

**Electricity Act, 2003**

**Section 85 - Constitution of Selection Committee to Select Members of State Commission**

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(1) The State Government shall, for the purposes of selecting the Members of the State Commission, constitute a Selection Committee consisting of--

- (a) a person who has been a Judge of the High Court ..... Chairperson;
- (b) the Chief Secretary of the concerned State ..... Member;
- (c) the Chairperson of the Authority or the Chairperson of the Central Commission ..... Member:

PROVIDED that nothing contained in this section shall apply to the appointment of a person as the Chairperson who is or has been a Judge of the High Court.

(2) The State Government shall, within one month from the date of occurrence of any vacancy by reason of death, resignation or removal of the Chairperson or a Member and six months before the superannuation or end of tenure of the Chairperson or Member, make a reference to the Selection Committee for filling up of the vacancy.

(3) The Selection Committee shall finalise the selection of the Chairperson and members within three months from the date on which the reference is made to it.

(4) The Selection Committee shall recommend a panel of two names for every vacancy referred to it.

(5) Before recommending any person for appointment as the Chairperson or other member of the State Commission, the Selection Committee shall satisfy itself that such person does not have any financial or other interest which is likely to affect prejudicially his functions as such Chairperson or Member, as the case may be.

(6) No appointment of Chairperson or other Member shall be invalid merely by reason of any vacancy in the Selection Committee.

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