

# CENTRAL ELECTRICITY REGULATORY COMMISSION

Ground Floor, Chanderlok Building,  
36, Janpath, New Delhi - 110 001

No. MISC-Staffconsultants-2021

Dated, the 20 July, 2023

## **“Engagement of Staff Consultants in Legal division of CERC**

### **1.0 Introduction:**

The spectrum of responsibilities of Central Electricity Regulatory Commission (CERC) has expanded significantly consequent to the enactment of The Electricity Act 2003. The activities presently handled by the Legal Wing involve *inter alia* drafting of orders, framing of regulations, record of proceedings of the oral hearings of Commission, replies / affidavits, attending hearings of external court cases, assisting the Commission in discharge of its proceedings as per the Conduct of Business regulations etc., and defending /monitoring the cases in the Appellate Tribunal for Electricity, High Courts and the Supreme Court where the Commission is party.

1.1 The Electricity Act, 2003 has significantly enlarged the spectrum of responsibility of CERC. Under the ERC Act, 1998 only the tariff fixation powers were vested in CERC. The new law of 2003 has entrusted on the CERC several other responsibilities in addition to the tariff fixation powers, for instance, the powers to grant license for inter-State transmission, inter-State trading and consequently to amend, suspend and revoke the license, the powers to regulate the licensees by setting performance standards and ensuring their compliance, etc.

1.2 Following are the statutory functions of CERC:

- (a) To regulate the tariff of generating companies owned or controlled by the Central Government; 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;
- (b) To regulate the inter-State transmission of electricity;
- (c) To determine tariff for inter-State transmission of electricity;
- (d) To issue transmission licenses and trading licenses with respect to inter-State operations;
- (e) 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;
- (f) To levy fees for the purposes of this Act;
- (g) To specify Grid Code having regard to Grid Standards;
- (h) To specify and enforce the standards with respect to quality, continuity and reliability of service by licensees;
- (i) To fix the trading margin in the inter-State trading of electricity, if considered, necessary;
- (j) To discharge such other functions as may be assigned under this Act.

1.3. Central Electricity Regulatory Commission has, therefore, felt the need for engaging Research Officer (Law) and Research Associate (Law) in accordance with the CERC (Appointment of Consultants) (Amendment) Regulation, 2010 as amended from time to time. The Research Officers/Research Associates proposed

to be engaged by the Commission would assist and augment the work of Legal Wing of the Commission in discharge of its multifarious functions.

2.0 **Scope of work for Staff Consultants:** The duties of the Research Officer/ Research Associate of Legal wing of CERC shall mainly include as under:

- (a) Scrutiny of petitions, preparation of deficiency statements for compliance by stakeholders. Examination of the legal issues raised in petitions and registration of the petitions in accordance with the check list;
- (b) Preparation of fact sheet of the cases, preparation of inputs on legal issues raised in petitions, coordination with various divisions on the information required, up-dation of files in RIMS/e-office, preparation of MIS reports;
- (c) Attending court hearings, assisting in the preparation of draft Record of proceedings (ROPs) and Orders; Undertake research of issues raised in petition with relevant case laws.
- (d) Proper maintenance of files and linking of relevant documents in files;
- (e) Drafting of writ petitions/replies/rejoinders/applications/written submissions etc., for filing before the Supreme Court/High Courts/APTEL and other forums.
- (f) Other works as may be assigned from time to time

3. **Qualification and experience required for Staff Consultants: -**

Level of Staff Consultant	No. of posts	Qualifications, Experience	* Consolidated professional fees
Research Officer (Law)	02	<p><b>Qualification: Graduate degree in law from a reputed institution/ university. Preferable: Master's degree in law</b></p> <p><b>Experience:</b> Applicants shall have minimum four to seven years' working experience in a legal wing in Government Departments / Private Organisations/Legal firms, after completion of graduation in law. Applicants from Government Departments /Private Organisations, should have adequate knowledge, experience and skills in research and drafting. Applicants from legal firms should have adequate knowledge of the Court procedures, besides drafting and appearance before the Supreme Court/High Courts, District Courts, quasi-judicial forums, etc.,</p> <p><b>Desirable:</b> Experience in working in Regulatory forums/Power sector.</p>	Rs. 64,000/- to Rs. 1,10,000/-per month depending on qualifications and experience.

Research Associate (Law)	05	<p><b>Qualification: Graduate degree in law from a reputed institution/ university.</b></p> <p><b>Preferable: Master's degree in law</b></p> <p><b>Experience:</b> Applicants shall have up to three years' working experience in a legal wing in a Government Department / Private Organisation/Legal firms, after completion of graduation in law. Applicants from Government Departments /Private Organisations, should have adequate knowledge, experience and skills in research and drafting. Applicants from legal firms should have adequate knowledge of the Court procedures, besides drafting and appearance before the Supreme Court/High Courts, District Courts, quasi-judicial forums, etc.,</p> <p><b>Desirable:</b> Experience in working in Regulatory forums/Power sector.</p>	Rs. 45,000 to Rs. 80,000 per month depending on qualifications and experience.
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\* Monthly fee paid shall be excluding G.S.T, if applicable. Consolidated salary shall be fixed taking into consideration the experience and salary drawn in immediate previous employment.

#### 4. 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 personnel may be called on Saturdays/ Sundays and other gazetted holidays, and required to be present beyond normal working hours in case of exigencies.

4.2 In addition to holidays notified by Central Government, the Staff Consultant shall be entitled for fifteen (15) days leave in a calendar year (January to December) which shall be credited in advance, on quarterly basis, as under. The intervening Saturdays/ Sundays / holidays, if any, shall not be counted as leave. Un utilised leave shall not be carried forward to the next calendar year and is not encashable. Leave of any other nature is not admissible

- (a) 1<sup>st</sup> Quarter: (January to March) – 04 days
- (b) 2<sup>nd</sup> Quarter: (April to June) – 04 days
- (c) 3<sup>rd</sup> Quarter: (July to September) – 04 days
- (d) 4<sup>th</sup> Quarter: (October to December) – 03 days

4.3 The Staff Consultant shall not be entitled to any professional fees for the period of absence beyond the entitled leave of 15 days as above. Any availed leave during a calendar year shall not be carried forward to the next calendar year or qualify for encashment.

4.4 In case the Staff Consultant remain absent for more than 15 days beyond the entitled leave in a calendar year, without any prior intimation/prior sanction, except in case of emergency, CERC would be free to terminate the services of the said Staff Consultant.

4.5 In the event of absence on the ground of sickness, the Staff Consultant shall be required to submit a proper medical and fitness certificate. However, any leave including the leave on medical grounds beyond the cumulative period of 15 days shall be without any profession fees.

4.6 In case of tour within India, the Commission shall reimburse the expenses for journey undertaken for official work by the Consultants as per the following entitlement:-

- a. By air- Economy class ;
- b. By train (AC-II tier),
- c. For local travel - Non AC taxi .

5. **Age limits:** The age of the applicant as on 01<sup>st</sup> January of the year of advertisement would be in accordance to CERC (Appointment of Consultants) Regulations, 2010 and amendments thereafter.

6. **Duration of Contract:** The Staff Consultant shall now be engaged for the period of two years. However, the period of engagement may be extended, based on the satisfactory performance of the candidate, for the period upto one year on each occasion, whereas it is limited to total period of four years at the maximum. In deserving cases, an escalation up to 10% on the fee may be given with the approval of the Chairperson based on the performance during the preceding year.

7. **Payment Terms:-**

The consultant shall be paid lump sum monthly professional fees on completion of the month. TDS shall be deducted as per relevant rules.

## **TERMINATION OF AGREEMENT**

### **With Notice**

8.0 This agreement is liable to be terminated by either parties, by mutual consent, by giving one month notice in writing to the other or one month consolidated professional fees in lieu of such notice.

8.1 In case the Staff Consultant is unable to perform the assigned work or the work undertaken by them is not to the satisfaction of the Controlling Officer/Competent authority in CERC, the Staff Consultant shall be liable to be terminated after one month notice in writing.

### **Without Notice**

8.2 In case the Staff Consultant, despite notice as in para 8 above, is unable to perform the given assignment to the satisfaction of the Controlling officer/Competent authority in CERC, consultant, shall be liable to be terminated in public interest, without any notice and without assigning any reason.

8.3 In case the Staff Consultant is absent from duty, for a period of more than 30 days, without prior intimation/prior sanction and is not covered under medical emergency consultant, shall be liable to be terminated, in public interest, without any notice and without assigning any reason

8.4 On pre-mature termination of the assignment, CERC shall pay the Staff Consultant, the profession fees for the work performed by him/her till the date of such termination, after deductions, if any.

9. Engagement under this assignment shall be on purely contract basis for a limited period only. Such engagement shall not vest any right what so ever to claim for regular appointment or continued contractual engagement in CERC.

10. Relaxation in essential qualifications/experience can be considered in deserving cases.

11. CERC reserves the right not to fill up all or any of the above positions, without assigning any reasons, what so ever.

12. CERC reserves the right either to increase or decrease the number of posts in any of the categories, at any given time, without assigning any reasons, what so ever.

**13. Selection Process:**

- (a) The selection process is through interaction. However, written examination shall be conducted, if required, based on the decision of the Consultancy Evaluation Committee (CEC).
- (b) Only candidates who strictly fulfil the eligibility criteria will be shortlisted and called for written examination and/or interaction;
- (c) Only the candidates who qualify in the written examination (if taken) will be called for interaction;
- (d) The final selection of the candidates shall be based on the ranking/merit of combined score of the qualification, experience, performance in written examination and interaction.
- (e) Candidates called for interaction would be required to bring original documents relating to qualification, experience and salary slip for the past six months. These documents shall be examined before interaction with the selection committee.
- (f) In case of non-submission of the salary slip for the last six months of employment, the candidate will be considered for selection at the minimum range of the scale.
- (g) Candidates may apply for one or more posts as per their eligibility. However, no TA/DA shall be admissible for attending written examination and interaction for each advertised post at New Delhi.
- (h) The decision of CERC shall be final.

14. Interested and eligible candidates may kindly send their applications, in the prescribed format to the Assistant Secretary (P&A), Ground Floor, Chanderlok Building, 36, Janpath, New Delhi by 4<sup>th</sup> August, 2023 by 5.00 PM.



(Rajiv Kumar)  
Assistant Secretary (P&A)  
Tel: 2335 3503

**POST APPLIED FOR :**

**I Personal Details**

**RESUME**

1. Name :
2. Gender :
3. Date of Birth :
4. Father's Name :
5. Marital Status :
6. Permanent Address :
7. Contact Address :
8. Tel No :  
Mobile No :  
E Mail Id :
9. Post applied for :
10. Last Pay drawn :

Recent passport size colour photo
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**II Academic / Professional Qualification (Tenth standard onwards):**

a. Tenth standard onwards. (Attach self attested copy of certificates)

Course / Degree and no. of years	Institute/ University College	Year of passing	Regular Distance education	% of marks	Subjects of specialized	Achievements, if any

(Attach self attested copy of certificates)

**(b) Diplomas, if any.**

(Attach self attested copy of certificates)

Course and No. of years	University / College / Institute	Year of passing	Regular / Distance education	% of marks	Subjects specialized	Achievements, if any

**III Experience**

Organisation / Institute / Office	Post held /	Period		No. of years and months	Description of duties	Detail of Salary	Remarks
		From	To				

(Attach self attested copies of experience certificates and salary slips in chronological order. Enclose a separate sheet, duly authenticated by your signature, if space is insufficient)

**IV Other Details : Additional information/ specific professional achievement/ contribution**

**V Please state why you want to take up this role and are suitable for the post in 100 words.**

(Signature of the candidate)

Date :