



House of the Federation

Senate secretariat

REPORT NO.04 OF 2022

**REPORT OF THE SENATE STANDING COMMITTEE ON
CABINET SECRETARIAT**

ON

**THE REGULATION OF GENERATION, TRANSMISSION AND
DISTRIBUTION OF ELECTRIC POWER (AMENDMENT) BILL, 2022.
INTRODUCED BY SENATOR NASEEBULLAH BAZAİN THE SENATE
SITTING HELD ON 30TH MAY, 2022.**

PRESENTED BY

SENATOR RANA MAOBOOL AHMAD
Chairman Standing Committee on Cabinet Secretariat

SENATE SECRETARIAT

REPORT OF THE SENATE STANDING COMMITTEE ON CABINET SECRETARIAT.

I, Senator Rana Maqbool Ahmad, Chairman Senate Standing Committee on Cabinet Secretariat have the honor to present the report of the Committee on "The Regulation of Generation, Transmission and Distribution (Amendment) Bill, 2022" introduced by Senator Naseebullah Bazai, in the Senate sitting held on 30th May, 2022. The House in its sitting held on 30th May, 2022 referred the matter to the Committee for consideration and report.

2. The Committee comprises of the following honorable Members:-

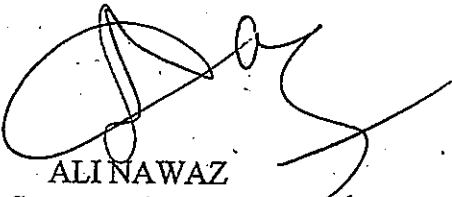
1.	Senator Rana Maqbool Ahmad	Chairman
2.	Senator Saifullah Sarwar Khan Nyazee	Member
3.	Senator Kamil Ali Agha	Member
4.	Senator Sarfaraz Ahmed Bugti	Member
5.	Senator Khalida Ateeb	Member
6.	Senator Syed Muzafar Hussian Shah	Member
7.	Senator Moula Bux Chandio	Member
8.	Senator Mushtaq Ahmad Khan	Member
9.	Senator Engineer Rukhsana Zuberi	Member
10.	Senator Saadia Abbasi	Member
11.	Senator Naseebullah Bazai	Member/Mover
12.	Senator Muhammad Talha Mahmood	Member
13.	Minister-in-Charge Cabinet Division	Ex-Officio Member

3. The Committee considered the Bill in its meeting held on 8th June, 2022 at 02:00 pm, in Committee Room No. 4 Parliament House, Islamabad. The meeting was attended by the following Members.

1.	Senator Rana Maqbool Ahmad	Chairman
2.	Senator Saifullah Sarwar Khan Nyazee	Member
3.	Senator Mushtaq Ahmad Khan	Member
4.	Senator Engineer Rukhsana Zuberi	Member
5.	Senator Naseebullah Bazai	Member/Mover

4. Senator Naseebullah Bazai, the Mover, briefed the Committee about the Amendment Bill he had introduced in the House. He stated that the bill introduced by him is aimed at empowering the provinces to nominate members of NEPRA and it will be better for the country and the provinces. The Chairman NEPRA welcomed the introduction this Amendment and stated that majority of the Members of the NEPRA extended their support in favour of Section 3, subsection (2) as proposed through the Regulation and Generation, Transmission and Distribution of Electric Power (Amendment) Bill, 2022. However, the Chairman of Committee suggested that for the sake of quality selection, there is need of genuine search committee consisting of qualified members to perform nomination of members from the provinces keeping

in view their suitability and qualification. After detailed discussion, the Chairman of the Committee put the Amendment Bill for voting by the honorable Members, whereupon the Bill was unanimously passed by the Committee as introduced in the House. The Committee approved presentation of report in the House.



ALI NAWAZ
Secretary Committee



SENATOR RANA MAQBOOL AHMAD
Chairman Committee

[TO BE 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