

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

No.L-1/52/2010-CERC

Dated 2010

NOTIFICATION (DRAFT)

In exercise of powers conferred under section 91(4) read with section 178 of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in this behalf, and after previous publication, the Central Electricity Regulatory Commission hereby makes the following regulations, to amend the Central Electricity Regulatory Commission (Appointment of Consultants) Regulations, 2008, (hereinafter referred to as “the principal regulations”), namely:

1. **Short title and commencement.** (1) These regulations shall be called the Central Electricity Regulatory Commission (Appointment of Consultants) (Amendment) Regulations, 2010.

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

2. **Amendment of Regulation 3 of principal regulations:** Regulation 3 of the principal regulations shall be substituted as under:-

“3. **Scope of Work**

(1) Consultants may be engaged for the following purposes, namely-

(a) providing expert advice on specific issues of relevance and interest to the Commission;

(b) conducting study of best practices, analyzing data, developing bench marks, or for any other similar purpose; and

(c) performance of tasks requiring experience and qualifications which are either not available within the Commission or, in the opinion of the Commission, the engagement of consultant shall be a more efficacious and efficient method of completing the task in terms of quality, cost, time or for any other consideration.

(d) assisting the Commission in performing their functions, if the Commission is satisfied that there has been increase in quantum of work in the Commission or regular posts could not be filled due to various constraints.”

3. **Amendment of Regulation 5 of principal regulations:** A new sub-clause (d) shall be added after sub-clause (c) of Regulation 5 of the principal regulations as under:-

“(d) Staff consultants”

4. **Insertion of a new Regulation 8A:** After Regulation 8 of the principal regulations, a new regulation 8A shall be added as under:

“8A Staff Consultant

(1) The Commission, on being satisfied that there has been an increase in the quantum of work of the Commission, or difficulties arising in filling regular posts, may decide to engage a Staff Consultant in expediencies of work, to assist the Commission in discharge of their functions effectively and direct the Secretariat to take further steps.

(2) The Secretariat shall invite applications by publishing notice in the Commission’s website and by giving, as far as possible, a period of two weeks for making applications by interested persons.

(3) Before publishing the notice, the Secretariat shall identify the qualification and experience requirements keeping in view the relevant provisions of the Commission’s Regulations governing the recruitment against regular posts.

(4) The Staff Consultant could be categorized based on the qualification and length of experience and would be offered consolidated fee ranging from rupees sixty

thousand per month (for a fresh candidate) to rupees one lakh twenty thousand per month (for a candidate having 15 years or more experience). The fees indicated in this sub-clause would stand revised at the end of every year with an escalation of 10%. In deserving cases additional remuneration not exceeding 25% of the fees indicated above may be granted.

- (5) The Chairperson shall constitute the CEC comprising the Secretary, Internal Financial Advisor, and an officer having knowledge in the area of work for which the consultancy services are to be obtained. In cases where the Staff Consultant proposed to be engaged is equivalent to the post of Chief of a Wing, the CEC shall be headed by a Member of the Commission. The CEC shall interact with the candidates and, recommend names of suitable persons for engagement as Staff Consultants and the fee to be paid for approval of the Chairperson.
- (6) The Staff Consultant shall normally not be engaged for a period more than two years. An annual escalation of 10% on the fee offered in the first year may be given for the second year to the Staff Consultant.”

5. **Insertion of a new Regulation 9A:** After Regulation 9 of the principal regulations, a new regulation 9A shall be added as under:

“9A Power to relax

The Commission may, for reasons to be recorded in writing, relax any of the provisions of these Regulations.”

NOTE:

The principal regulations were published in the Gazette of India (Extraordinary) No. 160 Part III, Section 4 on 14.10.2008.

(S K Chatterjee)
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