



सत्यमेव जयते

The Gujarat Government Gazette EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XLII]

THURSDAY, JULY 19, 2001 / ASADHA 28, 1923

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV—C

Statutory Rules and Orders (other than those published in Parts I, I-A and I-L) made by Statutory Authorities other than the Government of Gujarat including those made by the Government of India, the High Court, the Director of Municipalities, the Commissioner of Police, the Director of Prohibition and excise, the District Magistrates and the Election Commission, Election Tribunals, Returning Officers and other authorities, under the Election Commission.

GUJARAT ELECTRICITY REGULATORY COMMISSION,
1ST FLOOR, NEPTUNE TOWERS, OPP: NEHRU BRIDGE, ASHRAM ROAD, AHMEDABAD-380 009

GUJARAT ELECTRICITY REGULATORY COMMISSION OFFICERS/ STAFF SERVICE REGULATIONS

In exercise of the powers conferred by Section 58(2)(b) of the Electricity Regulatory Commissions Act 1998 (No.14 of 1998), the Gujarat Electricity Regulatory Commission, with the approval of the State Government do hereby make the following regulations, namely:-

CONTENTS

CHAPTER 1:	GENERAL
CHAPTER 2:	CATEGORISATION OF POSTS & STRENGTH OF
OFFICERS	AND STAFF
CHAPTER 3:	PLACEMENT
CHAPTER 4:	RECRUITMENT AND OTHER CONDITIONS OF
	SERVICE
CHAPTER 5:	REMUNERATION AND OTHER BENEFITS
	APPENDIX -IA & IB
	APPENDIX - II
	APPENDIX- III
	APPENDIX- IV

CHAPTER 1**GENERAL**

Short Title and Commencement:	1.1. These Regulations may be called the “ Gujarat Electricity Regulatory Commission (Method of Recruitment and Conditions of Service of Officers and Staff) Regulations, 2000” 1.2. These Regulations shall come into force on the date of their publication in the official Gazettee.
Applicability:	2. These Regulations shall apply to all Officers/ Staff of Gujarat Electricity Regulatory Commission mentioned in regulation 4 of these regulations.
Definitions:	3. In these regulations, unless there is anything repugnant to the Subject or context: (a) “ Act” means the Electricity Regulatory Commissions Act, 1998 (b) “ Appointing Authority” means – 1. the Chairman, In respect of the posts mentioned in Appendix IA to these Regulations. 2. the Deputy Director (Admn) in respect of posts mentioned in Appendix IB to these Regulations (c) “Competent Authority” means Chairman and such other officers of the Commission designated from time to time for the purpose by the Commission in accordance with these regulations. (e) “Chairman” means the Chairman of the Commission. (f) “Member” means the Member of the Commission. (g) “Function” means and includes all work related activities of the Commission. (h) “Service” means the service by staff / officers of the Commission. (i) “Year” means calendar year; and (j) Words and expression 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.

CHAPTER-2**CATEGORIES OF POSTS & STRENGTH OF OFFICERS AND STAFF**

4. The categorisation of officers of the Commission and the strength of each category and the source of recruitment of those categories are mentioned in Appendix IA.

5. The staff of the Commission, their strength and source of recruitment are as indicated in Appendix IB.

CHAPTER-3**PLACEMENT**

Placement of Officers	6.1. The post that an officer/ staff is to occupy at any time shall be decided by the Commission. 6.2. Subject to exigencies of service or availability of posts, an officer/ staff may be placed in any other post corresponding to his or her grade. 6.3. An officer may be allowed to hold more than one post for which no extra remuneration shall be paid, unless the officiating period in the higher scale is for one month or more and extra remuneration as applicable to the post held, is sanctioned by the Commission.
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CHAPTER-4 **RECRUITMENT AND OTHER CONDITIONS OF SERVICE**

Appointment 7 All appointments to the post of Officers Staff shall be made by the Appointing Authority.

7.2 The persons who are working in the Commission prior to commencement of these regulations shall be eligible for being considered alongwith the outsiders for the purpose of direct recruitment to various grades irrespective of their age but subject to upper age limit prescribed in regulations, provided they fulfill the prescribed eligibility criteria for being considered for the post.

7.3 A person to be directly appointed should be of sound health, good physique and active habits. Every candidate for appointment shall be examined by a Civil Surgeon as specified by the Commission. A candidate who fails to satisfy the Civil Surgeon shall not be appointed.

7.4 A candidate to be appointed has to possess necessary qualification and experience, as prescribed post-wise, given in Appendices II & III, to these regulations. However, the Commission, after recording reason may relax the eligibility criteria for appointment with regard to posts and persons in appropriate cases.

7.5 All appointments shall be subject to verification of character and antecedents, as may be decided by the Commission from time to time.

Constitution of Selection Board: 8 There shall be Selection Board for selection of candidates for appointment of the posts mentioned in Appendix-1A of regulation 4, which shall consist of the following members:-

- Chairman- Chairman of the Commission
 - Member- Two Members of the Commission
 - Member- One subject specialist to be nominated by the Commission.
- Secretary/Dy. Director(Adm.)- shall be the Convener of the Selection Board.

8.2 (i) there shall be separate Selection Board for selection of candidates for appointment to the posts mentioned in Appendix-1B of regulation 5, which shall consist of the following members.

a Secretary of the Commission.

b. Jt. Director (Engg.) or if he happens to be the Senior most, then the next senior officer from the technical wing

	the next senior officer from the technical wing. c. Dy. Director (Admn) who will also be the Convener of the Selection Board.
	8.3 (i) The Selection Board will meet as and when it becomes necessary. (ii) The recommendations of the Selection Board shall be final and will remain valid for a period of six months.
Age Limit:	9. The age limit for direct recruitment to the post of Drivers, Attendants and Peons shall be as per the prevailing rules of the Government of Gujarat as modified from time to time. However, in respect of the remaining staff, for considering them for appointment in the Commission the upper age limit would be 40 years.
Application for appointment	10.1 The Commission may announce in such manner as it think fit the form of application from candidates eligible for appointment to the service. The fees for inviting applications would be as prescribed below:- For the Posts shown in Appendix 1A – Rs. 250/- For the posts shown in Appendix 1B – Rs. 100/- The fee shall be paid by means of Bankers Cheque or IPO drawn in favour of Secretary to the Commission. 10.2 Every candidate shall submit his application in the prescribed form alongwith prescribed fees and documents to the Dy. Director (Admn) or any other designated officer of the Commission so as to reach him not later than such date as maybe notified. 10.3 The application shall be accompanied with a Treasury Challan for the prescribed amount in the appropriate Head to be notified in the notice inviting application for the post.
Certificates:	11. The candidate must submit alongwith his application:- 11.1 evidence that he holds the requisite educational qualification, 11.2 certificate of character and conduct from the head of college in which he has last studied in case of candidates who have not served earlier in any capacity in State Government/ Public Sector Undertaking., 11.3. evidence of age, which should be the High School or last school leaving Certificate,

	11.4 caste certificate should be from the competent authority of the Gujarat State only in case of candidates belonging to S.C. ST and OBC.
Process of application:	12. The Commission shall consider all valid applications received and interview those who are short-listed considering the number of vacancies.
Selection of candidates:	13. On the recommendation of the Selection Board the Commission shall prepare a list of candidates arranged in order of merit.
Selection in case of direct recruitment:	14.1 The appointment shall be given on the recruitment basis of merit shown in the select list.
Pay fixation:	14.2 Every candidate selected for appointment, who had earlier not been in Government service shall be examined by the Medical Officer Civil Hospital.
Original Certificates:	15 The pay of the selected candidates may be fixed as per BCS Rules. The selected candidates who possess extra-ordinary qualifications and experience criteria over and above the prescribed requirement may be fixed in the suitable stage of the pay scale of the post as deemed appropriate by the Commission. The scales of pay are indicated in <u>Appendix IV</u> .
	16 All the candidates shall produce the originals of the following certificates at the time of the requirement/ viva-voce test and again immediately before the joining, if selected.
	16.1 H.S.C or its equivalent examination as proof of age.
Probation:	16.2 Documents in support of educational qualification and experience.
	16.3 Certificate of caste/tribe/category, if claiming the reserved post.
	17.1 All the direct recruits shall be on probation for a period of two years.
	17.2 The period of probation shall not include the following:-
	(i) the period spent on Earned Leave, Extraordinary Leave and the Medical Leave availed during the period of Probation; and
	(ii) the period of unauthorized absence and the period held not to be on duty by the Commission.
	17.3 The Commission may extend the period of probation for maximum period of one year in one or more installments if in the opinion of the Commission on the performance of the probationer has not been found up to its satisfaction.

Deputation:	17.4 The Commission may dispense with the service of a probationer after giving him/her a month's notice and the probationer shall not be entitled to any compensation for the termination.
Terms of deputation	17.5 If a person is serving in the Government of Gujarat or the Public Sector Undertaking of Government of Gujarat and is selected for appointment in the Commission, he / she shall be allowed to keep his/her lien over the post in the Government/Public Sector Undertakings till his confirmation in the Commission.
Appointment of consultant:	18. The posts of senior officers may be filled up through deputation from various Govt Departments. The subject specialist officers may be selected by Commission on deputation either from GEB or from any other State/ Central Govt departments. The selected officers may be required to execute a bond to serve the Commission for minimum one year and thereafter on mutually agreed upon for further extension by both sides. There will be no limit for staying with the Commission for willing officer subject to his performance.
Reservation of Vacancy:	19.1. Deputationists so called for from Central/State Government or public sector Enterprises can opt for permanent absorption irrespective of the fact that appointment of some of these employees (Deputationists) in the public Enterprises may be on probation for a given period only after approval/consent of parent department.
Training	19.2 Pay shall not exceed the maximum of scale of pay of ex-cadre post.
Appointment of consultant:	19.3 Deputationist on deputation may elect to draw either the pay in the scale of pay of the deputation post or his basic pay in the parent cadre.
Reservation of Vacancy:	20. If subject specialist officers are not available, or not willing to join the Commission, Commission may take the help of consultancy services from the well educated persons for the period which Commission desires and decides.
Reservation of Vacancy:	21. Vacancies shall be reserved as per the Government of Gujarat's policy in force from time to time.
Training	22.1 Every Officer may be required to undergo such training or course conducted in house and/ outside as may be prescribed by the Commission.

	22.2 The Officer who is required to undergo any training or course may be required to execute a 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 maximum of two years after completing the training. Failure to serve the Commission for the stipulated period will render the candidate liable to refund the amount spent on him for training along with emoluments paid to him during the training period. 22.3 If an Officer is charged with misconduct during the period of training then he/she would be called back from training appropriate disciplinary proceedings would be initiated. He/ she may be required to refund the amount spent on him/her for the training, if the Commission so decides.
Retirement:	23. Officers/ Staff shall retire from the service of the Commission on attaining the age of superannuation in accordance with the prevailing rules of the State Government.
Pay Scale:	24.1. The pay scale of the Officers/ Staff shall be as provided in the <u>Appendix IV.</u> 24.2. The scales of pay of Officers and staff of the Commission shall be of revised at par with Officers of corresponding grade/ scale under the Government Gujarat, from time to time. 24.3. The Officers and staff of the Commission shall be entitled to D.A. and other allowances as admissible to corresponding grade of officers/ staff under the Government of Gujarat.
Service Continuity:	25 The period of service of the personnel under the Government of Gujarat/ Public Sector Undertakings as the case may be, shall be treated as continuous for the purpose of all service benefits. 25.2. The personnel joining the service of the Commission on transfer or otherwise from Government/ Public Sector Undertakings shall be deemed to have entered into the agreement with the Commission or the respective nominated authority, as the case may be, to repay the loans, advance and other sums due or otherwise perform the obligations undertaken by them to the State Government/ Public Sector Undertakings which remain outstanding against him/her on the date of joining as per the original terms and conditions.
Contract Service:	26. In the exigencies of Public service and after recording reasons therefore the vacant posts in the Commission may be temporarily manned through contract service for period not exceeding two years.

Power of relaxation	27. 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 appointment to posts, in appropriate cases.
Applicability of CCA rules and service code:	28.1. The Gujarat Civil Services (Classification & Recruitment) Rules, 1967 as amended from time to time shall be applicable, <i>mutadis mutandis</i> to the officers/staff of the Commission, provided the reference in the said rules regarding consultation with the Gujarat Public Service Commission and the appeal/ review of the orders by the Governor shall not be applicable. The appeals against the original orders of the subordinate authority in the disciplinary proceedings shall lie to the Chairman, and the appeal against the original orders of the Chairman in the disciplinary proceedings shall lie with the Commission. The applicability of the rules above shall be subject to the condition that in case any conflict between the rules and these regulations, the later shall prevail. 28.2. Except as otherwise provided in these regulations the other conditions of service of the Officers and staff of the Commission shall be regulated by the relevant rules in force of the State Government for its employees.
Applicability of conduct rules:	29. The provisions of the Gujarat State Services (Discipline & Appeal) Rules, 1971 and Gujarat Civil Services (Conduct) Rules, 1971, as applicable to the employees of Government of Gujarat shall also be applicable to the employees of the Commission subject to the condition that in case any conflict between those rules and these regulations the later shall prevail.
Interpretation:	30. If any question arises relating to the interpretation of these regulations the interpretation of the Chairman of Gujarat Electricity Regulatory Commission will be final.

By order of the Commission
S.N. VASITA
Deputy Director

APPENDIX IA**SANCTIONED STRNGTH OF OFFICERS AS ON 1-1-2000**

<u>Sr.No.</u>	<u>Post</u>	<u>No of post</u>	<u>Method of recruitment</u>
	Secretary		Deputation.
2.	Jt. Director		Direct Recruitment/ Deputation
3.	Dy. Director	3	Direct Recruitment/ Deputation
4.	Legal Advisor		Direct Recruitment/ Deputation
5.	Accounts Officer		Direct Recruitment/ Deputation
6.	Information & Tech. Manager		Direct Recruitment/ Deputation

APPENDIX IB**SANCTIONED STRENGTH OF OTHER STAFF AS ON 1-1-2000**

7.	P.A(Eng.Stenographer Gr-1)	4	Direct Recruitment/ Deputation
8.	P.A.(Gujarati Stenographer Gr-1)		Direct Recruitment/ Deputation
9.	Executives	3	Direct Recruitment/ Deputation
10.	Driver cum-Attendant- Peon	3	Direct Recruitment
	Peon	2	Direct Recruitment

APPENDIX II

QUALIFICATIONS REQUIRED FOR OFFICERS

Sr No	Name of the Post	Minimum required qualifications	Additional qualifications desirable
	Commission Secretary	Graduate degree from a recognized university Experience : 15 years judicial or administrative experience out of which a minimum of 5 years at senior management level. Demonstrated ability to organize complex tasks. Excellent written and verbal communication skills.	Work experience in a Government or public or private organization. Demonstrated knowledge and/or experience in a regulated industry or with a regulatory body or in a judicial body.
2	Legal Advisor	Degree in Law from recognized University/Law School. Eligible to practice Law. Experience : 10 – 15 years of professional experience under Central/State Government or public or private organisation. Excellent written and verbal communication skills. Specialisation in Commercial Law or 10 – 15 years of active legal practice in the High Court and/or lower courts in civil, criminal, constitutional and other branches of law.	Experience in drafting statutes and/or regulations. Experience in providing legal advice on commercial issues. Litigation experience Experience in Central and/or administrative law.
3	Joint Director .	A degree in Electrical/Power Engineering from recognized University. 12 – 15 years' experience in power generation, transmission and distribution of electricity in Government /Public /Private sector.	Experience in the State Electricity Board or any similar organization. Experience in energy audit and environment

4	Dy. Director (Tech)	Graduate in Electrical / Power Engineering from a recognized university. Experience : 10 years' experience in generation, transmission & distribution of power in any public / private utility	Experience in energy conservation and environment
5	Dy. Director (Finance)	CA/ICWA Experience : 10 years' experience in finance & accounts wing in any public / private utility in power sector	MBA (Finance) Experience in the work related to fixation of tariff
6	Dy. Director (Admn & A/cs)	Graduate in any stream from a recognized university Experience : 10 - 15 years experience in Accounts & Administration	Experience in the Government system of accounting and audit for a period of five years at officers' level
7	Accounts Officer	Graduate in any stream Experience : 12 - 15 years in Accounts Wing	Experience in the accounting system of State Electricity Board
8	Information Technology Manager	Graduate in Computer Science from recognized University. Experience : 5 Years experience in computer skills especially word processing, data base management and presentation software.	Experience in preparing and delivering public presentation. Good written and verbal communication skills. MCA from the recognized university

APPENDIX -III**Qualification for the Supporting Staff:****1. Personal Assistant :**

Should have worked as P.A under any Head of the Department in the Central or State Government of or Public Sector Undertakings for at least 2 years and must have experience of about 10 years in regular service.

- (ii) He should have or should be able to acquire within three months good knowledge of Word Processing on Computer.

For direct recruits, the candidate should have passed the exam of Gujarati lower level language in the Xth Standard where the qualification is SSC & above.

2. Junior Supporting Staff

- (i) Basic Educational Qualification- Must be a Graduate in any discipline from a recognized University.

Computer skill- The candidate must have Diploma in Computer Application or certificate course in DTP. He / she must have sufficient experience in data entry, spread sheets and must have good knowledge and operational experience in MS Windows 95 and above. The candidate must be able to type minimum 40 words per minute in computer and be able to take print outs.

Should have adequate exposure in noting, drafting and disposal of cases involving legal, commercial and technical matters.

3 Driver

- (i) He should have a Light Vehicle License and experience of 2 years in driving cars.
- (ii) He must have sufficient knowledge about traffic rules, maintenance of the vehicles and should be able to undertake minor repair works required for normal running of the vehicles. His eyesight should be normal. He should have sound health.

4. Support Attendant/ Messenger/Peon.

He must be able to read and write Gujarati, having good physique and knowledge of cycling.

APPENDIX-IV**SCALES OF PAY FOR VARIOUS POSTS**

POST	SCALE OF PAY(Rs)
Commission Secretary	18400-500-22400
Legal Advisor	14300-400-18300
Joint Director	14300-400-18300
Dy. Director (Tech)	12000-325-15200
Dy. Director (Finance)	12000-325-15200
Dy. Director (Admn & A/cs)	12000-325-15200
Accounts Officer	8000-275-13500
Information Technology Manager	8000-275-13500
Personnel Assistant – Stenographer Gr-1	6500-200-10500
Executive	5500-175-9000
Driver-cum- Attendant	3050-75-3950-80-4590
Peon	2550-55-2660-60-3200

By order of the Commission

G.D. Vyas
Secretary

Government Central Press, Gandhinagar.