

No. 46/16/2018-R&R
Government of India
Ministry of Power

Shram Shakti Bhavan, Rafi Marg,
New Delhi. December 17, 2018

To

The Registrar General,
All High Courts

Subject: Filling up the post of Judicial Member, Appellate Tribunal for Electricity (APTEL)

The Central Government has established the Appellate Tribunal for Electricity (APTEL) under the provisions of the Electricity Act 2003 (36 of 2003) to hear appeals against the orders of the Adjudicating Officer or Appropriate Commission, with its headquarters in Delhi. As per Section 112 of the Electricity Act, the Tribunal consists of the Chairperson and three other Members (including one Judicial Member). One post of Judicial Member, APTEL will become vacant on 2.5.2019. This anticipated vacancy of the post of Judicial Member, APTEL is proposed to be filled up.

2. Appointment of Judicial Member of APTEL is to be made in accordance with the provisions of the Electricity Act 2003 and the Rules made there under. The proposed appointment of Judicial Member (APTEL) shall be made in accordance with the Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules 2017 notified vide Notification No. G.S.R. 514(E) on 1.6.2017 ("Tribunal Rules 2017").

3. Hon'ble Supreme Court of India vide its Order of dated 9.2.2018 in WP(C) 279/2017 challenging certain provisions of Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules 2017, has accepted the suggestion for constituting an interim Search-cum-Selection Committee ("interim SCSC") for Selection of Members of the Tribunals. In pursuance of the said order of the Supreme Court and the opinion of Ld Attorney General of India dated 20.3.2018, the interim SCSC for selection of Judicial Member of APTEL has been constituted vide Ministry of Power Notification dated 30.10.2018.

4. In terms of Supreme Court orders dated 9.2.2018 and 20.3.2018 in WP(C) 279/2017, a Judicial Member of the Tribunal is to be appointed based on the recommendation of the interim Search-cum-Selection Committee shall hold office for a term of five 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 of APTEL shall also be eligible for re-appointment subject to the maximum age of 65 years.

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Further, conditions of service attached to the post of Judicial Member, APTEL shall be as per the relevant provisions of the Electricity Act and the Appellate Tribunal for Electricity (Salaries, Allowances and other Conditions of Service of Chairperson and Members) Rules, 2004 and the Appellate Tribunal for Electricity (Salaries, Allowances and other conditions of service of Chairperson and Members) (Amendment) Rules, 2008 as amended from time to time.

5. Copies of the Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules 2017, Supreme Court Order dated 9.2.2018 and 20.3.2018, Appellate Tribunal for Electricity (Salaries, Allowances and other Conditions of Service of Chairperson and Members) Rules, 2004 and the Appellate Tribunal for Electricity (Salaries, Allowances and other conditions of service of Chairperson and Members) (Amendment) Rules, 2008 are enclosed herewith.

6. It is requested that the above anticipated vacancy of Judicial Member (APTEL) may kindly be placed before all the serving as well as retired judges of High Courts and thus accordingly circulated.

7. Request only from those retired or sitting judges of High Courts would be considered who can serve as Judicial Member (APTEL) for at least two or more years with effect from 02.05.2019. Request as per the prescribed format (**Annexure**), may be forwarded to Under Secretary (R&R), Ministry of Power, 2nd Floor, Room No. 222A, Shram Shakti Bhawan, New Delhi 110001 and also through email at debranjanchattopadhyay@nic.in, so as to reach this Ministry on or before 31st January 2019 (5.30 pm).

Yours faithfully,

Encl: as above. (Annexure attachments)


17/12/18
(Ghanshyam Prasad)
Chief Engineer
Tel: 011-23710389

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

1. Name of Post : Judicial Member,
Appellate Tribunal for Electricity (APTEL)
2. Date of Vacancy : 02.05.2019
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]

SN	Name of University/ equivalent institution	Degree	Year of passing	Subject/specialization

13. Experience (Past 20 years) :

SN	From (Date)	To (Date)	Department/Organizat ion/ Institute	Designation	Experience

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: