

From

The Additional Chief Secretary to Govt. Haryana,  
Power Department

To

- 1. The Chairman-Cum- Managing Director (UHBVNL)Panchkula
- 2. The Chairman-Cum- Managing Director (DHBVNL)Hisar
- 3. The Managing Director, HVPNL, Panchkula.
- 4. The Managing Director, HPGCL, Panchkula.

*HL*  
MD/HPGCL  
13/08/20

*CE/Admn.*

Memo No. 2/22/2011-1Power  
Dated Chandigarh the 11-08-2020

Subject:- Inviting application for the post of Member (Law) in H.P. Electricity Regulatory Commission.

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Reference on the subject noted above.

2. A photocopy of PUC received from Special Secretary (Power) to the Govt. of Himachal Pradesh bearing File No. MPP-B(15)-8/2018 Government of Himachal Pradesh Department of MPP & Power alongwith its enclouser is sent herewith with the request for taking necessary action in this matter.

*Suresh Choudhary*

Superintendent Power,  
for Additional Chief Secretary to Govt.Haryana,  
Power Department

*D/E*  
*DE go through*  
*& speak 17/8/20*  
*discuss & be*  
*forwarded to xen/IT*  
*& LR/HPD*  
*18/8/20*

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No. 5506

3602  
18/8/2020  
D.S/Estt.  
D.S/Estt.

32. The Secretary to Lt. Governor,  
Andaman and Nicobar Islands,  
Port Blair.
33. The Administrator,  
Daman and Diu,  
Dadra and Nagar Haveli.
34. The Administrator,  
Lakshadweep, Kavarati, India.
35. The Secretary to Lt. Governor,  
Puducherry, India.
36. The Secretary to Lt. Governor,  
Ladakh, India.
37. The Administrator,  
Chandigarh at Chandigarh.
38. The Pr. Secretary (Deptt. of Power) to the  
Government of Telangana, 5<sup>th</sup> Floor,  
Burgula Rama Krishna Rao Bhavan, NH 44,  
Hill Fort, Adarsh Nagar, Hyderabad, Telangana-500063.
39. The Managing Director,  
HPPCL, Himfed Building,  
BCS, New Shimla.
40. The Director Energy  
Shanti Bhawan, Phase-III, New Shimla,  
Shimla-09.
41. The Managing Director,  
HPSEBL, Vidyut Bhawan,  
Shimla-04.
42. The Managing Director,  
HPPTCL, Himfed Building,  
Panjri near Old MLA Quarter,  
Tutikandi, Shimla-5.

Dated Shimla-2, the

27 -05-2020

Subject: - Inviting application for the post of Member (Law) in H.P. Electricity  
Regulatory Commission.

Sir/Madam,

In view of the Judgement delivered by the Hon'ble Supreme Court of India  
in the matter of State of Gujarat Vs Utility User's Welfare Association and Ors. (AIR 2018  
(SC) 4215) dated 12.04.2018, the State Government of Himachal Pradesh proposes to fill  
up the post of Member (Law) in Himachal Pradesh Electricity Regulatory Commission

(HPERC), as per the provision contained in Section 82(4) and Section 89 of the Electricity Act, 2003.

Those interested in this position and fulfills the criteria as prescribed in section 84 of the Electricity Act, 2003 and also as per the judgement dated 12.04.2018 passed by the Supreme Court of India in State of Gujarat Vs. Utility User's Welfare Association and Ors. (AIR 2018 (SC) 4215), may send application and reach this office latest by 20<sup>th</sup> June, 2020. A suitable person will be selected for this post by the Selection Committee.

The Qualifications for appointment of Member (Law) of State Commission and their terms of office and conditions of service are provided in section 84 and 89 of the Electricity Act, 2003, respectively.

As per Section 84 of the Electricity Act, 2003, the Chairperson and the Members of the State Commission shall be person of ability, integrity and standing who have adequate knowledge of, and has shown capacity in, dealing with problems relating to engineering, finance, commerce, economics, law or management. The Chairperson and the Members of the State Commission shall not hold any other office as provided in sub-section (3) of Section 84 of the Electricity Act, 2003.

The Member shall hold office for a term of five years from the date he enters upon his office provided that no Chairperson shall hold office as such after he has attained the age of sixty five years, as provided in Section 89 of the Act.

As per the aforesaid judgement, the person should be 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.

Salary, allowances & other conditions of Chairman have been provided in the Himachal Pradesh Electricity Regulatory Commission (Salary, allowances and other conditions of Service of Chairperson and Members) Rules, 2006 notified on 30.11.2006 with amendment dated 06<sup>th</sup> April, 2017 (copies enclosed)

The last date of receipt of applications in the office of Addl. Chief Secretary (MPP&Power) to the GoHP is 20<sup>th</sup> June, 2020. The Address for correspondence is :-

The Addl. Chief Secretary (MPP&Power) to the  
Govt. of Himachal Pradesh,  
Shimla-171002.

I am directed to request you to give wide publicity and also to send the applications of the eligible and willing candidates, if any, with the following information:-

A) The bio-data of the proposed candidate should include the following details alongwith his /her signature and date:

- i) Name
- ii) Age & Date of Birth
- iii) Position now held
- iv) Educational Qualification
- v) Details of posts previously held and experience in any of the field of engineering, finance, commerce, Economics, law or management.

B) The Proposal should contain a letter from the person proposed intimating the details of any office, employment or consultancy agreement or arrangement which he/she has in his/her own name or in any firm, association or persons or body corporate, or in the names of any relative, carrying on any of the following business, namely:-

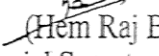
- i) Generation, transmission, distribution or supply of electricity.
- ii) Manufacture, sale or supply of any fuel for generation of electricity.
- iii) Manufacture, sale, lease, hire or otherwise, supply or dealing in machinery, plant, equivalent, apparatus or fittings for the generation, transmission, distribution, supply or use of electricity and
- iv) Any entity providing professional services or any of the business referred to in sub-clause (i), (ii) and (iii) above.

C) In addition to the above data, proposal should also include a letter of willingness to resign his/her post and to join as Member (Law) in HPERC, if selected.

D) A declaration in the form of undertaking is also required to be submitted along with the application on the following points:-

- i) That he/she does not have any financial or other interest which is likely to affect prejudicially his/her function as Member (Law), HPERC.
- ii) Whether any criminal case has been registered against applicant?
- iii) Whether applicant has been charge-sheeted for any criminal offence? If yes, the details thereof.
- iv) Whether applicant has been convicted by any competent court for any criminal offence? If yes, the details thereof.

. Yours faithfully,

  
(Hem Raj Bairwa)  
Special Secretary (Power) to the  
Govt. of Himachal Pradesh  
Tel. No.:- 0177-2622422