

No. 46/12/2019-R&R
Government of India
Ministry of Power

Shram Shakti Bhavan, Rafi Marg,
New Delhi - 110 001 dated 1st January, 2020

VACANCY CIRCULAR

The Appellate Tribunal for Electricity (APTEL) was set up at New Delhi by the Government of India under the provisions of the Electricity Act, 2003. The Tribunal consists of the Chairperson, one Judicial Member and three Technical Members including one Technical Member appointed under the Petroleum and Natural Gas Regulatory Board Act, 2006. One post of Technical Member in the Tribunal will become vacant on 9.11.2020. It is proposed to fill up the anticipated vacancy.

2. Section 180 of the Finance Act 2017 made amendments in the Electricity Act 2003 to the effect that appointment on the post of Members of APTEL shall be made in accordance with section 184 of the Finance Act and the Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules 2017 made thereunder.

3. Hon'ble Supreme Court of India vide its judgement pronounced on 13.11.2019 in Civil Appeal No. 8588 of 2019, has struck down the Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules 2017 and directed the Govt to frame a new set of rules to replace the above Rules. The Apex Court has also directed that appointments to the Tribunal/Appellate Tribunal and the terms and conditions of appointment shall be in terms of the respective statutes before the enactment of the Finance Bill, 2017. Accordingly, appointment on the post of Technical Member in APTEL will be made under the provisions of the Electricity Act 2003 and APTEL (Salaries, Allowances and other Conditions of Service of Chairperson and Members) Rules 2004 and APTEL (Salaries, Allowances and other Conditions of Service of Chairperson and Members) (Amendment) Rules 2008 notified under the Electricity Act.

4. In terms of section 113(1)(b)(ii) & (iii) read with explanation (ii) below section 112(3) of the Electricity Act 2003, qualification of a person to be appointed Technical Member of the Appellate Tribunal is as follows:

- a) he or she is, or has been, a Secretary for at least one year in the Ministry or Department of the Central Government dealing with economic affairs or matters or infrastructure; or
- b) he or she is, or has been, a person of ability and standing, having adequate knowledge or experience in dealing with the matters relating to

electricity generation, transmission and distribution and regulation or economics, commerce, law or management.

5. Under the provisions of section 114 of the Electricity Act, a Member shall hold office for a term of three years from the date on which he or she assumes office or till he or she attains the age of sixty-five years, whichever is earlier. The Member shall also be eligible for reappointment for a second term of three years subject to the maximum age of 65 years. The prospective candidate has also to give a declaration in the prescribed proforma that he/she does not have any financial or other interest, which is likely to affect prejudicially his/her functioning as Member of the Appellate Tribunal for Electricity.

6. A copy of the relevant extracts of the Electricity Act, 2003 relating to the requirement of qualifications, experience, etc. for Member, Appellate Tribunal, a copy each of the Appellate Tribunal for Electricity (Salaries, Allowances and other Conditions of Service of Chairperson and Members) Rules, 2004, the Appellate Tribunal for Electricity (Salaries, Allowances and other conditions of service of Chairperson and Members) (Amendment) Rules, 2008 are available at Ministry's website www.powermin.gov.in and the website of DoPT www.dopt.gov.in.

7. Applications/ nominations are invited in the proforma enclosed at **Annexure**, from suitable persons having qualification and experience as prescribed in the Electricity Act 2003 for appointment as Technical Member of APTEL so as to reach the Ministry of Power latest by 5.30 p.m. on **12.02.2020** addressed to the Director (R&R), Ministry of Power, 2nd Floor (Room No.223), Shram Shakti Bhavan, Rafi Marg, New Delhi – 110001.



(D.Chattopadhyay)

Under Secretary to the Govt of India

Telefax : 2373 0265

**Application to the post of Technical Member, Appellate Tribunal for Electricity
(APTEL)**

- 1. Name of Post** : **Technical Member, APTEL**
- 2. Date of Vacancy** : **09.11.2020**
- 3. Name of Applicant** :
- 4. Father's Name** :
- 5. Present post held (since.....):**
- 6. Date of Birth of Applicant (DD/MM/YYYY) :**
- 7. Age of Applicant on date of Vacancy:** ...YearsMonths.....Days
- 8. Correspondence Address :**
- 9. Phone Number** :
- 10. Mobile Number** :
- 11. Email ID** :
- 12. Educational Qualification(s) [In reverse chronological order]**

| Sl. No. | Name of University/ equivalent institution | Degree | Year of passing | Subject/specialization |
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13. Experience (last 15 years) :

| Sl. No. | From (Date) | To (Date) | Department/Organization/ Institute | Designation | Experience |
|---------|----------------|---------------|---------------------------------------|-------------|------------|
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Any other relevant facts the Applicant may like to share (limited to 500 words):

Note: - copies of certificates and ACRs/APARs should not be enclosed at this stage.

Declaration

- 1. I hereby declare that I do not have any financial or other interest, which is likely to affect prejudicially my function as Member, Appellate Tribunal for Electricity in the event of my selection.
- 2. The information furnished above is correct is to the best of my knowledge and belief and nothing has been suppressed. I understand that in the event of my selection, if it is found at a later stage that any information furnished above is false or misrepresented, or any information or fact is suppressed, my selection is liable to be cancelled.

Place:

Signature:

Date:

Name: