

Electricity Act, 2003

Section 89 - TERM OF OFFICE AND CONDITIONS OF SERVICE OF MEMBERS

1) The Chairperson or other Member shall hold office for a term of five years from the date he enters upon his office: Provided that the Chairperson or other Member in the Central Commission or the State Commission shall not be eligible for re-appointment in the same capacity as the Chairperson or a Member in that Commission in which he had earlier held office as such: Provided further that no Chairperson or Member shall hold office as such after he has attained the age of sixty-five years. (2) The salary, allowances and other terms and conditions of service of the Chairperson and Members shall be such as may be prescribed by the Appropriate Government: Provided that the salary, allowances and other terms and conditions of service of the Members, shall not be varied to their disadvantage after appointment. (3) Every Member shall, before entering upon his office, make and subscribe to an oath of office and secrecy in such form and in such manner and before such authority as may be prescribed. (4) Notwithstanding anything contained in sub-section (1), a Member may-- (a) relinquish his office by giving in writing to the Appropriate Government a notice of not less than three months; or (b) be removed from his office in accordance with the provisions of section 90. (5) Any Member ceasing to hold office as such shall- (a) not accept any commercial employment for a period of two years from the date he ceases to hold such office; and (b) not represent any person before the Central Commission or any State Commission in any manner. Explanation .-For the purposes of this sub-section, "commercial employment" means employment in any capacity in any organisation which has been a party to the proceedings before the Appropriate Commission or employment in any capacity under, or agency of, a person engaged in trading, commercial, industrial or financial business in electricity industry and includes a director of a company or partner of a firm or setting up practice either independently or as partner of a firm or as an adviser or a consultant.