

**GOVERNMENT OF ASSAM
POWER (ELECTRICITY) DEPARTMENT
DISPUR:::GUWAHATI-06.**


No. PEL.58/2018/175

Dated Dispur the 27th September, 2019.

Sub : Selection to the post of 1 (one) Member (Law) of Assam Electricity Regulatory Commission (AERC).

In Accordance with sections 84, 85 & 89 of the Electricity Act, 2003, Government of Assam invites applications for 1 (one) post of Member (Law), Assam Electricity Regulatory Commission (AERC) from persons who meet the following criteria :-

1. The person should not have any financial or other interest with any corporate entity dealing with Generation, Transmission, Trading and Distribution of electricity in Assam, which is likely to affect prejudicially his or her function as Member (Law) of the Commission. The person must give a certificate to this effect while applying for this post.
2. The Member shall hold Office for a term of 5 (five) years from the date he enters upon his Office or till he attains the age of 65 (sixty five) years, whichever is earlier.
3. The terms and conditions of Service of the members will be governed by the Notification as notified by the Government of Assam, Vide No. PEL.261/2016/67, dated 11.01.2018.
4. The Selection Committee constituted as per the provision of the Electricity Act, 2003 for the purpose of making the selection to the post of Member (Law), reserves the right to consider and recommend any other person fulfilling the criteria laid down in the Act for the post of the Member (Law) apart from those who have applied against this advertisement. The Head Quarter of Assam Electricity Regulatory Commission is in Guwahati.
5. While filling up the post of Members (Law) in the Assam Electricity Regulatory Commission, the State Government will take into account the judgment of the Hon'ble Supreme Court of India dated April 12, 2018 in Civil Appeal No.14697 of 2015. As per judgment of the Hon'ble Supreme Court, **"it is mandatory that there should be a person of Law as a member of Commission, which requires a person, who is or has been holding a Judicial office or is a person possessing, professional qualifications with substantial experience in the practice of Law, who has the requisite qualification to have been appointed as a Judge of the High Court¹ or a District Judge²".**
6. Suitable candidates with adequate qualification and requisite age as prescribed above may apply with their Bio-data mentioning their age, qualifications, experience, present status etc. within 1700 hours of 25th October, 2019 to Shri Niraj Verma, IAS, Principal Secretary, Power (Elect.) Department, Government of Assam, Block-D, 1st Floor, Janata Bhawan, Dispur, Guwahati-781006 with the envelope superscribed "Application for the post of Member (Law), AERC".
7. The applicants in Service should apply through proper channel.
8. Those who have applied earlier in pursuance of advertisement No.PEL.58/2018/153 dated 5-8-2019 (including those applications received after dead line) need not apply again as the earlier applications will be considered for shortlisting.


Additional Secretary to the Govt. of Assam,
Power (Elect.) Department
Dispur, Guwahati-06

- 1.As per the clause 217(2) of the Constitution of India " A person shall not be qualified for appointment as Judge of a High Court unless he is a citizen of India and -
 - a) has for at least ten years held a judicial office in the territory of India; or
 - b) has for at least ten years been an advocate of a High Court or of two or more such Courts in succession.
- 2.As per the section 7 of the Assam Gazette dated 17.02.2003, the qualification for grade-I of judicial officer include holder of degree of Law, a practicing lawyer in Courts of Civil and criminal jurisdiction on the last date fixed for receipt of application & having experience not less than 7 years.