

**INTRODUCED ON 30.05.2022.**

**[AS INTRODUCED IN THE SENATE]**

A

BILL

*further to amend the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997*

**WHEREAS** it is expedient further to amend the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.**-(1) This Act may be called the Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act, 2022.

(2) It shall come into force at once.

**2. Amendment of section 3, Act XL of 1997.** -In the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997), in section 3, in sub-section (2),-

- (i) in clause (a), the expression "or Federal Government, as the case may be," shall be omitted;
- (ii) in clause (b), the expression "or Federal Government, as the case may be," shall be omitted;
- (iii) in clause (c), the expression "or Federal Government, as the case may be," shall be omitted; and
- (iv) in clause (d), the expression "or Federal Government, as the case may be," shall be omitted.

**STATEMENT OF OBJECTS AND REASONS**

The Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997, hereinafter referred to as the Act, was enacted with the aim to regulate the generation, transmission and distribution of electric power. The Act has given a comprehensive mechanism for regulating the electric power. The Act, through section 3, has established the National Electric Power Regulatory Authority, hereinafter referred to as the Authority, to regulate matters relating to electric power. The Authority has representation of the Federation and all Provinces. However, section 3 of the Act, contrary to the domain of Provinces, empowers the Federal Government parallel to Provinces to nominate members from Provinces to the Authority.

Article 157 of the Constitution has demarcated the role of Federal and Provincial Governments with respect to electricity. Similarly, electricity has been placed in Part II of Fourth Schedule of the Constitution which comes under the domain of Council of Common Interest by virtue of Article 154 of the Constitution. Owing to these facts and constitutional scheme, the Provinces are constitutionally empowered stakeholders in deciding matters relating to electric power. Therefore it is needed that the Provinces shall have uninterrupted power to nominate their respective members to the Authority. Since section 3 of the Act empowers the Federal Government parallel to Provinces to nominate members from the Provinces, therefore, this is an encroachment on the power of Provinces to nominate members of their choice to the Authority.

Through this amendment, the power of the Federal Government to nominate members of the Provinces will be abolished and solely the Provinces will have the power to nominate their members to the Authority. In this way, the constitutional scheme will be followed and right of the Provinces to nominate their members to the Authority will be protected. The Bill has been designed to achieve the aforesaid objectives.

**SENATOR NASEEBULLAH BAZAI**  
**MEMBER-IN-CHARGE**