:
- (iii) Address (including e-mail address, if any):
- (iv) Telephone/Mobile Numbers:
- (v) Educational Qualification:
- (vi) Position presently held:
- (vii) Details of posts previously held and experiences:

M. S. Ramesh

- (viii) Undertaking that candidate would resign / opt for voluntary retirement from present post, if selected as Member, Chhattisgarh State Electricity Regulatory Commission.

A letter indicating the details of any Office, Employment or Consultancy Services/ Agreement or Arrangement which he/she has in his/her name or in the name of any relative, carrying any of the following business, namely:-

- (i) Generation, Transmission, Distribution or Supply of Electricity;
- (ii) Manufacture, Sale or Supply of any fuel for generation of electricity;
- (iii) Manufacture, Sale, Lease, Hire or otherwise, Supply of or Dealing in Machinery, Plant, Equipment, Apparatus or Fittings for Generation, Transmission, Distribution or Supply of Electricity; and
- (iv) Any entity providing professional services to any of the business referred in sub-clauses (i) & (iii) above.

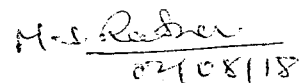
8. In addition to above details the proposal should also include a letter of willingness to resign his/her present post and to join Chhattisgarh State Electricity Regulatory Commission, if selected.

9. The applications, along with the relevant information as above, shall be sent to the Officer on Special Duty, Energy Department, Government of Chhattisgarh at the following address:

SHRI M. S. RATNAM
OFFICER ON SPECIAL DUTY
GOVERNMENT OF CHHATTISGARH,
DEPARTMENT OF ENERGY,
ROOM NO. AD3-19
MANTRALAYA,
MAHANADI BHAWAN,
NAYA RAIPUR- PIN – 492002.

10. The last date of receipt of application is **17th August 2018**. Application received directly or through the State Government / Registrar General , Hon'ble High Court of Chhattisgarh/ Bar Council of Chhattisgarh will be entertained. The application received after **17th August 2018** shall not be entertained.

Yours faithfully,



(M.S. RATNAM)

Officer on Special Duty
Government of Chhattisgarh
Energy Department