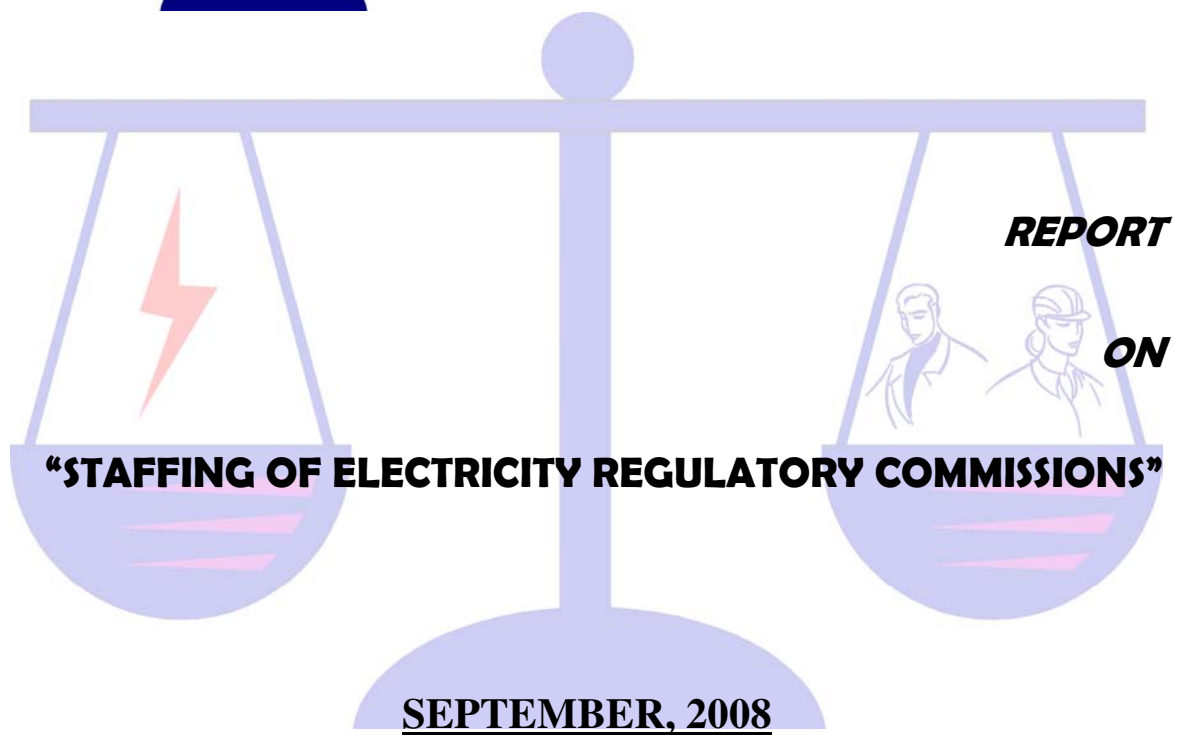


FORUM OF REGULATORS (FOR)



FORUM OF REGULATORS (FOR)

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EXECUTIVE SUMMARY

With the enactment of the Electricity Act, 2003, the spectrum of responsibilities for the Regulatory Commissions has increased substantially. In order to ensure that these responsibilities are discharged effectively, it is important that these institutions have staff with adequate skill level and knowledge base. Thus the Forum of Regulators (FOR) felt the need to assess the staffing requirements in the State Commissions, examine the constraints faced by them in attracting personnel with requisite skill level, and find appropriate solutions. A Working Group was thus constituted to go into all such issues and make suitable recommendations to FOR. The Group submitted its report which was considered by the FOR in its meeting held in September, 2008.

After a detailed examination of the existing staffing pattern in various Regulatory Commissions, the report as adopted by the FOR concludes that the pay structure and other service terms for the appointment of personnel in these institutions continues to be based on government terms. This is so largely because of the fact that the service regulations including the number, nature and categories of personnel are decided with the approval of the government as per the Electricity Act, 2003.

The report also observes that the percentage share of professional staff out of the total staff strength in State Electricity Regulatory Commissions (SERCs) is highly inadequate. It emphasizes that given the demands of independent regulation, there is an urgent need for greater dependence on professional staff. The report suggests that the Act provides for regular staff as well as engagement of consultants and underscores that both

these modes should be resorted to by the Commissions to meet their requirement in terms of skill level.

The report identifies the factors responsible for the unsatisfactory state of affairs and pattern of the staffing position in various Regulatory Commissions. It recommends measures to overcome the constraints faced by the Commissions.

The report examines the organizational structure of Regulatory Commissions and makes recommendations on the staffing pattern and capacity building requirements.

CONTENTS

- ❖ **Executive Summary**
- 1. **Introduction.....1-4**
- 2. **Legal Provisions.....5-7**
- 3. **Analysis of Staffing Pattern in Electricity Regulatory Commissions.....8-15**
- 4. **Recommendations.....16-23**
- ❖ **List of Abbreviations**
- ❖ **Annexures**

CHAPTER - 1**INTRODUCTION**

1.1 Formation of the Working Group:

The Electricity Regulatory Commissions (ERCs) have been envisaged as significant institutions responsible for regulation and furtherance of reforms in the electricity sector and entrusted with enormous responsibilities towards this end. The spectrum of responsibilities is very wide and demands specialized skill sets. In order to ensure that the Regulatory Commissions are able to discharge these responsibilities effectively, it is incumbent that such institutions have suitable staff who could assist them with expert advice.

In its meeting held on June 13, 2008, FOR reviewed the staffing positioning of the ERCs to assess whether adequate staff with requisite skill level was available with these institutions. There was a consensus that the whole issue needs detailed examination with due regard to the staffing position in various SERCs, the constraints being faced in appointing/hiring personnel etc., and finding an appropriate solution.

Thus a Working Group on “Staffing of Electricity Regulatory Commissions” was constituted to consider the matter and suggest appropriate recommendations within a period of three months. The members included:

Chairman of the Working Group

Chairperson, Central Electricity Regulatory Commission (CERC)

Members

Chairperson, Tamil Nadu Electricity Regulatory Commission (TNERC)

Chairperson, Meghalaya Electricity Regulatory Commission (MeSERC)

Chairperson, Uttarakhand Electricity Regulatory Commission (UERC)

Chairperson, Jammu and Kashmir State Electricity Regulatory Commission (J&KSERC)

Chairperson, Haryana Electricity Regulatory Commission (HERC)

Secretary, Central Electricity Regulatory Commission (CERC)

Coordinator

Deputy Chief (RA), Central Electricity Regulatory Commission (CERC)

The order constituting a Working Group by FOR in a meeting held on June 13, 2008 is given in **APPENDIX-I**.

1.2 Approach adopted by the Working Group:

The mandate for the Working Group was to evolve a model staffing pattern for Regulatory Commissions by placing emphasis not only on creating posts in the

ERCs, but also on the ways and means for procuring/engaging required skilled personnel in order to effectively assist the SERCs.

Based on the discussions and views expressed in the FOR meeting on June 13, 2008, the FOR Secretariat prepared a background note for the consideration of the Working Group by compiling relevant available data and focusing on the issues at stake. The background note is given in **APPENDIX -II**.

Information on the status of the staffing structure in the ERCs was collected, which included:

- Total number of posts and pay scale.
- Number of persons presently in position (category-wise).
- Number of posts vacant.
- Suggestion, if any, for improvement of the staffing structure and/or on the ways and means for procuring/engaging required skilled personnel for SERCs.

The FOR Secretariat received the status in this regard from the CERC, Chhatisgarh State Electricity Regulatory Commission (CSERC), Delhi Electricity Regulatory Commission (DERC), Haryana Electricity Regulatory Commission (HERC), Himachal Pradesh Electricity Regulatory Commission (HPERC), Jharkhand Electricity Regulatory Commission (JSERC), Kerala State Electricity Regulatory Commission (KSERC), Madhya Pradesh Electricity Regulatory

Commission (MPERC), Maharashtra Electricity Regulatory Commission (MERC), Meghalaya State Electricity Regulatory Commission (MeSERC), Rajasthan Electricity Regulatory Commission (RERC), Tamil Nadu Electricity Regulatory Commission (TNERC), Uttar Pradesh Electricity Regulatory Commission (UPERC), Uttarakhand Electricity Regulatory Commission (UERC), and West Bengal Electricity Regulatory Commission (WBERC).

A meeting of the Working Group was convened on August 1, 2008.

The Group also considered the recommendations of the Indian Institute of Public Administration's (IIPA's) report (Volume-II) submitted to the Ministry of Power (MOP) on "Impact of Reorganization of SEBs". The MOP had forwarded the recommendation regarding the staffing of ERCs to FOR for consideration and has suggested staffing pattern for ERCs. The relevant extract of the IIPA recommendations is given in **APPENDIX -III**.

CHAPTER - 2

LEGAL PROVISIONS

2.1 Provisions under the Electricity Act , 2003 :

- Section 91 of the Electricity Act, 2003 is the substantive provision that deals with staffing of ERCs. The provision is reproduced as follows:

Section 91. (Secretary, officers and other employees of Appropriate Commission): -

(1) The Appropriate Commission may appoint a Secretary to exercise such powers and perform such duties as may be specified.

(2) The Appropriate Commission may, with the approval of the Appropriate Government, specify the numbers, nature and categories of other officers and employees.

(3) The salaries and allowances payable to, and other terms and conditions of service of, the Secretary, officers and other employees shall be such as may be specified with the approval of the Appropriate Government.

(4) The Appropriate Commission may appoint consultants required to assist that Commission in the discharge of its functions on the terms and conditions as may be specified.

- **Sections 99 and 103** deal with funding of ERCs:

Section 99. (Establishment of Fund by Central Government): ---

(1) There shall be constituted a Fund to be called the Central Electricity Regulatory Commission Fund and there shall be credited thereto-

(a) Any grants and loans made to the Central Commission by the Central Government under section 98;

(b) All fees received by the Central Commission under this Act;

(c) All sums received by the Central Commission from such other sources as may be decided upon by the Central Government.

(2) The Fund shall be applied for meeting –

(d) the salary, allowances and other remuneration of Chairperson, Members, Secretary, officers and other employees of the Central Commission;

(e) the expenses of the Central Commission in discharge of its function under section 79;

(f) the expenses on objects and for purposes authorised by this Act.

(3) The Central Government may, in consultation with the Comptroller and Auditor General of India, prescribe the manner of applying the Fund for

meeting the expenses specified in clause (b) or clause (c) of sub-section (2).

• **Section 103. (Establishment of Fund by State Government): ----**

(1) *There shall be constituted a Fund to be called the State Electricity Regulatory Commission fund and there shall be credited thereto-*

(a) *any grants and loans made to the State Commission by the State Government under section 102;*

(b) *all fees received by the State Commission under this Act;*

(c) *all sums received by the State Commission from such other sources as may be decided upon by the State Government.*

(2) *The Fund shall be applied for meeting –*

(a) *the salary, allowances and other remuneration of Chairperson, Members, Secretary, officers and other employees of the State Commission;*

(b) *the expenses of the State Commission in discharge of its function under Section 86; and*

(c) *the expenses on objects and for purposes authorised by this Act.*

(3) *The State Government may, in consultation with the Comptroller and Auditor-General of India, prescribe the manner of applying the Fund for meeting the expenses specified in clause (b) or clause (c) of sub-section (2).*

CHAPTER - 3

Analysis of Staffing Pattern in Electricity

Regulatory Commissions

3.1 Keeping in view the dynamic and emerging nature of issues to be addressed by the Regulatory Commissions, Section 91 of the Electricity Act, 2003 while providing for different categories of officers and employees, in addition to the Secretary, authorizes the ERCs to appoint consultants for assisting the Commissions in discharging their functions.

3.2 Regular Staff of Electricity Regulatory Commissions:

3.2.1 As per the provisions of the Act, the staffing pattern of the ERCs including the number, nature and category of posts, salary, allowances and other service conditions for regular staff would be as approved by the appropriate government.

3.2.2 The details complied in respect of number, nature, category of posts and pay scales for such posts is given in **APPENDIX-II**. The information reveals that the requirement of government approval has led to a staffing pattern broadly on lines of that in government:

3.2.3 Category of Posts:

The posts in ERCs are categorized as Assistant Director/Deputy Director/Joint Director/Director or equivalent and supporting staff like Assistants, Principal Private Secretary (PPS), Private Secretary (PS), Personal Assistant (PA), Stenographer, Computer Operator, Clerk-cum-Typist etc which carry pay scales as applicable to posts of equivalent level in government.

3.2.4 Pay Structure:

In the case of the CERC, the Central Government pay scales have been adopted and for SERCs, the state government pay scales have been followed.

3.2.5 Mode of Recruitment:

Broadly there are four modes of recruitment of the staff in the ERCs:

- a) **Direct Recruitment:** This mode of appointment is generally for supporting staff at the feeder level like PA, Steno, Computer Operator, Clerk-cum-Typist etc and the procedure adopted for recruitment is the same as that followed in government. Those appointed through direct recruitment are the permanent staff of the Commission.
- b) **Promotion:** This mode of appointment is applicable for those posts for which feeder grades are filled through direct recruitment, for example in the case of posts like PPS (for promotion from the grade of PS), PS (for promotion from the grade of PA), PA (for promotion from the grade of Steno), etc.

- c) Deputation: This mode of appointment is generally applicable for professional staff recruited in the grades like Assistant Director/Deputy Director/Joint Director/Director or equivalent.
- d) Contract: In some ERCs people at various levels are also appointed on contract basis for a limited period. Retired personnel from the government or Armed Forces or utilities are also recruited on contract basis. For instance the posts of Secretary in West Bengal and Maharashtra are manned by retired state government servants.

3.3 Consultants:

Unlike in the case of appointment of regular staff, matters relating to engagement of consultants does not require approval of the government. Section 91 of the Act gives full autonomy to the ERCs to engage consultants as per its requirement by specifying terms and conditions for such engagement. Various Commissions have engaged consultants to meet their periodic needs and in some cases SERCs have engaged consultants for a longer duration, say for two to three years for support/advice on specialized issues.

3.4 Regular Staff vis a vis Consultants

3.4.1 The Group analysed the number of sanctioned posts in regular staff mode, the percentage of professionals (requiring specialized skills and qualification in finance, economics, engineering, law etc) out of such posts, the overall vacancy position and went on to find out the reason for such vacancies. The Group also

analysed the pattern of engagement of consultants in various Regulatory Commissions to assess whether there was any correlation between dependence on consultants and non-availability of regular staff and resultant vacancy position in various categories of regular posts.

3.4.2 The status of the regular posts sanctioned and vacant is given in Table 1 :

Table 1

S.No.	ERC	Sanctioned Posts		Vacancy	
		Total	Professional (% of total)	Total	Professional
1	CERC	83	41 (49%)	28	18
2	CSERC	51	9 (18%)	20	4
3	DERC	61	19 (31%)	8	3
4	HERC	28	15 (54%)	15	9
5	HPERC	43	11 (26%)	17	4
6	JSERC	26	2 (8%)	1	2
7	KSERC	15	2 (13%)	6	1
8	MPERC	84	16 (19%)	13	4
9	MERC	24	3 (12.5%)	3	1
10	MeSERC	11	1 (9%)	3	0
11	RERC	55	19 (35%)	17	6
12	TNERC	40	8 (20%)	10	4
13	UPERC	55	12 (22%)	8	4
14	UERC	41	8 (20%)	13	4
15	WBERC	58	18 (31%)	26	11
	Total	675	184 (27.26%)	188	75

3.4.3 Data in Table 1 reveal the following important information:

- i. Staff strength varies from 11 in MeSERC to 84 in MPERC.
- ii. Around 28 percent of regular posts are vacant in the ERCs taken together.

- iii. Around 28 percent of the total posts are meant for professionals. This percentage varies from 8 percent in JSERC to 54 percent in HERC.
- iv. Around 41 percent of the posts meant for professionals are vacant. This means that the Regulatory Commissions are managing only with approximately 16 percent (59 percent of 28 percent) professional staff.

3.4.4 The Group felt that the number of regular posts available with the ERCs was generally adequate when compared to the size of the state. However, the share of posts for professionals in the total strength was not sufficient to meet the demands of specialized nature of job that the Regulatory Commissions were supposed to perform. In some states it was abysmally low. The Group felt that this seriously affects the quality of output.

3.4.5 The Group also expressed concern over the number of vacancies in general and the vacancy position in the posts meant for professionals in particular.

3.4.6 The Group examined the reasons for such vacancies on the posts created and found that the following factors were mainly responsible:

- a) **Government Pay Structure:** Section 91 does not give flexibility to the Regulatory Commissions in terms of deciding the pay packages etc for the regular posts. Requirement of approval of the government has resulted in the adoption of government pay structure for appointment to various regular posts in ERCs. This is definitely the main reason for not being able to attract skilled manpower

available in organizations outside the governments like public sector undertakings (PSUs)/other autonomous bodies or in the open market and this situation defeated the objective of ERCs as expert bodies. Compensation has to be allowed at comparable or market rates to be able to induct such people.

- b) **Restriction in taking people from the open market:** There are restrictions imposed by governments in most cases on taking people from the open market. Recruitment modes for posts meant for professionals are generally 'deputation' from government or 'short-term contract' from PSUs/other autonomous bodies. The government's pay structure together with this restriction results in inability of the ERCs to arrange professional staff against the posts available.
- c) **Other restrictions/disincentives:** Skilled personnel are available in government but there are a number of disincentives for government servants to join ERCs on deputation. For instance, on their appointment to ERCs, government servants have to forego the facilities of government accommodation, government health scheme facilities, pension in the event of their absorption, etc. Since the organizational structure of ERCs is small, it is generally not possible to draw up a cadre for career progression. Absence of any definite prospect for career growth acts as disincentive for government servants to get absorbed in the Regulatory Commissions.

- 3.4.7 Keeping in mind, these difficulties in taking personnel on deputation and the need to have expertise on new emerging issues, the Group felt that Regulatory Commissions should engage consultants which is permitted under the Electricity Act. Some ERCs have engaged consultants on a relatively long tenor basis to overcome the shortage of regular staff as also to meet the demands of specialized knowledge base and to provide continuity on such matters.
- 3.4.8 The Group felt that in order to maintain a balance between the organizational continuity and the availability of expert support on emerging issues, the Regulatory Commissions would need to appoint/engage personnel through both modes namely., against regular posts as well as on consultancy basis and reiterated the need for greater flexibility to the Regulatory Commissions in deciding the staffing structure against regular posts. The Group agreed with the recommendations of IIPA study report that *“the Commissions should have full autonomy in matters relating to staffing pattern, organizational structure and adequate power to recruit staff, as required. An overall ceiling on expenditure could, however, be fixed.”*
- 3.4.9 The Group specifically noted the IIPA study report observations that *“Since Government funding is involved, some ceiling is required to be laid down”* and felt that the ERC funds provided in the Act should be operationalized in all states at the earliest, preferably on lines of CERC Fund Rules. Adequate revenue should be generated through fees and dependence on government exchequer should be

reduced which in turn would enable the Commissions to have greater flexibility in terms of deciding staffing pattern etc within an overall prudent ceiling of expenditure.

3.4.10 The Group discussed the role of the Secretary in the ERCs. It was agreed that the Secretary has a crucial role in respect of coordination within the Commission, interface with outside agencies, he also acts as spokesperson of the Commission. A number of ERCs observed that having a Secretary from the Indian Administrative Service or State Civil Services was a good decision.

3.4.11 In view of the above observations, the Working Group proceeded to examine the various functional areas required in the organizational structure of the Regulatory Commissions. Accordingly, it evolved its recommendations on staffing, capacity building, and perquisites to meet the objective of making available competent secretariat and professional support to the ERCs to enable them to discharge their statutory responsibilities. These recommendations are given in Chapter 4.

CHAPTER - 4**RECOMMENDATIONS**

- 4.1 While Section 91 of the Act provides for different categories of officers and employees, in addition to Secretary, it authorizes the ERCs to appoint consultants for assisting the Commissions in discharging their functions. The Regulatory Commissions have full autonomy and flexibility in the matter of appointing consultants. There is a need, at the same time, for greater flexibility in structuring the pay package for the officers and staff to be appointed under the regulations specified under Section 91 of the Act with approval of the Appropriate Government.
- 4.2 The statute requires approval of the government for deciding the service conditions for the first mode (regular staff), while in respect of the second mode (consultants) flexibility has been given to the Regulatory Commissions to decide the conditions of appointment. While granting approval for the first mode, the governments so far have imposed pay packages exactly on government lines for the Regulatory Commissions. This has led to a situation where the Regulatory Commissions are constrained to take people only from government as the government pay packages are not commensurate with the pay packages of public sector undertakings (PSUs) nor are they anywhere close to compensation packages of the open market. Some professionals are available in government

but the compensation packages should be attractive enough to adequately meet the expectations of the professionals coming from the PSUs or from the open market and also to compensate the government officers for the loss of various facilities such as housing, medical etc. The IIPA recommendation to the Government of India has rightly observed that “*the Commissions should have full autonomy in matters relating to staffing pattern...*” subject to an overall ceiling on expenditure since government funding is involved.

- 4.3 It is recommended that the fund(s) of the Regulatory Commission provided in the Act should be operationalised in all states at the earliest, preferably on lines of CERC Fund Rules. Adequate revenue should be generated through fees and dependence on the government exchequer should be reduced. The deemed licensees should also be required to pay the same fee as leviable on the persons who obtain a license under the Act. Reduced dependence of the ERCs for grant from the government exchequer would make a more arguable case for structuring adequately attractive pay packages for the officers and staff of the ERCs to be appointed under the service conditions specified in the regulations under Section 91 of the Act. The emoluments need to be adequate in order to attract competent and experienced people.

- 4.4 While the ERCs should have full flexibility in matters relating to staffing pattern, organizational structure and adequate power to recruit the staff as required, an

overall ceiling on expenditure could, however, be fixed. The ceiling could be seen in terms of the revenue being realized by the Commission through various fees.

4.5 The staffing structure in various Regulatory Commissions does not adequately take care of the requirement of specialized skills, as the share of posts meant for professionals (requiring skills and qualifications in finance, economics, engineering, law etc), out of the total staff strength is significantly low. Based on the data made available to the Group, it is observed that only around 28 percent of the total number of posts are meant for professional staff and in some ERCs it is as low as 8 percent. After accounting for the vacancies in such posts meant for professionals, it is found that the Regulatory Commissions are managing with professional staff constituting approximately 16 percent of the total staff strength. Such a pattern is seriously jeopardizing the quality of output. The ERCs should, therefore, urgently review the composition of the staffing structure and adequately balance the needs of professional staff and other staff.

4.6 Broadly, the staffing structure in a SERC is as follows:

Category I	:	Secretary
Category II	:	Professional Staff
Category IIA	:	Consumer Advocacy
Category III	:	Administrative and Supporting Staff
Category IV	:	Peons/ Drivers / Chowkidars etc.

- 4.7 The Secretary to the Commission should be appointed by the SERC with due regard to the requirement inter alia of ensuring effective liaison and coordination with the state governments and external agencies. The Secretary of the Commission should be in the super time scale.
- 4.8 Regarding Category II, the staff would be required mainly in the areas of engineering, tariff (financial, project appraisal etc.), Economics, DSM, and law. The staff in this category can be divided in two sub-categories. In the first sub-category, a certain number of officers (3 to 4 in engineering, 2 to 3 in tariff, 2 in DSM, 2 in Economics and 2 to 3 in legal) may be taken on deputation/contract against the sanctioned posts. This sub-category may be seen as the core group for the purpose of maintaining continuity and institutional memory.
- 4.9 To attract competent people, the compensation package (including pay and other perquisites) as applicable in Central PSUs should be adopted. Till such time this compensation package is implemented, an additional pay in the range of 30-40 percent (net of income tax) may be given over and above the government pay structure so as to compensate the loss of various facilities/amenities to the staff joining the Commission.
- 4.10 The staff on deputation may be allowed re-employment for additional two years after the age of superannuation.

- 4.11 It was generally felt that the demands of knowledge and skill level for the Regulatory Commissions being dynamic in nature, it would not be advisable to design the organizational structure of the Commission on traditional lines, where career development for the staff was assured.
- 4.12 The other sub-category in Category II would be persons of requisite qualification and experience hired for consultancy assignments. The selection made and remuneration decided would be through a competitive process. These consultants would be hired for supplementing the manpower required to carry out various responsibilities in situations where either government officers are not available for deputation or where the compensation package fails to attract personnel in big cities such as Bangalore or Mumbai. Appointment of consultants would also ensure that the Commissions are fully equipped in new emerging areas. The number of consultants hired would vary depending upon the factors indicated above. To ensure good quality of output from the consultants over a sustained period, it is recommended that they may be engaged for a period up to three years, as the consultants appointed for a short term try to complete the work in haste and discrepancies become apparent later.
- 4.13 In Category III, the supporting staff in the area of administration, accounts, PPS/PS/PA, in-house information management (regulatory data/ library), adequate number of posts may be created and filled through deputation according

to government pay scales. Direct recruitment/ contractual employment should be allowed, if persons are not available on deputation.

- 4.14 For Category IV, it would be preferable to take the services through outsourcing if locally feasible and if the posts have not already been created.
- 4.15 In addition to the four categories described above, a consumer advocacy cell (Category IIA) also needs be created in SERCs with 3-4 positions. Two positions at the officer level with experience of 8-10 years could be against regular posts and one or two consultants could be hired to bring in necessary expertise in the area of consumer advocacy. The cell could also be utilized for disseminating necessary information to the public.
- 4.16 SERCs also require necessary assistance and expertise to cater to the requirement of emerging IT applications, maintenance of software, maintenance of website and data entry. These services could be outsourced.
- 4.17 The status of the staff of ERCs needs to be clarified regarding whether they are government employees or the employees of an autonomous body. Logically the staff of ERCs should be treated as belonging to an autonomous body which is self-financed and therefore the pay structure should not be necessarily on the basis of the government pay structure.

4.18 Hiring some staff (preferably retired) from the utilities would be helpful as the Commission would have knowledge of the internal functioning of the utilities.

4.19 The Secretary in the ERC should be necessarily given the key coordinating role among the different divisions.

4.20 Based on the above, a model staffing pattern is provided in **APPENDIX-IV**.

4.21 It is also recommended that:

4.21.1 The staff of the SERCs should have the facility of reimbursement of medical expenses. The pattern adopted in CERC should be recommended.

4.21.2 With a view to taking timely decisions in the matter of capacity building of the staff, the Chairperson should have the authority to sanction the participation of the staff of the Commission in international programmes. Participation in international professional programmes should be on the basis of functional requirements and within the budget provisions. The requirement for exposure to international programmes needs to be seen as an essential functional requirement of the ERCs which are expert bodies, as in the case of the Council for Scientific Research (CSIR) or the All India Institute of Medical Sciences (AIIMS). The ERCs are responsible for regulating and reforming a vital sector of the economy and should not be subjected to financial constraints.

4.21.3 The professional staff should be given: (i) laptops and internet facilities, and (ii) reimbursement of fees for becoming members of the professional organizations.

4.21.4 In case the facility of government residential accommodation is not available, the ERC should have powers to hire leased housing for the staff up to the level of plinth area admissible to equivalent level officers in the government. Whether the lease rent is reasonable or not should be judged by the internal committee of the ERC and there should be no requirement of taking approval of any other department or agency of the government.

List of Abbreviation

AERC	Assam Electricity Regulatory Commission
AIIMS	All India Institute of Medical Sciences
APERC	Andhra Pradesh Electricity Regulatory Commission
ATE / APTEL	Appellate Tribunal of Electricity
BERC	Bihar Electricity Regulatory Commission
CERC	Central Electricity Regulatory Commission
CSIR	Council of Scientific and Industrial Research
DERC	Delhi Electricity Regulatory Commission
ERC	Electricity Regulatory Commission
FOR	Forum of Regulators
GERC	Gujarat Electricity Regulatory Commission
HERC	Haryana Electricity Regulatory Commission
HPERC	Himachal Pradesh Electricity Regulatory Commission
IIPA	Indian Institute of Public Administration
J&KSERC	Jammu & Kashmir Electricity Regulatory Commission
JSERC	Jarkhand State Electricity Regulatory Commission
KERC	Karnataka Electricity Regulatory Commission
KSERC	Kerala State Electricity Regulatory Commission
MERC	Maharashtra Electricity Regulatory Commission
MPERC	Madhya Pradesh Electricity Regulatory Commission
MsERC	Meghalaya State Electricity Regulatory Commission
NEP	National Electricity Policy
OERC	Orissa Electricity Regulatory Commission
PA	Personal Assistant
PPS	Principal. Private Secretary
PS	Private Secretary
PSERC	Punjab State Electricity Regulatory Commission
RERC	Rajasthan Electricity Regulatory Commission
SERC	State Electricity Regulatory Commission
TERC	Tripura Electricity Regulatory Commission
TNERC	Tamil Nadu Electricity Regulatory Commission
TP	Tariff Policy
UERC	Uttarakhand Electricity Regulatory Commission
UPERC	Uttar Pradesh Electricity Regulatory Commission
WBERC	West Bengal Electricity Regulatory Commission
AERC	Assam Electricity Regulatory Commission

APPENDIX

**Relevant Extract from the Minutes of the Meeting of ‘FOR’ held on 13th
June, 2008**

Item No.3 : Staffing of Regulatory Commissions.

4.3 After discussion, it was decided to constitute a Working Group consisting of the following to consider the matter and for suggesting appropriate recommendations in a period of three months :-

(i)	Chairperson, CERC	...	Chairman of the Working Group
(ii)	Chairperson, TNERC	...	Member
(iii)	Chairperson, MeSERC	...	Member
(iv)	Chairperson, UERC	...	Member
(v)	Chairperson, HERC	...	Member
(vi)	Secretary, CERC	...	Member
(vii)	Deputy Chief (RA)	...	Coordinator.

4.3.1 The Secretariat of the Forum would provide secretariat support to the Working Group. During the discussion, it was felt that the emphasis should not be only on creating posts in the ERCs but also on the ways and means for procuring/engaging required skilled personnel in order to effectively assist the SERCs.

“FOR” WORKING GROUP

**BACKGROUND NOTE
ON
“STAFFING OF ELECTRICITY REGULATORY
COMMISSIONS”**

1. In the ‘FOR’ meeting held on 13th June, 2008, it was decided to constitute a Working Group on ‘Staffing of Electricity Regulatory Commission’. Working Group consisting of the following members to consider the matter and for suggesting appropriate recommendations in a period of three months:-

(a)	Chairperson, CERC	...	Chairman of the Working Group
(b)	Chairperson, TNERC	...	Member
(c)	Chairperson, MeSERC	...	Member
(d)	Chairperson, UERC	...	Member
(e)	Chairperson, J&KSERC	...	Member
(f)	Chairperson, HERC	...	Member
(g)	Secretary, CERC	...	Member
(h)	Deputy Chief (RA)	...	Coordinator.

Mandate : To evolve model staffing pattern for Electricity Regulatory Commissions (ERCs) by emphasizing not only on creating posts in the ERCs but also on the ways and means for procuring/engaging required skilled personnel in order to effectively assist the ERCs.

2. Provisions under Electricity Act, 2003:

Section 91. (Secretary, officers and other employees of Appropriate Commission): -

- (1) The Appropriate Commission may appoint a Secretary to exercise such powers and perform such duties as may be specified.
- (2) The Appropriate Commission may, with the approval of the Appropriate Government, specify the numbers, nature and categories of other officers and employees.
- (3) The salaries and allowances payable to, and other terms and conditions of service of, the Secretary, officers and other employees shall be such as may be specified with the approval of the Appropriate Government.
- (4) The Appropriate Commission may appoint consultants required to assist that Commission in the discharge of its functions on the terms and conditions as may be specified.

3. Recommendations of IIPA Report on 'Impact of Restructuring of SEBs':

Staffing Requirements of the Commissions: The Commissions should have full autonomy in matters relating to staffing pattern, organisational structure and adequate power to recruit staff, as required. An overall ceiling on expenditure could, however, be fixed.

Normally Government creates the posts after considering the requirement of the Commission. Recruitment of officers and staff other than Chairperson and Members is done by the Commission itself. Since Government funding is involved, some ceiling is required to be laid down.

It is suggested to evolve a model of staffing pattern, after inter-alia, taking into account the size of the State. This could be thereafter recommended to the States.

4. **Suggestions of ERCs regarding Staffing of Electricity Regulatory Commission (enclosed as ANNEXURE-I)**

5. **Status of Staffing in Electricity Regulatory Commissions (enclosed as ANNEXURE-II).**

Suggestions of ERCs regarding Staffing of Electricity Regulatory Commission

S.No.	SERC	Comments/Suggestions
1.	CSERC	<p>(a) The core staff should be common to all SERCs. In other words, a common staffing pattern with requisite qualification and experience for each post should be suggested by FOR. The core staff should include, apart from the Secretary, which is a statutory post, Director (Economics Regulation), Director (Engineering), Director (Tariff) and Director (Law). All SERCs should have economic analyst and a senior officer for consumer protection. The number of officers required in the states may differ considering the need of the SERC.</p> <p>(b) Salary and perquisites will have to be market driven, at least for the core positions mentioned above. Presently while officers of SERCs get Government salary but they do not even get Government perquisites such as residential accommodation which most Government servants get. The perquisites have to be adequate to attract and retain competent hands in the State Commissions.</p>

2.	DERC	<p>1. It is mentioned that regulatory regime being a new phenomenon, it is difficult to attract skilled manpower having requisite caliber and experience in the given compensation package of pay scale system. It is suggested that in the event of non-availability of specialized manpower through normal mode of direct recruitment/ deputation, recruitment from open market may be made on contract basis at attractive pay packages not linked with the normal pay scales of the direct recruits/deputationists.</p>
3.	UPERC	<p>1. As per section 91(2) and 91(3) of Electricity Act, 2003, Commission, with the approval of the State Government can only specify the numbers, nature and categories of other officers and employees. Their salaries and allowances and other terms and conditions of services are also determined with approval of the State Government. In absence of any autonomy in this matter, Commissions are not empowered to engage the required no. of suitable Staff and determine their salary and terms & conditions of service. Steps may be taken for modification in the Act, to empower the Commissions in this sphere, so that Commissions can employ required no. of suitable staff and determine their salaries and allowances according to required qualification and experience for a particular post, comparable with best in the market.</p>

4.	UERC	<p>1. It is not only difficult to attract/engage required skilled personnel for SERCs, it is also difficult to retain such persons primarily because of low remunerative pay structure of State Governments followed by SERCs as compared to those available in PSUs/private sector. It is proposed that a pay structure comparable to private/public sector may be introduced for SERCs, which may have differentiation based on performance of employees. Further, there is lack of growth prospects and hence a career in the SERCs. To overcome this, it is proposed to have a common pool/cadre of officers/employees of different SERCs which may be mutually shared/posted amongst SERCs based on individual preferences and needs of SERCs.</p>
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STATUS OF STAFFING IN ELECTRICITY REGULATORY COMMISSIONS**1. Central Electricity Regulatory Commission (CERC)**

Name of the post	No of post already sanctioned	No of new posts sanctioned		Total No of posts	No of officers in position		No posts to be filled	Pay-Scale
Secretary	01	Nil		01	01		-	18400-22400
Chief	04	Nil		04	03		01	18400-22400
Joint Chief	02	01	Finance	05	01	Finance	01**	14300-18300
		02*	Engg		02	Engg		
		0	Law		01	Law		
		03	Total		04	Total		
Deputy Chief	08	02	Finance	13	03	Finance	06 \$	12000-18000
		01*	Engg		03	Engg		
		02	Law		01	Law		
		05	Total		06	Total		
Integrated Financial Advisor	Nil	01		01	Nil		01	12000-18000
Assistant Secretary	01	01* (FOR)		02	01		01	10000-15200
Assistant Chief	08	05	Finance	16	02	Fin	08 ^	10000-15200
		03*	Engg		04	Engg		
		00	Eco		01	Eco		
		00	Law		01	Law		
08	Total	08	Total					
Bench Officer	02	Nil		02	01		01	10000-15200
Pr. Pvt Secy	04	Nil		04	04		Nil	10000-15200

PAO/Senior Accounts Officer	01	01	02	01	01	8000-275-12500
Private Secretary	05	Nil	05	05	Nil	6500-200-10500
Assistant	05	01	06	06	Nil	5500-175-9000
Personal Assistant	07	Nil	07	06	01	5500-175-9000
Stenographer	04	Nil	04	01	03	4000-100-6000
Receptionist cum Tele operator	01	Nil	01	01	Nil	3050-4590
Driver	04	Nil	04	04	Nil	3050-4590
Senior Peon	02	Nil	02	Nil	02	2610-3540
Peon	04	Nil	04	02	02	2550-3200
Total	63	20	83	54	28	

*The creation of additional posts is subject to the following conditions:-

The post of Assistant Secretary in FOR and the posts of Joint Chiefs, Deputy Chief and Assistant Chiefs in Engineering Divisions of CERC will be filled up only on deputation basis from CEA. The resultant vacancies would not be filled up until further orders.

The posts created under Accounts, Finance and Law Divisions will be filled up on deputation from Govt, CPSUs and autonomous bodies. Equivalent number of posts in the equivalent scale of pay in CEA as a result of such appointments in CERC would not be filled up until further orders.

\$ Offer for two posts of Dy Chief (Finance) have already been issued and one has joined, One post of Deputy Chief (Eco) has been circulated.

^ . Two posts of Assistant Chief (Finance) and one post of Assitant Chief (MIS) has already been circulated.

2. Chhattisgarh State Electricity Regulatory Commission (CSERC)

S.No.	Designation	Number of Post			Pay Scale	Remarks
		Sanctioned Post	Filled up Post	Vacant Post		
01.	Chairman	1	1	-	26000/- Fixed	
02.	Member	1	1	-	22400-24500	
03.	Secretary	1	-	1	18400-22400	Additional charge given to Director
04.	Director	3	2	1	18400-22400	
05.	Dy. Secretary	1	1	-	12000-16500	
06.	Joint Director	2	-	2	12000-16500	One post advertised
07.	Financial Analyst	1	1	-	12000-16500	
08.	Deputy Director	2	1	1	10000-15200	One post advertised
09.	Law Officer	1	1	-	10000-15200	
10.	Account Officer	1	-	1	8000-12000	
11.	Personal Secretary	2	1	1	6500-10500	
12.	Personal Assistant	4	1	3	5500-9000	
13.	Jr. Account Officer	1	1	-	5000-8000	
14.	Stenographer	3	2	1	4500-7000	
15.	Asstt. Grade-II	3	1	2	4000-6000	
16.	Computer Assistant	4	2	2	3500-5000	
17.	Asstt. Grade-III	3	2	1	3050-4590	
18.	Steno Typist	2	2	-	3050-4590	
19.	Driver	4	3	1	2610-3540	
20.	Peon	11	8	3	2550-3200	
	TOTAL	51	31	20		

3. Delhi Electricity Regulatory Commission (DERC)

Position as on 25.07.2008

S. No.	Name of the post	Scale of pay	No. of Sanctioned Post	Filled up posts	Vacant posts
1	Secretary	Rs. 18400-22400	01	01	-
2	Director	Rs. 18400-22400	03	02	01
3	Joint Director	Rs. 14300-18300	05	05*	-
4	Assistant Secretary	Rs. 10000-15200	01	01	-
5	Dy. Director	Rs. 10000-15200	11	10	01
6	Principal Private Secretary	Rs. 10000-15200	03	03	-
7	Assistant Director	Rs. 8000-13500	02	01	01
8	Personnel Officer	Rs. 6500-10500	01	01	-
9	Accountant	Rs. 6500-10500	01	01	-
10	Private Secretary	Rs. 6500-10500	01	-	01
11	Personal Assistant	Rs. 5000-8000	09	07	02
12	Steno-cum-Computer Operator	Rs. 5000-8000	09	09	-
13	Caretaker	Rs. 4500-7000	01	01	-
14	Clerk-cum-Computer Operator	Rs. 4000-6000	04	03	01
15	Cashier	Rs. 4000-6000	01	-	01
16	Receptionist	Rs. 4000-6000	01	01	-
17	Dearist-cum-Dispatcher	Rs. 3050-4590	01	01	-
18	Driver	Rs. 3050-4590	06	06	-
		Total	61	53	08

* One post of Joint Director has been filled at lower level as Administrative Officer in the pay scale of Rs. 8000-13500/-

4. Haryana Electricity Regulatory Commission (HERC)

S.No.	Name of Post	Pay-Scale	No. of sanctioned post	Working	Vacant
1	Commission Secretary	18400-500-22400	1	1	0
2	Director (Tariff)	18400-500-22400	1	0	1
3	Director (Technical)	18400-500-22400	1	0	1
4	Joint Director (Accounts)	15950-450-20000	1	0	1
5	Joint Director (Transmission)	15950-450-20000	1	0	1
6	Joint Director (Finance)	15950-450-20000	1	0	1
7	Joint Director (Distribution-I)	15950-450-20000	1	0	1
8	Joint Director (Economics)	15950-450-20000	1	1	0
9	Joint Director (Distribution-II)	15950-450-20000	1	0	1
10	Joint Director (Law)	15950-450-20000	1	1	0
11	Deputy Secretary (P)	14700-400-18700	1	1	0
12	Deputy Director (A/cs.)	14700-400-18700	1	1	0
13	Deputy Director (Transmission)	14700-400-18700	1	0	1
14	Deputy Director (Finance)	14700-400-18700	1	0	1
15	Deputy Director (Distribution-I)	14700-400-18700	1	1	0
16	Deputy Director (Economics)	14700-400-18700	1	1	0
17	Deputy Director (Distribution-II)	14700-400-18700	1	0	1
18	Deputy Director (Media)	14700-400-18700	1	0	1
19	System Manager	14700-400-18700	1	1	0
20	Law Officer	14700-400-18700	2	1	1
21	Sr. Private Secretary	7450-225-11500	3	1	2
22	Assistant Director(A/cs.)	9025-325-14550	1	1	0
23	Private Secretary	6500-200-10500	3	2	1
	Total		28	13	15

5. Himachal Pradesh Electricity Regulatory Commission (HPERC)

S.No.	Name of Post	Pay-Scale	No. of sanctioned post	Working	Vacant
1	Secretary	In his own pay scale on deputation	1	1	0
2	Executive Director	18600-22100	2	1	1
3	Director	14300-18600	2	2	0
4	Dy. Director	10025-15100	6	4	2
5	Sr. Accounts Officer	7220-11660	1	1	0
6	Personnel-cum-Admn. Officer	7880-11660	1	1	0
7	Reader	7220-11660	1	0	1
8	Law Officer	6400-10640	1	0	1
9	Supdt. Gr-II	6400-10640	1	0	1
10	Personnel Assistant	6400-10640	7	4	3
11	Sr. Scale Stenographer	5800-9200	3	2	1
12	Sr. Assistants	5800-9200	3	3	0
13	Computer Operator	5000-8100	1	0	1
14	Record Keeper	5800-9200	2	1	1
15	Driver	3330-6200	5	3	2
16	Peon	2520-4140 with initial start of Rs. 2620	6	3	3
	Total		43	26	17

6. Jharkhand Electricity Regulatory Commission (JSERC)

S.No.	Name of Post	Pay-Scale (Rs.)	No. of sanctioned post	Working	Vacant
1	Chairman	As per High Court Judges - Pension	1	1	
2	Member	Last Pay - Pension	2	1	1
3	Ombudsman	Last Pay - Pension	1	1	
4	Secretary	12000-16500	1	1	
5	Director	12000-16500	1	Recruitment Rules for the officers and staff is pending with the State Govt. for approval. As such the staffs in the Commission have been engaged on deputation /contract basis.	
6	Law Officer	10000-15200	1		
7	Finance Accounts Officer	8000-13500	1		
8	Assistant	5500-9000	3		
9	Steno-cum-Computer Operator	4000-6000	3		
10	Clerk-cum-Typist-cum- Computer Operator	4000-6000	2		
11	Receptionist	4000-6000	1		
12	Driver	3050-4590	4		
13	Peon	2552-3200	5		
		Total	26		

7. Kerala State Electricity Regulatory Commission (KSERC)

S.No.	Name of Post	Pay-Scale	No. of sanctioned post	Working	Vacant	Remarks
1	Secretary	25400-33100+600 spl pay	1	0	1	
2	Dy. Director	20700-26600	1	0	1	
3	Sr. Economic Analyst	20700-26600	1	1	0	on deputation
4	Administrative Officer	12930-20250	1	1	0	on contract
5	Accounts Officer	12930-20250	1	0	1	
6	UD Clerk	6680-10790	1	1	0	on contract
7	Confidential Asst	6080-9830	3	0	3	
8	Peon	4510-6230	3	3	0	on contract
9	Drivers	5250-8390	3	3	0	on contract
	Total		15	9	6	

8. Madhya Pradesh Electricity Regulatory Commission (MPERC)

S.No.	Name of Post	Pay-Scale	No. of sanctioned post	Category (as per Government of M.P. Classification)	Working	Vacant
1	Commission Secretary	18400-500-22400	1	-	1	0
2	Director (Regulatory Enforcement)	18400-500-22400	1	-	1	0
3	Director (Licensing & Regulations)	18400-500-22400	1	-	1	0
4	Director (Tariff)	18400-500-22400	1	-	1	0
5	Joint Director (Administration)	14300-400-18300	1	-	0	1*
6	Joint Director (Regulatory Enforcement)	14300-400-18300	1	-	1	0
7	Joint Director (Licensing & Regulations)	14300-400-18300	1	-	0	1
8	Joint Director (Tariff-Engineering)	14300-400-18300	1	-	1	0
9	Joint Director (Tariff-Finance.)	14300-400-18300	1	-	1	0
10	Deputy Director (Consumer Assistance)	10000-325-15200	1	-	0	1
11	Deputy Director (IT)	10000-325-15200	1	-	1	0
12	Deputy Director (Licensing)	10000-325-15200	1	-	0	1
13	Deputy Director (Regulations)	10000-325-15200	1	-	0	1
14	Deputy Director (Tariff-Economics)	10000-325-15200	1	-	0	1
15	Deputy Director (Tariff-Engineering)	10000-325-15200	1	-	1	0
16	Deputy Director (Tariff- Accounts)	10000-325-15200	1	-	0	1
17	Deputy Director (Transmission & Distribution)	10000-325-15200	1	-	1	0
18	Deputy Director (Generation)	10000-325-15200	1	-	1	0
19	Assistant Director(IT)	8000-275-13500	2	-	0	2
20	Personnel Officer	6500-200-10500	1	-	0	1
21	Accounts Officer	6500-200-10500	1	-	1	0
22	Private Secretary	6500-200-10500	3	II	2	1

23	Personal Assistant	4000-100-6000	5	III	4	1
24	Caretaker	4000-100-6000	1	III	1	0
25	Cashier	4000-100-6000	1	III	1	0
26	Steno typist	3050-75-3950-80-4590 (S.P. 125/- p.m.)	4	III	3	1
27	Steno-cum-Computer Operator	3050-75-3950-80-4590 (S.P. 125/- p.m.)	11	III	10	1
28	Receptionist	3050-75-3950-80-4590	1	III	1	0
29	Diarist-cum-Dispatcher	3050-75-3950-80-4590	1	III	1	0
30	Driver	3050-75-3950-80-4590	6	III	6	0
31	Peons/ Orderly	2550-55-2660-60-3200	25	IV	25	0
32	Security Guard	As per Collector Rate	4	IV	4	0
		Total	84		70	13

* D.D(IT) has been given current charge of JD(Administration) pending regular selection by the Commission.

9. Maharashtra State Electricity Regulatory Commission (MERC)

No.	Designation of Post (2)	Scale of Pay (3)	Sanctioned Strength (4)	Post filed (5)	No. of Vacant Post	Remarks
1.	Secretary	Rs. 18,400-500-22,400/-	1	1		Deputation
2.	Director (Tariff)	Rs.16,400-450-20,900/-	1		1	Recruitment under process
3.	Director (Electrical)	Rs.16,400-450-20,900/-	1	1		Contract. Recruitment under process
4.	Under Secretary	Rs.10,500-325-15,200/-	1	-	1	Recruitment under process
5.	Assistant Director (Tech.)	Rs.6,500-200-10,500/-	1	1		Contract
6.	Section Officer (Admn)	Rs.6,500-200-10,500/-	1	1		Deputation
7.	Asst. Accounts Officer	Rs.5,500-175-9,000/-	1	1		Deputation
8.	Personal Assistant (Selection Grade)	Rs.7,450-225-11,500/-	3	3		Regular
9.	Personal Assistant (Higher Grade)	Rs.6,500-200-10,500/-	1	1		Deputation
10.	Receptionist-cum-Telephone Operator-cum-Office Assistant	Rs.3050-75-3950-80-4590/-	1	1		Regular
11.	Clerk-Typist- cum-Office Assistant	Rs.3050-75-3950-80-4590/-	4	4		Regular
12.	Driver-cum- General Assistant	Rs.3050-75-3950-80-4590/-	4	4		Regular
						Regular
						Regular
						Contract
13.	Peon	Rs.2550-55-2660-60-3200/-	4	3	1	Contract
						Regular
						Deputation
TOTAL POSTS			24	21	3	

10. Meghalaya State Electricity Regulatory Commission (MSERC)

S.No.	Name of Post	Pay-Scale (Rs.)	No. of Post	Working	Vacant
1	Chairman	26000 (fixed) + 1000 special pay	1	1	0
2	Secretary	10650-325-15850	1	1	0
3	Finance & Accounts Officer	6350-225-7700-EB-240-9380-250-11130	1	1	0
4	Stenographers	4900-130-5680-EB-140-6800-150-8300	2	2	0
5	Lower Division Assistant	3100-70-3520-EB-80-4160-90-5060	1	1	0
6	Driver	2900-60-2650-EB-70-3820-80-4620	2	2	0
7	Peons	2440-40-2650-EB-50-3080-60-3680	2	0	2
8	Chowkidar	2440-40-2650-EB-50-3080-60-3680	1	0	1
		Total	11	8	3

11. Rajasthan Electricity Regulatory Commission (RERC)

S.No.	Name of Post	Pay-Scale	No. of sanctioned post	Working	Vacant
1	Secretary	18400-22400	1	1	-
2	Special Secretary (Finance)	14300-18300	1	1	-
3	Special Secretary (Technical)	14300-18300	1	1	-
4	Joint Secretary (Technical)	12000-16500	2	2	-
5	Joint Secretary (Finance)	12000-16500	1	1	-
6	Dy. Secretary (Finance)	12000-16500	1	-	1
7	T.A. to Chairman	10000-15200	1	-	1
8	Dy. Secretary (Technical)	10000-15200	2	1	1
9	Dy. Secretary (Finance)	10000-15200	1	1	-
10	Dy. Secretary (Law)	10000-15200	1	-	1
11	Dy. Secretary (Admn.)	10000-15200	1	1	-
12	Sr. Economic Analyst	10000-15200	1	1	-
13	Astt. Secretary (Tech.)	8000-13500	4	4	-
14	Astt. Secretary (Fin.)	8000-13500	3	1	2
15	PS to Chairman	8000-13500	1	1	-
16	Sr. PA	6500-10500	2	1	1
17	P.A.	5500-9000	3	2	1
18	Legal Assistant	5500-9000	1	1	-
19	Steno-cum-computer Operator	5000-8000	6	3	3
20	Executive Assistant (Tech.)	5000-8000	4	4	-
21	Accountant	5000-8000	1	1	-
22	Junior Accountant	5000-8000	1	1	-
23	Store Keeper, Cashier, Librarian	4000-6000	2	-	2
24	Establishment RD Clerk (LDC)	3050-4590	3	2	1
25	Driver	3050-4590	2	1	1
26	Class-IV	2550-3200	8	6	2
		Total	55	38	17

12. Tamil Nadu Electricity Regulatory Commission (TNERC)

S.No.	Name of Post	Pay-Scale	No. of sanctioned post
1	Secretary Grade I or Secretary Grade II	18400-500-22400 16400-450-20000	1
2	Director (Engineering) Grade I or Director (Engineering) Grade II	18400-500-22400 16400-450-20000	1
3	Director (Tariff) Grade I or Director (Tariff) Grade II	18400-500-22400 16400-450-20000	1
4	Director (Legal) Grade I or Director (Legal) Grade II	18400-500-22400 16400-450-20000	1
5	Dy. Director (Engineering) Grade I or Dy. Director (Engineering) Grade II	15000-400-18600 12750-375-16500	1
6	Dy. Director (Tariff) Grade I or Dy. Director (Tariff) Grade II	15000-400-18600 12750-375-16500	1
7	Dy. Director (Legal) Grade I or Dy. Director (Legal) Grade II or Assistant Director (Legal)	15000-400-18600 12750-375-16500 10000-325-15200	1
8	Assistant Director (Statistical Analyst)	10000-325-15200	1
9	Assistant Director (Computer)	10000-325-15200	1
10	Assistant Director (Fin. & Eco. Analyst)	10000-325-15200	1
11	Assistant Secretary	10000-325-15200	1
12	Public Relation Officer	8000-275-13500	1
13	Private Secretary	6500-200-11100	1
14	Personal Assistants	5500-175-9000	7
15	Assistant	4000-100-6000	2
16	Receptionist-cum-Telephone Operator	3200-85-4900	1
17	Bench Assistant	As applicable in judicial service	1
18	Marshall	As applicable in judicial service	1
19	Driver	3200-85-4900	2
20	Office Assistants	2550-55-2660-60-3200	11

Number of Persons presently in position (category-wise) (TNERC)

S.No.	Name of Post	No. of sanctioned post	Working	Vacant
1	Secretary	1	1	0
2	Director	3	1	2
3	Dy. Director	4	3	1
4	Assistant Director	4	3	1
5	Assistant Secretary	1	1	0
6	Public Relation Officer	1	1	0
7	Private Secretery	1	1	0
8	Personal Assistants	7	4	3
9	Assistant	2	2	0
10	Receptionist-cum-Telephone Operator	1	1	0
11	Bench Assistant	1	1	0
12	Marshall	1	0	1
13	Driver	2	2	0
14	Office Assistants	11	9	2
	Total	40	30	10

13. Uttarakhand Electricity Regulatory Commission (UERC)

S.No.	Name of Post	Pay-Scale	No. of post	Working	Vacant
1	Secretary	18400-22400 / 16400-20000	1	0	1
2	Director	18400-22400 / 16400-20000	3	2	1
3	Joint Director	12000-16500	2	1	1
4	Dy. Director (Admin/Accounts)	1000-15200	2	2	0
5	Astt. Director/ Dy. Director	1000-15200 / 8000-13500	3	1	2
6	Accounts Officer	8000-13500	1	1	0
7	Steno cum Computer Operator	4000-6000	13	7	6
8	Receptionist/Librarian	4000-6000	1	1	0
9	Driver	3050-4590	4	4	0
10	Peon	2550-3200	11	9	2
		Total	41	28	13

14. Uttar Pradesh Electricity Regulatory Commission (UPERC)

Sl. No.	Post	Emoluments	Group	No. of Posts	Presently in Position	Vacant
1	Secretary	18400-500-22400	A	One (1)	One (1)	NIL
2	Director(Tariff)	18400-500-22400	A	One (1)	Director (Licensing Area and Legal) is holding additional charge	YES
3	Director (Generation & PPA)	18400-500-22400	A	One (1)	One (1)	NIL
4	Director (Distribution)	18400-500-22400	A	One (1)	Joint Director (Distribution) is looking after the work	YES
5	Director (Licensing Area & Legal)	18400-500-22400	A	One (1)	One (1)	NIL
6	Joint Director (Bulk Supply & Retail Tariff)	12000-375-16500	A	One (1)	One (1)	NIL
7	Joint Director) (Generation, Planning, Procurement & PPA)	12000- 375-16500	A	One (1)	One (1)	NIL
8	Joint Director (Transmission Operation & Planning)	12000- 375-16500	A	One (1)	One (1)	NIL
9	Joint Director (Trading margin & Open Access)	12000- 375-16500	A	One (1)	One (1)	NIL
10	Joint Director (Distribution Operation & Standards)	12000- 375-16500	A	One (1)	One (1)	NIL
11	Joint Director (Licensing)	12000- 375-16500	A	One (1)	One (1)	NIL
12	Deputy Director (Tariff Engineering)	10000 - 325-15200	A	One (1)	None	YES
13	Deputy Director (Tariff Economics)	10000 - 325-15200	A	One (1)	None	YES
14	Deputy Director (Accounts and Financial Analysis)	10000 - 325-15200	A	One (1)	Finance and Accounts Officer is looking after this work.	YES

15	Deputy Director(Computer Applications, IT and Information Management)	10000 - 325-15200	A	One (1)	Joint Director (Licensing) is looking after promotion from this post.	YES
16	Deputy Director (Administration)	10000 - 325-15200	A	One (1)	One (1)	NIL
17	Accounts Officer	8000-275-13500	B	One (1)	One (1)	NIL
18	Private Secretary	6500-200-10500	B	Four (4)	Four (4)	NIL
19	Asstt. Private Secretary.(Personall Asstt-II)(will work as research assistant/data entry operators as per need)	5500-175-9000	C	Eight (8)	Eight (8)	NIL
20	Receptionist	4000-100-6000	C	One (1)	None	YES
21	Accountant	5000-150-8000	C	One (1)	One (1)	NIL
22	Assistant Accountant	4500-125-7000	C	One (1)	An official is working against the post on contract	NIL
23	Librarian	5000-150-8000	C	One (1)	A Research Assistant is working against the post.	YES
24	Security Guard	3050-75-4590	C	Three (3)	Security Staff has been taken from U.P. Purva Sainik Kalyan Nigam Ltd.	NIL
25	Driver	3050-75-4590	C	Four (4)	Four (4)	NIL
26	Peon/Process Server	2550-55-2660-60-3200	D	Fifteen (15)	Fifteen (15)	NIL
			Total	Fifty Five (55)	Forty Seven (47)	Eight (8)

15. West Bengal Electricity Regulatory Commission (WBERC)

S.No.	Name of Post	Pay-Scale	No. of sanctioned post	Category	Persons presently on Position engaged on		Vacant
					Contract	Deputation	
1	Secretary	18400-500-22400	1	Group-A	1	0	0
2	Advisor	18400-500-22400	3	Group-A	1	0	2
3	Joint Advisor	14300-400-18300	3	Group-A	1	2	0
4	Director	12000-375-18000	4	Group-A	0	0	4
5	Dy. Director	10000-325-15525	4	Group-A	0	2	2
6	Assistant Director including one accounts officer	8000-275-13500	5	Group-A	1	0	4
7	Personal Secretary	6000-250-12000	3	Group-A	0	0	3
8	Accountant	4800-175-5850-200-6650-225-8675-250-10925	1	Group-B	0	0	1
9	Head Assistant	4500-150-5250-175-7000-200-8800-225-9700	1	Group-B	1	0	0
10	Personal Assistant	4000-125-4250-150-5300-175-7050-200-8850	10	Group-B	6	0	4
11	Senior Assistant	4000-125-4250-150-5300-175-7050-200-8850	7	Group-B	3	0	4
12	Assistant	3350-90-3800-100-4700-125-6325	8	Group-C	6	0	2
13	Group D officials	2600-55-2985-60-3525-65-4175	8	Group-D	8	0	0
		Total	58		28	4	26

Note: WBERC has not yet appointed any staff on regular basis and the staff and officers of this Commission are engaged on contractual service in terms of relevant Regulations framed by the Commission. However, some of the officers are also appointed on deputation.

**RECOMMENDATIONS OF IIPA REPORT ON 'IMPACT OF
RESTRUCTURING OF SEBS'**

- Staffing Requirements of the Commissions: The Commissions should have full autonomy in matters relating to staffing pattern, organizational structure and adequate power to recruit staff, as required. An overall ceiling on expenditure could, however, be fixed.
- Normally Government creates the posts after considering the requirement of the Commission. Recruitment of officers and staff other than Chairperson and Members is done by the Commission itself. Since Government funding is involved, some ceiling is required to be laid down.
- It is suggested to evolve a model of staffing pattern, after inter-alia, taking into account the size of the State. This could be thereafter recommended to the States.

MODEL STAFFING PATTERN FOR ‘SERCs’

- **Regular Posts under section 91(2) of the Electricity Act, 2003 – which require approval of the appropriate Government:**

Name of Post	Number of Posts	Nature of Post	Scale of Pay	Mode of Recruitment
Category-I: Secretary				
Secretary	1	Head of the organization (Secretariat for the Commission)	Super Time Scale	Deputation/ Contract
Category – II : Professional Staff				
Engineering Stream				
Director	1	Professional	Equivalent to Director of Central Public Sector Undertaking (CPSU)	Deputation/ Contract
Joint Director	1	Professional	Equivalent to GM of CPSU	Deputation/ Contract
Deputy Director	1	Professional	Equivalent to DGM of CPSU	Deputation/ Contract
Tariff Stream				
Director	1	Professional	Equivalent to Director of CPSU	Deputation/ Contract
Joint Director	1	Professional	Equivalent to GM of CPSU	Deputation/ Contract
Deputy Director	1	Professional	Equivalent to DGM of CPSU	Deputation/ Contract
Economics Stream				
Senior Economic Advisor	1	Professional	Equivalent to Director of CPSU	Deputation/ Contract
Economic Advisor	1	Professional	Equivalent to DGM of CPSU	Deputation/ Contract
Demand Side Management (DSM) Cell				
Joint Director	1	Professional	Equivalent to GM of CPSU	Deputation/ Contract
Deputy Director	1	Professional	Equivalent to DGM of CPSU	Deputation/ Contract

Legal Stream				
Senior Legal Advisor	1	Professional	Equivalent to GM of CPSU	Deputation/ Contract
Legal Advisor	1	Professional	Equivalent to DGM of CPSU	Deputation/ Contract
Consumer Advocacy Cell				
Joint Director	1	Professional	Equivalent to GM of CPSU	Deputation/ Contract
Deputy Director	1	Professional	Equivalent to DGM of CPSU	Deputation/ Contract
Category – III : Administrative and Supporting Staff				
Assistant Secretary	1	Administrative	Equivalent to DGM of CPSU	Deputation/ Contract
Assistant Director (Accounts)	1	Accounts	Equivalent to DGM of CPSU	Deputation/ Contract
Assistant Director (IT & RIMS)	1	Administrative/MIS	Equivalent to DGM of CPSU	Deputation/ Contract
Pay and Accounts Officer/Drawing and Disbursing Officer	1	Accounts	Equivalent to Senior Manager of CPSU	Deputation/ Contract
Assistants	4	Administration/Accounts	Equivalent to Executive Grade of CPSU	Deputation/ Contract
Executive Assistant	1	Supporting Staff	Equivalent to Executive Grade of CPSU	Deputation/ Contract
Principal Private Secretary	4	Supporting Staff	Equivalent to Executive Grade of CPSU	Deputation/ Contract
Private Secretary	4	Supporting Staff	Equivalent to Executive Grade of CPSU	Deputation/ Contract
Personal Assistants	4	Supporting Staff	Equivalent to Executive Grade of CPSU	Deputation/ Contract

- **Engagement of Consultants under section 91(4) of the Act** – which does not require approval of the appropriate Government:
 - To supplement the regular staff under Category II persons of requisite qualification and experience should be hired for consultancy assignments.
 - The selection made and remuneration decided would be through a competitive process.
 - These consultants would be hired for supplementing the manpower required to carry out various responsibilities in situations where either government officers are not available for deputation or where the compensation package fails to attract personnel in big cities such as Bangalore or Mumbai.
 - Appointment of consultants would also ensure that the Commissions are fully equipped in new emerging areas.
 - The number of consultants hired would vary depending upon the factors indicated above.
 - To ensure good quality of output from the consultants over a sustained period, they may be engaged for a period up to three years, as the consultants appointed for a short term try to complete the work in haste and discrepancies become apparent later.