

CENTRAL ELECTRICITY REGULATORY COMMISSION
Ground Floor, Chanderlok Building,
36, Janpath, New Delhi - 110 001

No. 2/23(13)/2014/Adm /CERC

Dated, the 6th May, 2016

Sub: Engagement of Individual Consultant for investigation and analysis of various aspects related to tariff in respect of the generating companies and transmission licensees and other entities regulated by CERC.

1.0 Background:-

1.1 The Central Electricity Regulatory Commission constituted under the erstwhile Electricity Regulatory Commissions Act, 1998 (short as "ERC Act") was recognized as the Central Electricity Regulatory Commission (short as "CERC") under the Electricity Act, 2003. The Electricity Act, 2003 has significantly enlarged the spectrum of responsibility of the Central Electricity Regulatory Commission. The Central Commission has been vested with the functions under the Electricity Act, 2003 (short as "the Act") to regulate the tariff of the generating companies owned or controlled by Central Government, generating companies having a composite scheme for generation and sale of electricity in more than one State, to regulate inter-State transmission of electricity and determination of tariff for inter-State transmission in electricity and development of market among other functions.

1.2 Following are the statutory functions of CERC:

- (a) To regulate the tariff of generating companies owned or controlled by the Central Government;
- (b) To regulate the tariff of generating companies other than those owned or controlled by the Central Government specified in clause (a), if such generating companies enter into or otherwise have a composite scheme for generation and sale of electricity in more than one State;
- (c) To regulate the inter-State transmission of electricity ;
- (d) To determine tariff for inter-State transmission of electricity;
- (e) To issue licenses to persons to function as transmission Licensee and electricity trader with respect to their inter-State operations;
- (f) To adjudicate upon disputes involving generating companies or transmission licensee in regard to matters connected with clauses (a) to (d) above and to refer any dispute for arbitration;
- (g) To levy fees for the purposes of this Act;
- (h) To specify Grid Code having regard to Grid Standards;
- (i) To specify and enforce the standards with respect to quality, continuity and reliability of service by licensees;

- (j) To fix the trading margin in the inter-State trading of electricity, if considered, necessary;
- (k) to discharge such other functions as may be assigned under this Act.

1.3 In view of the multifarious functions being discharged by the Commission and considering the complexities of the issues involved in various petitions before the Commission, the Central Electricity Regulatory Commission proposes to engage one Individual Consultant in the capacity of Senior Advisor with knowledge and experience about the investigation into various tax and duties related matters particularly of material used as input for generation and having direct or indirect impact on the cost of generation and transmission tariff and also with understanding about administration of various taxes, duties, cess, applicable exemptions, treaties etc. to assist the Commission in the discharge of its various functions.

1.4 The detailed Terms of Reference containing the essential qualifications and experience is given below:-

2.0 Scope of work for the Individual Consultant:-

The broad scope of work as reflected from above would include assisting the Commission in examining the issues involved in various petitions as under:

- Study and Analysis of the financial and commercial aspects involved to assist the Commission for dealing with the cases;
- Assisting Commission for due diligence of materials used as inputs for generation such as cost of plant & machinery, cost of fuel (domestic/imported coal, gas etc.), transportation, taxes and duties etc. and any other related aspects;
- Sample checking of invoices, revenues and transfer price, if required and suggest appropriate modalities for the same;
- Assisting Commission in assessment and quantification of the impact on tariff, presumably energy charges;
- Assisting the Commission for due diligence of the project documents including contract documents
- Investigation of any matter permissible under the Electricity Act, 2003 and as assigned by the Commission;

- Any other assistance as required by the Commission.

3. Qualification and experience required:-

Name of the Post	No of Consultant	Qualification and Experience	Consolidated Fee
Senior Advisor	One	<p><u>Educational Qualification:</u> Post graduation in any discipline</p> <p><u>Experience:</u></p> <ol style="list-style-type: none"> 1. At least ten years in the field of investigation of economic and financial offences; 2. Knowledge of law related to foreign trade, taxes and duties and having dealt with customs and revenue related matters 3. Experience/knowledge of power sector especially in relation with power projects 4. Experience of handling in regulatory matters or quasi judicial assignments. 5. In case of employees who have retired from Government service should have experience in investigation at a level of not less than Additional Secretary to the Government of India. 	Rs. 2,25,000/- per month. In deserving cases additional fee not exceeding 10% of the fees indicated above may be granted at the time of initial engagement.

4.0 General terms and conditions:-

4.1. Normal working hours would be 9.30 A.M to 6.00 P.M (05 days week) including half an hour lunch break. The officials may be called on Saturdays, Sundays and other gazetted holidays, and directed to work beyond normal working hours in case of exigencies.

4.2 There will be a provision of 15 days leave (including 8 days casual leave and seven days on the pattern of earned leave but not encashable) in a calendar year (in addition to the gazetted holidays applicable in CERC office) subject to prior sanction.

5.0 Duration of contract: The contract will be initially for a period of **six** months which can be extended as per requirement to a total period not

exceeding two years. The Commission and the Consultant would both have option to terminate the contract by giving a notice of one month or the equivalent remuneration in lieu thereof.

6. Applications are to be submitted in prescribed format only. Otherwise, the applications which are not in prescribed format are liable to be rejected. Incomplete applications or those received after due date will not be entertained and will be summarily rejected without any communication. The decision of the Consultancy Evaluation Committee regarding eligibility of the candidate shall be final.

7.0 Evaluation Criteria:-

7.1 The Consultant will be engaged in accordance with the terms and conditions laid down in CERC (Appointment of Consultants) Regulation, 2008 and as amended from time to time (copies available in CERC's website www.cercind.gov.in).

7.2 The Commission reserves the right to reject or accept any applications without assigning any reason or what so ever.

8. Appointment under this assignment shall be on purely contract basis for a limited period only. Such appointment shall not bestow any rights what so ever to claim for regular appointment or continued contractual appointment in CERC.

9. Relaxation in essential qualifications/experience can be considered in deserving cases at the discretion of CERC. CERC reserves the right not to fill up all or any of the above-mentioned positions.

10. Only short-listed candidates will be called for an interaction with the Selection Committee.

11. Interested and eligible candidates may send their applications, in the prescribed format to the Assistant Chief (Admin), CERC, Ground Floor, Chanderlok Building, 36, Janpath, New Delhi-110 001 by Monday, **the 30th May, 2016** up to 3.00 P.M.

Sd/-
(Kamal Kishor)
Assistant Chief (Admin.)

Encl : Annexure

BIO-DATA

- I. GENERAL INFORMATION :**
- 01. Name of the Candidate :
 - 02. Date of Birth :
 - 03. Father's Name :
 - 04. Permanent Address :
 - 05. Contact address :
 - 06. Tel No. :
 - Mobile No. :
 - email id :

II. (a) Academic/Professional Qualifications:-

Degree	University	Institute	Field/Specialization	Year of Passing

(b) Experience:-

Details of employment, in chronological order. Enclose a separate sheet, duly authenticated by your signature, if the space below is insufficient				
Office/Institute/ Organization	Post held	From	To	Nature of duties in brief

(c)

Additional information, if any, which you would like to mention in support of your suitability for the post. Enclose a separate sheet, if the space is insufficient	
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- (d) Details about specific professional achievement or contribution (separate sheet may be attached):

Signature of the Candidate

Date: