

Andhra Pradesh Electricity Regulatory Commission (Appointment of Chairman and Members) Rules, 1999

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-ELECTRICITY-REGULATORY-COMMISSION-APP of 1999

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Andhra Pradesh Electricity Regulatory Commission (Appointment of Chairman and Members) Rules, 1999Published vide Notification No. G.O.Ms.No. 52, Energy (Power-III), dated 4.3.1999Last Updated 22nd August, 2019G.O.Ms.No. 52. - In exercise of the powers conferred by sub-section 2(a) of Section 55 read with sub-section (6) of Section 4 of the Andhra Pradesh Electricity Reform Act, 1998, the Governor of Andhra Pradesh hereby makes the following namely:

1. Short title.

(1)These rules may be called the Andhra Pradesh Electricity Regulatory Commission (Appointment of Chairman and Members) Rules, 1999.(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 Andhra Pradesh Electricity Reforms Act, 1998.(b)"Chairman" means the Chairman of the Andhra Pradesh Electricity Regulatory Commission established under Section 3 of the Act;(c)"Committee" means the Selection Committee as provided under subsection (1) of Section 4 of the Act.(d)"Convenor" means the convenor of the Selection Committee as provided under sub-section (2) of Section 4 of the Act.(e)"Member" means the Member of the Andhra Pradesh Electricity Regulatory Commission established under Section 3 of the Act.(f)"Government" means the Government of Andhra Pradesh.(2)The words and expression used but not defined in these rules shall have the same

meaning as respectively assigned to them in the Act.

3. Method and manner of selection and appointment of Members of the Commission.

(1)The Selection Committee shall select expeditiously to select persons for appointment of Members of the Commission in accordance with the provisions of the Act.(2)In the case of recruitment of the first three Members of the Commission Convenor shall expeditiously take all necessary steps for convening the meeting of the Selection Committee to recommend the names of suitable persons having qualification and experience mentioned in Section 5 of the Act.(3)According to sub-section (3) of Section 4 of the Act, the Convenor of the Selection Committee shall call for nominations for appointment as Members from general public and from professional bodies, consumer organisations by giving wide publicity. For this, the Convenor of the Selection Committee should issue a press notification and send letters of request to such of the Departments of State and Central Government, Public and Private undertakings engaged in Generation, Transmission, Distribution and Supply of Electricity", Industrial Organizations, Chamber of Commerce, Judicial Authority, Financial Institutions, Educational Institutions, Registered consumer organizations in the State and other organizations as prescribed in the Act. It should be ensured that the persons sending the nominations should also enclose the willingness of the candidate to take up the appointment and also the particulars required under sub-section (3) of Section 5 of the Act.(4)The Convenor of the Selection Committee shall prepare a list of suitable candidates out of the names received as per request made under sub-rule (3) or otherwise available and put up to the Selection Committee for consideration and selection. The criteria for selection of members shall be as may be decided by the Selection Committee from time to time subject to provisions of Section 5 of the Act. The Selection Committee shall satisfy itself that the candidate is not liable to be disqualified for appointment as Member under sub-section (2) of Section 5 of the Act. The Selection Committee shall prepare a panel of two suitable persons for each vacancy in the Commission.(5)In the case of an impending vacancy in the office of a member, the Secretary of the Commission shall notify the same to the Convenor well in advance and in any case, ninety days before the date on which the vacancy will arise.(6)In the case of vacancy in the office of a member, other than the impending vacancy, immediately upon the occurring of the vacancy, the Secretary of the Commission shall notify the same to the Convenor.(7)Immediately upon receiving the intimation of the vacancy or otherwise upon the knowledge of the vacancy, the Convenor shall arrange for constitution of Selection Committee by the Government and in consultation with the Committee shall finalize the date, time and place of the meeting of the Selection Committee to consider and recommend the persons for appointment of member to fill up the vacancy.(8)The Selection Committee shall consider and satisfy itself of the qualification and experience required of a candidate for each vacant post in the Commission in accordance with the provisions mentioned in Section 5 of the Act. All decisions of the Selection Committee shall be by majority.(9)While making the selection, preference may be given to those persons having knowledge of Telugu and who are associated with Electricity Industry.(10)The Convenor shall inform the State Government in writing, the names of two candidates selected by the Selection Committee against each vacancy in alphabetical order.(11)The convenor shall supply all information received from the selected persons under sub-section (3) of Section 5 and other details about the qualification and experience of such persons to State

Government, so that it can satisfy itself that the recommended candidates do not have any financial or other interest as mentioned in sub-section (2) of Section 5 of the Act.(12)The State Government shall notify, in the official Gazette, without any delay the name(s) of the person(s) finally selected and appointed as member or members and also communicate the name(s) to the members of the Selection Committee and the members and Secretary of the Commission.(13)Subject to the provisions of the Act and these rules the Selection Committee shall make its own procedure for the conduct of its proceedings.(14)As the State Government shall establish by notification the Andhra Pradesh Electricity Regulatory Commission for the first time within 3 months of the Act coming into force, the Selection Committee should ensure that its recommendation for selection of members is submitted to State Government without any delay and as far as possible well within the time limit given under sub-section (3) of the Section 4 of the Act.

4. Method and manner of Recruitment of Chairman of the Commission.

(1)On the recommendation of the Selection Committee, the State Government shall designate one of the members as Chairman of the Commission.

5. Undertaking, Oath of office and Secrecy.

- The Chairman or Member of the Commission shall before assumption of this office give an undertaking that.(a)He is not disqualified in any manner as provided under the Act for appointment as Member or Chairman of the Commission: -(b)He ceased to have any interest in any of the employment prohibited under the provisions of the Act; and(c)He shall make and subscribe to an oath of office and secrecy in Forms and II respectively provided in the schedule annexed to these rules before the Governor or some other person appointed in that behalf by him.The ScheduleForm I(Form of Oath of office for Chairman/Members of the Andhra Pradesh Electricity Regulatory Commission)I.....having been appointed as Chairman/Member of the Andhra Pradesh Electricity Regulatory Commission do solemnly affirm/swear in the name of God that will faithfully and conscientiously discharge my duties as Chairman/Member to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will.Signature of Chairman/MemberForm II(Form of Oath of Secrecy for Chairman/Member of the Andhra Pradesh Electricity Regulatory Commission)I.....having been appointed as Chairman/Member of the Andhra Pradesh Electricity Regulatory Commission do solemnly affirm/Swear in the name of God that will 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 Chairman/Member of the said Commission except as may be required for the due discharge of my duties as Chairman/Member.Signature of Chairman/Member