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THE ANDHRA PRADESH GAZETTE

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ANDHRA PRADESH ACTS, ORDINANCES AND REGULATIONS ETC.

The following Act of the Andhra Pradesh Legislature which was reserved by the Governor on the 31st March, 2016 for the consideration and assent of the President received the assent of the President on the 14th April, 2016 and the said assent is hereby first published on the 21st April, 2016 in Andhra Pradesh Gazette for general information:-

ACT NO, 11 OF 2016

AN ACT TO AMEND THE ANDHRA PRADESH ELECTRICITY REFORM ACT, 1998 AND THE ELECTRICITY ACT, 2003 IN ITS APPLICATION TO THE STATE OF ANDHRA PRADESH.

Whereas, a Chairperson or a Member of the Central Commission or State Commission shall hold office for a term of five years or until he attains the age of 65 years whichever is earlier as provided in section 89 of the Electricity Act, 2003;

And whereas, no such person appointed on his retirement at the age of 62 years or 60 years as Chairperson or a Member of the Commissions shall have full term of five years;

And whereas, a Chairperson and the Member of the Central Electricity Authority constituted under section 70 of the Electricity Act, 2003 shall hold office during the pleasure of the Central Government without age limit;

And whereas, the Chairperson of the Appellate Tribunal under section 114 of the Electricity Act, 2003 shall hold office until he attains the

age of 70 years with the possibility of being appointed for two terms of three years each;

Act No. 68 of
1986.

And whereas, the Chairperson of a State Consumer Disputes Redressal Commission constituted under the Consumer Protection Act, 1986, who is a former High Court Judge shall hold office until he attains the age of 67 years;

And Whereas, it has been felt necessary to safeguard an assured term of five years for the Chairperson and the Member of the State Electricity Regulatory Commission to ensure continuity, consistency and efficiency in the functioning of the Commission;

And whereas, it has been felt necessary to raise the maximum age limit of 65 years to 70 years for the Chairperson or a Member of the State Electricity Regulatory Commission by amending section 89 of the Electricity Act, 2003;

Act No. 30 of
1998.

And whereas, a consequential amendment to section 6 of the Andhra Pradesh Electricity Reform Act, 1998 by enhancing the maximum age limit from 65 years to 70 years so that it is consistent with the proviso to sub-section (3) of section 185 of the Electricity Act, 2003;

And whereas, a consequential amendment is also necessary to provide for re-appointment as a Chairperson or a Member till completion of the full term of five years;

Be it enacted by the Legislature of the State of Andhra Pradesh in the Sixty-seventh year of the Republic of India as follows :-

Short title.

1. This Act may be called the Andhra Pradesh Electricity Laws (Andhra Pradesh Amendment) Act, 2016.

Amendment of
section 6, A.P.
Act No. 30 of
1998.

2. In the Andhra Pradesh Electricity Reform Act, 1998, in section 6, for sub-section (1), the following shall be substituted namely:-

“(1) Every Member of the Commission shall hold office for a period of five years from the date of his appointment as Member or until the age of seventy years, whichever is earlier:

Provided that the Member shall be eligible for re-appointment in the same capacity and shall hold office as such, till he completes the term of five years including the term already held before such re-appointment or he has attained the age of seventy years, whichever is earlier.”.

3. In the Electricity Act, 2003, in section 89, in sub-section (1), for the existing two provisos, the following provisos shall be substituted, in their application to the State of Andhra Pradesh, namely:

Amendment of
section 89,
Central Act No.
36 of 2003.

"Provided that the Chairperson or other Member in the State Commission shall be eligible for re-appointment in the same capacity and shall hold office as such, till he completes the term of five years including the term already held before such re-appointment:

Provided further that no Chairperson or Member shall hold office as such after he attained the age of seventy years."

C.S.S.V. DURGA PRASAD
Secretary to Government,
Law Department.

