

No. MPERC-2022-2589

Bhopal, the 14th December 2022

In exercise of the power conferred by Clause (zk) of Sub-section (2) of Section 181 read with Sub-section (3) of the section 91 of the Electricity Act, 2003 (No. 36 of 2003), the Madhya Pradesh Electricity Regulatory Commission, hereby makes following amendments to Madhya Pradesh Electricity Regulatory Commission (Class I and Class II Service Recruitment and conditions of service) Regulations, 2012 namely: -

Second Amendment to Madhya Pradesh Electricity Regulatory Commission (Class I and II Service Recruitment and Condition of Service) Regulations, 2012.

1. Short title and Commencement:

1.1 These Regulations shall be called the Second Amendment to “**Madhya Pradesh Electricity Regulatory Commission (Class I and II Service Recruitment and Condition of Service) Regulations, 2012 (AG (ii) –2022)**”.

1.2 These Regulations shall come in force from the date of their publication in the “Gazette” of the Government of Madhya Pradesh.

2. In said Regulation 6,

(1) In sub-regulation (1), for clause (c), the following clause shall be substituted, namely: -

“(c) By deputation or contractual appointment of candidate(s), who either hold a position in substantive/ officiating capacity or retired from such posts and in such services as specified in Schedule III of these Regulations.”

(2) For sub-regulation (2), the following sub-regulation shall be substituted, namely: -

“(2) The number of persons, recruited under Clause (a), (b) and (c) of sub-regulation 6(1), shall not, at any time exceed, the number of posts shown in Scheduled-II.”;

3. In Regulation 8, in sub-regulation (1), after clause (k), the following clauses shall be added, namely: -

“(l) In the case of retired government officer(s), contract appointment shall be given to the incumbent(s) who have atleast two (02) years for attaining the age of 65 years.

(m) The maximum age limit for the candidate applying from Private Sector would be 55 years.”

4. For Regulation 21, the following Regulation shall be substituted, namely: -

“21. Condition of Deputation or Contractual Appointment: -Appointing Authority may fill up the post(s) as shown in column (2) of Schedule – II through deputation or contractual appointment by the candidates having specified qualification and experience. Under unavoidable circumstances in which there is no candidate available in feeder cadre then only the posts of promotion as shown in column (5) of said Schedule may also be filled through deputation or contract. Following are the parameters for appointment through deputation or contractual basis: -

I. Appointment on Deputation

a. To fill the posts through deputation, guidelines and instructions issued from time to time by Government of Madhya Pradesh shall be followed.

b. The eligibility criterion for posts to be filled up on deputation shall be as per the qualification and experience specified in Schedule -III.

c. **Repatriation from Deputation:** - The selected candidate can be sent back to his/her parent department by the Commission prior to the completion of their deputation period. Such personnel shall not have lien or claim whatsoever on Commission's regular establishment.

II. Appointment on Contract:

a. The eligibility criteria for posts to be filled up on contract shall be as per the qualification and experience specified in Schedule -III for those candidates who are either working or retired from Government/ Private organisation/ undertakings, regulatory institutions and such other institutions as may be considered appropriate by the Commission.

b. Period of Appointment:

i. On the contract appointment posts, the initial contract appointment shall be made for the period of not more than two (02) years.

ii. **Contract Extension** – The extension of the contract period would be on the discretion of the Commission on the basis of the performance of the candidate. The Commission may renew the contract by extending the period of contract upto maximum one (01) year for every extension depending on the necessity and performance of person appointed on contract.

Provided that the extension can be given maximum up-to the attainment of age of superannuation as applicable on Commission/ M.P. State Government employees:

Provided further that the extension for the selected retired personnel can be given maximum up-to the attainment of age of 65 years.

iii. If not extended, the Contract appointment shall be deemed terminated automatically on expiry of the period of the contract appointment and no separate order shall be needed for terminating the services.

c. Termination of contract –

Either of parties may terminate the contract before the expiry of tenure by giving one month's notice in advance or paying the notice pay i.e., one month's salary in lieu thereof. However, the Commission reserves the right to waive off the notice period or notice pay or both as the case maybe.

d. Contract pay –

i. The monthly Contract Pay would be fixed at the initial basic of the selected post as per Schedule-I of this Regulation. The selected personnel shall also be eligible of Dearness Allowance as applicable and adopted by the Commission. The Contract Pay shall be liable for deduction, if any, as per rules.

- ii. **For Retired Officer:** - The monthly Contract Pay of the selected retired Officer shall be the lumpsum amount payable after deducting last Pay drawn (Basic Pay + Dearness Allowance) from first pension and dearness allowance thereof. The Contract Pay shall be liable for deduction, if any, as per rules.
- e. **Applicability of Leave:**
Person appointed on contract shall be eligible to avail all holidays notified by the State Government of MP. Further, 13 days casual leave and 03 optional leave per year from the date of joining with prior approval. Entitlement for 10 Medical Leaves shall be on pro rata basis per year and balance Medical Leave shall be carried forward for the next calendar year.
- f. **Benefits:**
The selected candidate shall be eligible for TA/DA as payable to regular cadre officer/official for the equivalent post.
- g. **Increment:**
Increment in basic pay for person on contract shall be 3% annually, depending upon annual performance of the officer.
- h. **Other Conditions:**
- i. The selected candidate will execute a Contract Agreement with the Commission.
 - ii. Persons appointed on contract shall be governed by the Madhya Pradesh Civil Services (Conduct) Rules, 1965.
 - iii. Persons appointed on contract shall not be eligible for any kind of pension, gratuity or death benefit.
 - iv. Annual Confidential Report (ACR) of the employee appointed on contract shall be recorded so that his/her work may be assessed.
 - v. During the period of contract appointment, the selected candidate may also be given additional responsibility in addition to the work of contract post which shall be mandatory for him/her to accept.
 - vi. The retired government officer would be ineligible for contractual appointment if he/she has been punished during the last 10 years or dismissed or removed from the service or in respect of whom departmental enquiry/prosecution is/ are pending.
 - vii. The contractual appointment does not confer any right/ claim whatsoever for any regular appointment in the Commission.

5. For Schedule – I, II, III and IV the following Schedules shall be substituted, namely: -

SCHEDULE – I

SN	NAME OF THE POST INCLUDED IN THE SERVICE	TOTAL NO. OF TEMPORARY POST	CLASSIFICATION	PAY RANGE (In Rs.)
1	Commission Secretary	01	I	141800 – 214700/-
2	Director	03	I	141800 – 214700/-
3	Joint Director	04	I	123100 – 215900/-
4	Joint Secretary	01	I	123100 – 215900/-
5	Deputy Director	06	I	67300 – 206900/-
6	Deputy Director (Tariff)	01	I	67300 – 206900/-
7	Deputy Director (Pers. & Admin)	01	I	67300 – 206900/-
8	Deputy Director (Information Technology)	01	I	67300 – 206900/-
9	Sr. Accounts Officer	01	I	67300 – 206900/-
10	Assistant Director (Information Technology)	02	II	56100 - 177500/-
11	Accounts Officer	01	II	56100 - 177500/-
12	Personnel Officer	01	II	56100 - 177500/-
13	Private Secretary	03	II	42700 – 135100/-

SCHEDULE - II

Sn	Name of Post included in the service	Total Number of Temporary Posts	Distribution of posts to be filled		
			By direct recruitment [see sub-regulation 6(1)(a)]	By promotion [see sub - regulation 6(1)(b)]	By Deputation/Contract [see sub-regulation 6(1)(c)]
(1)	(2)	(3)	(4)	(5)	(6)
1	Commission Secretary	01	--	--	01
2	Director	03	--	01	02
3	Joint Director	04	--	02	02
4	Joint Secretary	01	--	01	--
5	Deputy Director /	07	04	--	03
6	Deputy Director (Tariff) - (01 post)	01	--	01	--
7	Deputy Director (Information Technology)	01	--	--	01
8	Assistant Director (Information Technology)	02	--	--	02
9	St. Accounts Officer	01	--	--	01
10	Accounts Officer	01	01	--	--
11	Personnel Officer	01	01	--	--
12	Private Secretary	03	--	03	--

NOTE: -

If it is felt necessary and expedient to do so, the Chairperson at his discretion may fill up the Posts shown in Column (4) & (5) through deputation or contract as provided in sub-Regulation-6(1) (c).

SCHEDULE - III

Sn (1)	Name of Post (2)	Minimum Age Limit (3)	Maximum Age Limit (4)	Minimum Educational Qualification & Experience Prescribed (5)	Additional Qualification (6)
1	Commission Secretary	Not Applicable	According to Regulation 8 (1)	<p>a. Bachelor's degree in Engineering or Masters in Science from a recognized university or equivalent degree.</p> <p>b. Degree in Management is desirable.</p> <p>c. For Deputation -- Minimum 20 years of experience in core area of Power Sector or Administration. Officer holding analogous post on regular basis in Central/State Government or any PSU under Central/State Government.</p>	Experience in a regulated industry or with a Regulatory body or in Administration.
2	Director	Not Applicable	According to Regulation 8 (1)	<p>a. Bachelor's degree in Electrical / Mechanical Engineering from a recognized university.</p> <p>b. For Deputation -- Minimum 20 years of experience in government owned Power Sector/ Utility or PSU. Officer holding analogous post on regular basis in Central/State Government or any PSU under Central/State Government.</p> <p>c. For Contract -</p> <ul style="list-style-type: none"> • For Retired Officer: - Minimum 20 years in Power Sector with atleast 3 years of experience at Level 15 of Madhya Pradesh 7th Pay Matrix or Grade Pay 8700 as per 6th Pay Commission. For retired employees, post-retirement experience in Power Sector will also be considered. • For Private Sector Professional - Minimum 20 years' experience in Power Sector related organization/ company/ Consulting firm. <p>The candidate should be either holding or held a position in substantive' officiating capacity. The candidate should have an experience in Regulatory Affairs/ Tariff determination process/ Commercial function in Power Utility or a consultancy organization working in power sector in India.</p>	Specialization in Regulatory Law.

Sn (1)	Name of Post (2)	Minimum Age Limit (3)	Maximum Age Limit (4)	Minimum Educational Qualification & Experience Prescribed (5)	Additional Qualification (6)
3	Joint Director	Not Applicable	According to Regulation 8 (1)	<p>a. Bachelor's degree on Electrical/Mechanical Engineering from a recognized university.</p> <p>b. For Deputation - Minimum 15 years of experience in government owned Power Sector/ Utility or PSU. Officer holding analogous post on regular basis in Central/State Government or any PSU under Central/State Government.</p> <p>c. For Contract -</p> <ul style="list-style-type: none"> • For Retired Officers: - Minimum 15 years in relevant field, of experience out of which atleast 5 years of Experience at Level 14 of Madhya Pradesh 7th Pay Matrix or Grade Pay 7600 as per 6th Pay Commission. For retired employees post retirement experience will also be considered. • For Private Sector Professional - Minimum 15 years' experience in Power Sector related organization/ company/ Consulting firm. • The candidate should be either holding or held a position in substantive/ officiating capacity. The candidate should have an experience in Regulatory Affairs/ Tariff determination process/ Commercial function in Power Utility or a consultancy organization working in power sector in India. 	<p>a. Experience of monitoring of enforcement of various Regulations.</p> <p>b. Familiarity with Indian Electricity Laws.</p> <p>c. Knowledge of power sector.</p>
4	Joint Secretary	Not Applicable	According to Regulation 8 (1)	<p>a. Bachelor's Degree from a recognized University.</p> <p>b. For Deputation - Minimum 15 years' experience in core area of Power Sector or Administration. Officer holding analogous post on regular basis in Central/State Government or any PSU under Central/State Government.</p> <p>c. For Contract - For Retired Officer should have minimum 15 years of experience in relevant field, out of which atleast 5 years of Experience at Level 14 of Madhya Pradesh 7th Pay Matrix or Grade Pay 7600 as per 6th Pay Commission. For retired employees post retirement experience will also be considered.</p>	<p>a. Excellent verbal and written communication skill.</p> <p>b. Computer Literacy.</p>

Sl No	Name of Post	Minimum Age Limit	Maximum Age Limit	Minimum Educational Qualification & Experience Prescribed	Additional Qualification
(1) 5	(2) Deputy Director	(3) 30 years	(4) According to Regulation 8 (1)	(5) a. Bachelor's degree on Electrical/Mechanical Engineering from a recognized university. b. Minimum 10 years of experience in government owned Power Sector/ Utility or PSU. c. Officers holding analogous post on regular basis in Central/State Government or any PSU under Central/State Government. d. For Private Sector Professional - Minimum 10 years' experience in Power Sector related organization/ company/ Consulting firm. • The candidate should be either holding or held a position in substantive/ officiating capacity. The candidate should have an experience in Regulatory Affairs/ Tariff determination process/ Commercial function in Power Utility or a consultancy organization working in power sector in India. • Computer Literacy.	(6) a. Familiar with Electricity Laws and Power Sector Reforms. b. Knowledge of finance and accounts of power utility.
6	Deputy Director (Tariff)	30 years	According to Regulation 8 (1)	a. Qualified Chartered Accountant. b. Minimum 10 years of experience in government owned Power Sector/ Utility or PSU. c. Officers holding analogous post on regular basis in Central/State Government or any PSU under Central/State Government. d. For Private Sector Professional - Minimum 10 years' experience in Power Sector related organization/ company/ Consulting firm. • The candidate should be either holding or held a position in substantive/ officiating capacity. The candidate should	

Sn (1)	Name of Post (2)	Minimum Age Limit (3)	Maximum Age Limit (4)	Minimum Educational Qualification & Experience Prescribed (5)	Additional Qualification (6)
7	Deputy Director (Information Technology)	30 years	According to Regulation 8 (1)	<p>have an experience in Regulatory Affairs/ Tariff determination process/ Commercial function in Power Utility or a consultancy organization working in power sector in India.</p> <ul style="list-style-type: none"> • Computer Literacy. <p>a. Engineering Graduate in Computer Science/ Information Technology or Master of Computer Application or Master of Science from a recognized University/Institute.</p> <p>b. For Contract - Minimum 7 years of work Experience in Information Technology Management, IT Projects, software development, hardware, networking in IT projects. Minimum 5 years' experience of managing a complete life cycle of IT / e-Governance projects.</p> <p>c. For Deputation - Officers holding analogous post on regular basis in Central/State Government or any PSU under Central/State Government with 7 years of work Experience in relevant field.</p>	<p>a. Adequate experience of handling computer systems and Web applications in Govt. Dept/PSU.</p> <p>b. Candidate having minimum five years of Experience working in the domain of IT at Energy Utilities/ PSUs/ Government /Judicial/ Quasi-judicial bodies shall be preferred.</p>
8	Assistant Director (Information Technology)	25 years	According to regulation 8(1)	<p>a. Engineering Graduate in Computer Science/ Information Technology or Master of Computer Application (MCA) from a recognized University/ Institute.</p> <p>b. For Contract - Minimum 3 years of work Experience in Development of Web/Mobile based Applications, Management Information System, Dashboards & Maintenance of IT Infrastructure (Local Area Network, Communication Devices, Computers) in large Organization.</p> <p>c. For Deputation - Officers holding analogous post on regular basis in Central/State Government or any PSU under Central/State Government with 3 years of work Experience in relevant field.</p>	<p>Candidate having minimum three years of Experience working in the domain of IT at Energy Utilities/ PSUs/ Government /Judicial/ Quasi-judicial bodies shall be preferred.</p>

Sn (1)	Name of Post (2)	Minimum Age Limit (3)	Maximum Age Limit (4)	Minimum Educational Qualification & Experience Prescribed (5)	Additional Qualification (6)
9	Sr. Accounts Officer	30 years	According to regulation 8(1)	<p>a. M.Com or MBA with specialization in Finance from recognized university / CA / ICW/CFA.</p> <p>b. Minimum 10 years of professional experience in State Accounts Treasury Operation, audit, budget, pay rolls and Book keeping.</p> <p>c. Candidate should have analytical skills and capability in Financial Statement Analysis. Experience in cost analysis and accounting.</p> <p>d. Officers holding analogous post on regular basis in Directorate of Treasuries and Accounts Central/State Government.</p> <p>e. Computer Literacy.</p>	(6)
10	Accounts Officer	25 years	According to regulation 8(1)	<p>a. M.Com or MBA with specialization in Finance from recognized university / CA / ICW/CFA.</p> <p>b. Minimum 5 years of professional experience in State Accounts Treasury Operation, audit, budget, pay rolls and Book keeping.</p> <p>c. Candidate should have analytical skills and capability in Financial Statement Analysis. Experience in cost analysis and accounting.</p> <p>d. Computer Literacy.</p>	

Sn (1)	Name of Post (2)	Minimum Age Limit (3)	Maximum Age Limit (4)	Minimum Educational Qualification & Experience Prescribed (5)	Additional Qualification (6)
11	Personnel Officer	25 years	According to regulation 8(1)	<p>a. MBA or PGDM with specialization in Human Resource Management from a recognized university.</p> <p>b. Minimum 5 years of Administrative Experience in Managerial Capacity in large power utility /State Government /Central Government/ PSU under Central/ State Government.</p> <p>c. Officers holding analogous post on regular basis in Central/State Government or any PSU under Central/State Government.</p> <p>d. Computer Literacy.</p>	

Members of the Selection Committee as per Regulations 11 in the Principal Regulations (Column (7) in Schedule III of Principal Regulation): -

- I. Chairperson of MPERC: - Chairperson
- II. Member 1: - Member
- III. Member 2: - Member
- IV. In case nominated Members do not belong to SC/ST, then any Member of same status.
- V. Subject Matter Specialist if required: - Member
- VI. Commission Secretary: - Convenor

Note: - The aforesaid minimum qualifications for all the above-mentioned posts in this Schedule is applicable for the new recruitments done from the date of notification of these Regulations.

SCHEDULE - IV

S. No. (1)	Name of the post from which promotion is to be made (2)	Name of post to which promotion is to be made (3)	Qualifying Years of Service (4)	Members of the Departmental Promotion Committee (5)
1	Joint Director	Director	6 years regular service in the post of Joint Director in the Commission	i. Chairperson of MPERC: - Chairperson
2	Deputy Director	Joint Director/ Joint Secretary	6 years regular service in the post of Deputy Director in the Commission	ii. Member 1: - Member
3	Deputy Director (Pers.& Admin)	Joint Secretary	6 years regular service in the post of Deputy Director (Pers.& Admin) in the Commission	iii. Member 2: - Member
4	Personnel Officer/Accounts Officer	Deputy Director (Pers.& Admin)	5 years regular service in the post of Personnel Officer/ Accounts Officer in the Commission	iv. In case nominated Members do not belong to SC/ ST, then any Member of same status.
5	Personnel Assistant	Private Secretary	5 years regular service in the post of Personnel Assistant in the Commission	v. Commission Secretary: - Convenor.

By Order of the Commission
Umakanta Panda, Commission Secretary