

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION (METHOD OF RECRUITMENT AND CONDITIONS OF SERVICE OF OFFICERS AND EMPLOYEES REGULATION, 2001

No. 919-ERC-2001.—In exercise of the powers conferred by Section 58 of the Electricity Regulatory/commissions Act, 1998 (No. 14 of 1998), the Madhya Pradesh Electricity Regulatory Commission hereby makes the following regulations, namely:—

REGULATIONS

CHAPTER-I (PRELIMINARY)

1. **Short Title and Commencement.**—(1) These Regulations may be called the Madhya Pradesh Electricity Regulatory Commission (Method of Recruitment and conditions of service of officers and employees) Regulations, 2001.

(2) These regulations shall come into force with effect from the date of their publication in the Madhya Pradesh Gazette.

2. **Scope of Application.**—These Regulations shall apply to all officers and employees of the Madhya Pradesh Electricity Regulatory Commission including Secretary of the Commission.

3. **Definitions.**—In these regulations, unless there is anything repugnant to the subject or context :—

(a) 'Act' means Electricity Regulatory Commission Act, 1998, (No. 14 of 1998) ;

(b) 'Commission' means the Madhya Pradesh Electricity Regulatory Commission ;

(c) 'Chairman' means the Chairman of the Commission ;

(d) 'Member' means the Member of the Commission ;

(e) 'Appointing Authority' means :—

(i) the Chairman, in respect of the posts mentioned in part A of Annexure-I under clause-4, and

(ii) Secretary of the Commission in respect of posts mentioned in part B of Annexure-I under Clause-4;

(f) 'Competent Authority' means chairman and such other officers in the Commission designated from time to time by the Commission in accordance with these regulations;

(g) 'Function' means and includes all works and related activities of the Commission;

(h) 'Service' means the service by employees/Officers of the commission;

(i) 'Year' means financial year (1st April to 31st March);

(j) words and expressions used in these regulations but not defined, unless the context otherwise requires, shall have the same meaning as respectively assigned to them in the Act; The Electricity (Supply) Act, 1948 or the Indian Electricity Act, 1910; and

(k) 'State Government' means Government of Madhya Pradesh.

CHAPTER-II—CATEGORISATION OF POSTS AND STRENGTH OF OFFICERS AND STAFF

4. **Categorisation and Strength of Officers and Staff.**—(a) In accordance with sub-section (2) of Section 21 of the Act and with the approval of the State Government, the Commission has determined that the initial number, nature and categories of the officers and employees of the Commission required to assist the Commission in the discharge of its functions shall be as specified in Annexure-I.

(b) The Commission may from time to time vary, alter, modify, change, increase, reduce, abolish, or re-categorise the number, nature and categories of the officers and employees specified in Annexure-I, subject to the approval of the State Government.

(c) The Commission may also appoint on Contract basis for any suitable period Advisors and/or Consultants, to assist Members/Chairman, of relevant fields/expertise on such remuneration and other terms and conditions as decided by the Commission.

5. **Vacancy in the posts.**—Nothing in Sub-clause(a) of Clause-4 shall be construed as requiring the Commission to have the officers/staff serving in all the categories or posts, at all times.

CHAPTER-III—PLACEMENT

6. **Placement of Officers.**—(a) The post, which an Officer/employee is to occupy at any time, shall be decided by the Commission.

(b) Subject to exigencies of service or availability of posts, an Officer/employee may be placed in any other post corresponding to his grade.

(c) Any officer may be required to hold more than one post for which no extra remuneration shall be paid.

CHAPTER-IV—THE RECRUITMENT AND OTHER CONDITIONS OF SERVICE

7. Appointment.—(a) the appointing authority, disciplinary authority, appellate authority and reviewing authority in respect of officers and employees of the Commission, until otherwise determined by the Commission, shall be as specified in Annexure-II

(b) The source of recruitment of Officers and employees shall be as mentioned in Part-A and Part-B of Annexure-I.

(c) The persons employed by the Commission prior to commencement of these regulations shall be eligible for being considered, along with the outsiders, for the purpose of direct recruitment to various grades irrespective of their age but subject to upper age limit prescribed in these Regulation, provided they fulfil the prescribed eligibility criteria for being considered for the post.

(d) A person to be appointed should have the qualification and experience as prescribed in Annexure III to these Regulations. However, the commission after recording reasons in writing may relax the eligibility criteria for appointment in respect of posts and persons in appropriate cases.

(e) All appointments shall be subject to verification of character and antecedents as decided by the Commission from time to time.

8. Constitution of Selection Committee.—(a) there shall be a Selection Committee to consider and recommend candidates for appointment to the posts mentioned in Part A of Annexure-I under Clause 4 which shall consist of the following :—

- (i) Chairman—Chairman of the Commission,
- (ii) Members—Members of the Commission,
- (iii) Member—(subject Expert) One subject specialist to be nominated by the Commission,
- (iv) Convenor—Secretary of the Commission,

(b) There shall be a separate Selection Committee to

consider and recommend candidates for appointment and recommend candidates for appointment to the posts mentioned in Part-B of the Annexure-I, which shall consist of the following :—

- (i) Senior-most person amongst the Directors and Secretary, as Chairman;
- (ii) (a) Secretary/Diretor in-charge of administration or if the happens to be the Senior-most then the next Senior Director, as member.
(b) Commission-Secretary or if he happens to be senior-most, then any Director as nominated by the Chairman, as Member.
- (iii) Deputy Secretary or any other officer nominated by the Chairman shall be the convenor of the Committee.
- (c) (i) The selection Committee shall meet as and when necessary
(ii) They pay fixation in appropriate cases may also be recommended by the Selection Committee for consideration, to the Commission.
- (iii) The recommendation of the Selection Committee shall be final and remain valid for a period of 6 months or upto a period as may be extended by the Commission.
- (d) The Commission may laydown the procedure to be followed by the Selection Committee.

9. Age limit.—The age limit for direct recruitment to the posts of Drivers, peons/Orderlies and similar categories shall be as per the prevailing rules of the State Government. For remaining officers/employees, there shall be no upper age limit for appointment in the Commission subject to the condition that the incumbent should have atleast 3 years period for his superannuation under the rules of the State Government for its officers/employees working in the corresponding grades.

10. Application.—(a) The Commission may decide, the number of vacancies to be filled by direct appointment and shall invite applications from the candidates eligible for appointment to the service.

(b) Every candidate shall submit the application with relevant documents in the prescribed form alongwith prescribed fees in the matter decided by the Commission, to the Secretary or any designated Officer of the Commission, so as to reach not later than such date as may be notified.

11. **Certificates.**—The candidate shall submit the application alongwith:—

- (a) The evidence possessing the requisite educational qualification and experience.
- (b) Certificate of character and conduct from the Educational Institution last attended, if the candidate has not served Government or Public Sector Undertakings.
- (c) Proof of age, which shall be the High School/Higher Secondary School Certificate or equivalent Examination.
- (d) Certificate from the competent authority in case of candidates belonging to S.C., S.T., O.B.C. or any other reserved category.

12. **Process of Application.**—After scrutiny, the Commission shall consider all the valid applications and shall interview the shortlisted candidates taking into account the vacant posts.

13. **Section of candidates.**—The Selection Committee shall recommend the candidates in order of their respective merit to the appointing authority.

14. **Appointments.**—(a) the appointment shall be made on the basis of merit, as recommended by the Selection Committee.

(b) Every candidate for Class-I And II Categories selected for appointment, having not been in Government service, shall be examined by the Medical Board and the remaining shall be examined by the C.M.O. The candidates found unfit shall not be eligible for appointment.

15. **Pay fixation.**—The pay of the selected candidate may be fixed at a higher stage of the pay scale for the post as may be approved by the Commission, on the recommendation of the Selection Committee.

16. **Original Certificates.**—The candidates shall produce the originals of the following certificates at the time of interview or as and when required and also at the time of joining service.

(a) Certificate of High School/Higher Secondary or equivalent examination.

(b) Documents of educational qualification and experience.

(c) Certificates of S.C./S.T./O.B.C. or any other reserved category.

17. **Probation.**—(a) All direct recruits shall be on probation for a period of one year from the date of their joining.

(b) The period of probation shall not include the following :

(i) the period spent on earned leave, extraordinary leave and medical leave availed during the period of probation, and

(ii) The period of unauthorized absence from duty and the period held not on duty by the Commission.

(c) If the performance of the probationer has not been found satisfactory, the Commission may extend the period of probation upto a maximum period of one year in one or more instalments.

(d) The Commission may dispense with the services of a probationer after one month notice.

(e) If a person is serving in the Government or in a Public Sector Undertaking and is selected for appointment in the Commission, he shall be allowed to keep his lien on the post held just before joining, till confirmation in the Commission.

18. **Reservation of Vacancy.**—Nothing in these Regulations shall affect the reservation and other concessions required to be provided for S.C./S.T./O.B.C. or other categories of persons in accordance with the orders issued by the State Government from time to time in this regard.

19. **Training.**—(a) Officials may be required to undergo such training or course conducted in-house and/or outside, as may be prescribed by the Commission.

(b) Officials required to undergo training or course may be required to execute bond to serve the Commission for such period as may be prescribed which shall not exceed 12 months for every one month of training or course subject to a maximum period of two years, after completing the training or course. Failure to serve the Commission for the stipulated period will render the official liable to refund the amount spent on training alongwith the emoluments paid during the period.

(c) Official charged with misconduct during the period of training, shall be called back and appropriate disciplinary proceedings may be initiated. The Official may be required to refund the amount spent on the training, if the Commission so decides.

20. **Retirement.**—Officers/employees shall retire from the service of the Commission on attaining the age of superannuation in accordance with the prevailing rules of the State Government.

21. **Specification of the conditions of service.**—The Commission may specify the conditions of service of an officer or an employee appointed by the Commission on contract or deputation.

CHAPTER-V—REMUNERATION AND OTHER BENEFITS

22. **Pay Scale.**—(a) The pay scales of the Officers/employees shall be as provided in Annexure-I. For the posts of peon, driver and other similar categories, the Commission may engage persons initially on daily wages at the rate fixed by the Collector from time to time or on contract, for a suitable period.

(b) The pay of officers and employees of the Commission shall be revised at par with officers/employees of corresponding grade/scale under State Government.

(c) the Officers/employees of the Commission shall be entitled to such allowances, medical facility, etc. as applicable to corresponding grade of officers/employees under the State Government.

(d) Officers/employees joining on deputation and those recruited by the Commission shall be eligible for interest/non-interest bearing advances as admissible to officers/employees of the State Government.

(e) For the officers/employees taken on deputation by the Commission from Central Government, State Government, Public Sector Undertaking/Autonomous Bodies of the Government, the deputation allowance shall be as decided by the Commission.

23. **Retirement/Superannuation Benefits.**—(a) The officers/employees of the Commission shall be entitled to retirement/superannuation benefits.

(b) For the Officers/employees absorbed in the Commission from the State Government/Central Government/other State Governments/Public Sector Undertakings, the pensionary services rendered in such Governments/organisations prior to the joining the Commission shall be taken into account for the purpose of above sub-clause (a).

(c) Out of the total period of pensionary service including the previous pensionary service before joining the Commission, the Officers/employees of the Commission shall be given pensionary benefits for the service rendered

in the Commission proportionate to the total service rendered, provided that the Government/organisation, the officer/employee was previously employed is-w to bear the proportionate pensionary liabilities for period of service in that Government/organization.

CHAPTER-VI—MISCELLANEOUS

24. **Contract Service.**—In the exigencies of public service and after recording reasons therefore, the vacant posts in the Commission may be temporarily man through contract service for a period not exceeding three years.

25. **Power of relaxations.**—The Commission may, in the public interest and after recording the reasons in writing, relax the provisions of these regulations, including the eligibility criteria for appointments to posts, in appropriate cases.

26. **Interpretation.**—If any question arises as to the application or interpretation of any of the provisions of these Regulations, the same shall be decided by the Commission and the decision of the Commission shall be final and binding. The Commission shall have power to remove the difficulties in implementing the Regulations.

27. **Applicability M. P. Civil Services (Classification, Control & Appeal) Rules, 1966 and M. P. Civil Services (General Condition of Service) Rules, 1961.**—
(a) Subject to the provisions of these Regulations, the M.P. Civil Services (Classification, Control and Appeal) Rules, 1966, M.P. Civil Services (Conduct) Rules, 1965 and M.P. Civil Services (General Conditions of service) Rules, 1961, as amended from time to time, shall be applicable, *mutates-mutandis*, to the officers and employees of the Commission.

(b) Except as otherwise provided in these Regulations, the other conditions of service of officers and employees of the Commission shall be regulated by the relevant rules of the State Government in force for its employees.

(c) In case of any inconsistency between these Regulations as modified from time to time and the terms and conditions in the letters of appointment on the one part and the regulations applicable to the officers and employees of M.P. Civil Service applied *mutates mutandis*, on the other part, the former shall prevail.

ANNEXURE-1 (PART-A)

CATEGORIES, STRENGTH AND NATURE OF OFFICERS/EMPLOYEES IN THE
M. P. ELECTRICITY REGULATORY COMMISSION

THEIR PAYSCALES AND SOURCES OF RECRUITMENT

S. No.	Name of Post	No. of posts	Category (as per Government of M. P. Classification)	Pay Scale (In Rs.)	Source of recruitment
(1)	(2)	(3)	(4)	(5)	(6)
1.	Commission Secretary	1	I	18400—500—22400	Direct Recruitment/ Deputation/Contract
2.	Director (Engg.)	1	-do-	-do-	-do-
3.	Director (Tariff)	1	-do-	-do-	-do-
4.	Director (Law)	1	-do-	-do-	-do-
5.	Director (Economics)	1	-do-	-do-	-do-
6.	Joint Director (Tariff)	1	-do-	14300—400—18300	-do-
7.	Deputy Secretary (Personnel)	1	-do-	12000—375—16500	-do-
8.	Deputy Director (T & D)	3	-do-	10000—325—15200	-do-
9.	Deputy Director (Generation)	2	-do-	-do-	-do-
10.	Economic Analyst	1	-do-	-do-	-do-
11.	Financial Analyst	1	-do-	-do-	-do-
12.	Legal Assistant	2	-do-	-do-	-do-
13.	Accounts Officer	1	II	6500—200—10500	-do-

ANNEXURE-1 (PART-B)

S. No.	Name of Post	No. of posts	Category (as per Government of M. P. Classification)	Pay Scale (In Rs.)	Source of recruitment
(1)	(2)	(3)	(4)	(5)	(6)
1.	Private Secretary/Personal Assistant	08	II/III	6500—200—10500/ 4000—100—6000	Direct Recruitment/ Deputation/Contract.
2.	Asstt. Grade II/Cashier	2	III	4000—100—6000	-do-
3.	Steno Typists	10	-do-	3050—70—3950—80— 4590 (SP 125)	-do-
4.	Data Entry Operators	5	-do-	3050—75—3950—80—4590	-do-
5.	Assistant Grade III	10	-do-	-do-	-do-
6.	Driver	8	-do-	-do-	-do-
7.	Marshal of the Court	1	-do-	-do-	-do-
8.	Peons/Orderly	25	IV	2550—45—3000	-do-
9.	Security Guard	2	IV	2000 per month per person	Daily Wages/ Contract

ANNEXURE-II

APPOINTING AUTHORITY, DISCIPLINARY AUTHORITY, APPELLATE AUTHORITY AND REVIEWING AUTHORITY FOR OFFICERS AND EMPLOYEES OF THE M. P. E. R. C.

(1)	(2)	For officers and employees included in Part 'A' of Annexure I (3)	For officers and employees included in Part 'B' of Annexure I (4)
(i)	Appointing Authority	Chairman	Commission Secretary
(ii)	Disciplinary Authority	Chairman	Commission Secretary
(iii)	Appellate Authority	Commission	Chairman
(iv)	Reviewing Authority	Commission	Commission

ANNEXURE-III

POSTWISE QUALIFICATION AND EXPERIENCE FOR OFFICERS AND EMPLOYEES OF
M. P. ELECTRICITY REGULATORY COMMISSION

PART A—CLASS-I AND II OFFICERS

S. No. (1)	Post (2)	Minimum Qualification and Experience required (3)	Additional qualifications/ experience desirable (4)
1.	Commission Secretary	(a) Bachelor's degree from a recognized university preferably in Engineering or Law. (b) 15/20 years experience in Judiciary or Administration, out of which 5 years should be at management level. (c) Excellent written and verbal communication skill.	(a) Experience in a Government organization. (b) Demonstrated knowledge and/or experience in a regulated industry or with a regulatory body or in a judicial body. (c) Computer literacy.
2.	Director (Engg.)	(a) Bachelor's degree in electrical or mechanical engineering from a recognized university. (b) 15/20 years of professional experience with atleast 5 years experience of management level in large power utility/Electricity Board, with generation, transmission and distribution facilities. (c) Planning, designing and of operational experience in generation, transmission and distribution, with experience in the matters related to reliability and stability of generating plants, system network and power quality and load flows. (d) Excellent written and verbal communication skill.	(a) Experience of development of electricity tariffs in a power utility/Electricity Board. (b) Experience in commercial matters of a Electricity Board/ power utility and power purchase agreements. (c) Demonstrated capacity in analytical modeling and setting standards of generation, transmission and distribution of electricity. (d) Computer literacy.

(1)	(2)	(3)	(4)
3. Director (Tariff)	<p>(a) Bachelor's degree in electrical engineering or master's degree in Economics from a recognized University.</p> <p>(b) 15/20 years experience in power utility or as professional economist with expert knowledge of commercial matters and tariffs development in power utility/ Electricity Board with 5 years experience at management level in power utility.</p> <p>(c) Skill in economic analysis, financial analysis and modeling.</p> <p>(d) Excellent verbal and written communication skill.</p>	<p>(a) Knowledge of regulatory accounting.</p> <p>(b) Knowledge of finance and accounts of a power utility/ Electricity Board.</p> <p>(c) Computer literacy.</p>	
4. Director Economics (Monitoring and Co-ordination)	<p>(a) Master's degree in Economics with specialization in Micro-economics.</p> <p>(b) 15/20 years experience as a professional economist, dealing with tariff development and commercial matters of power sector/ Regulatory Utility and cost analysis and accounting.</p> <p>(c) Excellent verbal and written communication skill.</p> <p>(d) Demonstrated capability in analytical modeling.</p>	<p>(a) Doctorate in Economics.</p> <p>(b) Demonstrated knowledge and experience in power sector.</p> <p>(c) Computer literacy.</p>	
5. Director (Law)	<p>(a) Degree in Law from a recognized University/Law School.</p> <p>(b) Eligibility to practice law.</p> <p>(c) 15/20 years of professional/judicial experience or similar experience under State Government and/Central Government.</p> <p>(d) Excellent verbal and written communication skill.</p>	<p>(a) Demonstrated knowledge of power sector.</p> <p>(b) Experience on providing legal advice on commercial issues.</p> <p>(c) Experience in drafting statutes and/or regulations.</p> <p>(d) Experience in Contract and/or Administrative Law.</p> <p>(e) Computer literacy.</p>	
6. Joint Director (Tariff)	<p>(a) Degree in Electrical Engineering from a recognized University.</p> <p>(b) 10/15 years experience of transmission and distribution in power utility/Electricity Board including 3 years experience in commercial matters and development of electricity tariffs.</p>	<p>(a) Knowledge of finance and accounts of electricity utility.</p> <p>(b) Good written and verbal communication skill.</p>	

(1)	(2)	(3)	(4)
7. Dy. Secretary (Personnel)	(a) Bachelor's degree from a recognized University. (b) 10/12 years professional experience in personnel management and administration. (c) Good written and verbal communication skill.	(a) Experience in Government organization. (b) Knowledge of power sector reforms and regulations. (c) Computer literacy. (d) Experience in finance and accounts of a Government organization.	
8. Dy. Director Engg. (Transmission and Planning)	(a) Bachelor's degree in Electrical or Mechanical Engineering from a recognized University. (b) 10/12 years experience in a power utility/ Electricity Board with generation/ transmission/distribution facilities with experience of design, planning and operation of transmission system, network reliability, load flow and quality. (c) Good written and verbal communication skill.	(a) Familiarity with electricity law, and power sector reforms. (b) Knowledge of finance and accounts of power utility. (c) Computer literacy.	
9. Dy. Director Tariff (Transmission)	(a) Bachelor's degree in Electrical Engineering from a recognized University. (b) 10/12 years experience in a utility/ Electricity Board dealing in generation/ transmission/distribution facilities. (c) Experience in designing, planning and operation of transmission and distribution system. (d) Experience in power procurement, power purchase agreements, commercial matters and tariff development. (e) Good written and verbal communication skill.	(a) Familiarity with electricity law, and power sector reforms. (b) Knowledge of finance and accounts of power utility. (c) Computer literacy.	
10. Dy. Director (Tariff) Distribution	(a) Bachelor's degree in Electrical Engineering from a recognized University. (b) 10/12 years experience in a power utility dealing in generation/transmission/ distribution facilities. (c) Experience in planning and operation of sub-transmission and distribution system	(a) Familiarity with electricity laws and power sector reforms. (b) Knowledge of finance and accounts of a power utility. (c) Computer literacy.	

(1)	(2)	(3)	(4)
		as well as commercial aspects of distribution (metering, billing, collection, etc.) and knowledge of tariff development.	
		(d) Good written and verbal communication skill.	
11.	Dy. Director Engineering (Generation)	(a) Bachelor's degree in Electrical or Mechanical Engineering from a recognized University.	(a) Familiarity with electricity laws and power sector reforms.
		(b) 10/12 years experience in a power utility dealing with generation/transmission/distribution facilities.	(b) Computer literacy.
		(c) Experience in planning, designing and operation of thermal/hydel power stations.	
		(d) Good written and verbal communication skill.	
12.	Economic Analyst	(a) Master's degree in Economics with specialization in Micro-economics.	(a) Demonstrated knowledge and/or experience in power sector or commercial concern.
		(b) 10/12 years as an Economist in Government Department/Financial Institution/Commercial Organisation.	(b) Good written and verbal communication skill.
		(c) Demonstrated ability in Economic and financial analysis, modeling including spread sheets and data base skill.	
13.	Financial Analyst	(a) Master's degree in Commerce/Cost Accountant/Chartered Accountant.	(a) Knowledge and experience in power sector along with development of electricity tariffs.
		(b) 10/12 years in accounts and/or finance in a power utility or commercial concern.	(b) Good written and verbal communication skill.
		(c) Demonstrated capacity of analyzing company accounts and finance.	
		(d) Demonstrated knowledge of spread sheets and data base analysis.	
		ree in Law from a recognized ersity/Law School.	(a) Litigation experience.
		(b) Eligibility to practice law.	(b) Computer literacy.
		(c) Excellent written and verbal communication skill.	

(1)	(2)	(3)	(4)
15.	Accounts Officer	(a) Graduate from a recognized University. (b) Five years professional experience in State Accounts, Treasury operation, audit, budget, pay rolls and book keeping.	(a) Demonstrated experience in analytical modelling. (b) Good communication skill.

PART B—CLASS III AND IV EMPLOYEES

16. Data Entry Operator-cum Clerk. : (a) 10+2 (Higher Secondary Examination).
(b) Diploma in Computer Application.
17. Marshal of the Court. : Ex-Army/Para Military Personnel.
18. Other Posts. : As prescribed for equivalent posts in the State Government.

आयोग के आदेशानुसार,
अशोक शर्मा, उपसचिव.