REGISTERED No. M - 302
L.-7646

The Gazette of Pakistan

EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, WEDNESDAY, JULY 30, 2025

PART I

Acts, Ordinances, President's Orders and Regulations

GILGIT-BALTISTAN ASSEMBLY SECRETARIAT

Gilgit, the 26th June, 2025

[THE GILGIT-BALTISTAN REGULATION OF ELECTRIC POWER SERVICES ACT, 2025]

(ACT NO. VI OF 2025)

AN

ACT

to provide for the regulation of electric power services within the Gilgit-Baltistan and matters connected therewith and incidental thereto;

WHEREAS it is beneficial to ensure effective participation of Gilgit-Baltistan in the electricity market within Gilgit-Baltistan through the Gilgit Baltistan Grid Company to ensure the development of the renewable and indigenous resources within Gilgit-Baltistan at the cost-effective terms and conditions for the benefit of the consumers;

Price: Rs. 40.00

[1482 (2025)/Ex. Gaz.]

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AND WHEREAS it is compulsive to ensure effective regulation and implementation of sovereign rights vested in Gilgit-Baltistan conferred under Article 60 (2) (c) read with Entry No. 44 (residuary subject to subject of "Electricity and Bulk Water Storage") read with Entry 49 (other than all regulatory authorities established under Federal law) of Third Schedule (Council Legislative List) of Government of Gilgit-Baltistan Order, 2018 further read with Rules of Business 2009 pursuant to which the subject of electricity is to be administered by the Government of Gilgit-Baltistan (protected through Article 119(2) of the Gilgit-Baltistan Order, 2018);

AND WHEREAS it is necessary to ensure effective management, interface and coordination between the Government of Gilgit-Baltistan, Governments of Provinces and Federal Government and its entities for electric power supply and transmission of electricity from and to national grid;

AND WHEREAS it is advantageous to support and encourage measures to effectively mitigate adverse climate change.

It is hereby enacted as follows: —

CHAPTER 1

PRELIMINARY

1. **Short Title, Extent and Commencement**. — (1) This Act may be called the Gilgit-Baltistan Regulation of Electric Power Services Act, 2025.

(2) It extends to the whole of Gilgit-Baltistan.

(3) It shall come into force at once.

2. **Definitions.**—In this Act, unless the context otherwise requires, —

(a) "**Act**" means the Gilgit-Baltistan Regulation of Electric Power Services Act, 2025;

(b) **"Administrator"** means the Administrator as described under Section 25 (2) of the Act;

(c) **"Affiliate"** means a legal entity having common association or relationship with holding legal entity to the extent of majority or fifty-one percent control;

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(d) **"Applicable Documents"** means the rules, regulations, licence, registration, authorization, determination, any codes, manuals, directions, guidelines, orders, notifications, agreement or document issued or approved under the Act;

(e) **"Authority"** means the Gilgit-Baltistan Electric Power Regulatory Authority established under Section 3 of the Act;

(f) **"Bulk Power Consumer"** means a consumer who purchases or receives electric power, at one premises, in an amount of one (1) megawatt or more or in such other amount and voltage level as the Authority may specify with such other characteristics for different areas;

(g) "**Captive Power Plant**" means a power plant setup for own consumption and supply of electric power to affiliated entities;

(h) **"Chairman"** means the Chairman of the Authority recommended by Search Committee and appointed by the Government of Gilgit-Baltistan, pursuant to the provisions of this Act;

(i) **"Consumer"** means a person who purchases or receives electric power for self-consumption and not for re-sale to others and includes residential, commercial, industrial, bulk power and agricultural consumers;

(j) "**Electric Power**" means electrical energy or the capacity produced by generation facility or consumed by load and the expression "electricity" shall be construed accordingly;

(k) **"Electric Power Services"** means the services provided by a licensee, which includes generation, transmission, distribution, market development, system operations sale and supply of electric power and all other services incidental thereto;

(l) **"Electric Power Policy"** means the policy made and approved by Government of Gilgit Baltistan for development and promotion of electric power services within Gilgit-Baltistan;

(m) "**Generation**" means the ownership, operation, management or control of generation facilities for delivery and sale of electric power;

(n) **"Generation Company"** means a person engaged in the generation of electric power;

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(o) **"Generation Facility"** means the electrical facility used for the production of electric power includes a generation facility owned by a captive power plant, generation licensee or a generation company;

(p) "**Government**" means, Government of Gilgit-Baltistan;

(q) "**Licence**" means a permission or authorization granted under this Act;

(r) "**Licensee**" means a person granted a licence under this Act;

(s) "**Member**" means a member of the Authority recommended by Search Committee and appointed by the Government of Gilgit-Baltistan pursuant to the provisions of this Act;

(t) "**Micro grid**" means a small-scale decentralized electric power grid that can operate independently at a voltage not exceeding 11 kilovolts to generate, distribute and supply of electricity to the consumers and serving the load not exceeding ten megawatt and developed in an unserved territory, not connected directly or indirectly to the provincial or national grid;

(u) **"National Grid"** means the grid, interconnection, transmission facilities of the national grid company include the generation facilities connected directly with national grid;

(v) "**National Grid Company**" means National Transmission and Despatch Company Limited, granted licence by the NEPRA for the ownership, operation and maintenance of the national grid;

(w) **"Open Access"** means the access to a transmission or distribution network licensee's system or its associated facilities for movement and delivery of electric power, subject to the terms and conditions as provided in the Act and use of system agreement as specified by the Authority to an electric power supplier or generator for delivery of the electric power from generation facility to the destination of its use;

(x) **"Person"** means a person formed or constituted as a legal person;

(y) **"Prescribed"** means prescribed by rules made and notified under this Act;

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(z) "**Provincial Grid**" means the grid, interconnection, transmission facilities of the Provincial Grid Company and includes the generation facilities connected directly with provincial grid;

(aa) "**Regulations**" means regulations specified under this Act;

(bb) "**Rules**" means rules prescribed under this Act;

(cc) "**Renewable Energy**" means perennial electricity produced or generated from (a) a wind, solar, renewable, biomass, biogas, marine energy, concentrated solar photovoltaic, geothermal, waste to energy, hydrogen, energy storage, or hydroelectric power source and hybrid of any of above mature and new technologies;

(dd) **"Sale"** means buying and selling of electric power pursuant to terms and conditions determined by Authority under this Act;

(ee) **"Search Committee"** means committee constituted by the Government for the recruitment process, nomination and recommendation of Chairman and Members of Authority. This committee shall include the Additional Chief Secretary (Development) as Chairman, Secretary Water & Power, Secretary Finance & Secretary Law as its members and the Search Committee may coopt any person for technical assistance;

(ff) "**Service Territory**" means the geographic, spatial or virtual area specified in a licence within which the licensee is authorized to conduct electric power service (s) business;

(gg) "**Specified**" means specified through regulations made and notified under this Act;

(hh) "**Supply**" means the sale or delivery of electric power by licensee in a specified service territory other than a generator pursuant to this Act;

(ii) **"Use of System Agreement"** means the agreement between an electric power supplier or generation company and the concerned transmission or/and distribution licensee for movement and delivery of electric power; and

(jj) **"Use of System Charges"** shall include all charges related to use of transmission or/and distribution licensee or any other service charges for movement and delivery of electric power, as determined by the Authority.

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CHAPTER-2

ESTABLISHMENT OF THE AUTHORITY

3. **Establishment of the Authority.**—(1) As soon as may be, after the commencement of this Act, the Government shall, by notification in the official Gazette, establish an Authority to be known as "the Gilgit-Baltistan Electric Power Regulatory Authority" which shall be a body corporate, having perpetual succession and a common seal with powers, subject to the provisions of this Act, to acquire and hold property, both moveable and immovable, and to sue and be sued by its name.

(2) The Authority shall comprise of the Chairman and three (3) Members to be appointed in accordance with the provisions of this Act. The three (3) Members, shall be designated as Member Technical and Development, Member Legal & Corporate and Member Finance & Policy:

Provided that upon the enactment of this Act, the nomination and appointment of the first Authority shall be made by the Government independent of the recommendations of the Search Committee.

(3) The Chairman shall be appointed by the Government, upon the recommendations of Search Committee, for a period of four (4) years and shall be eligible for re-appointment for one further term of four (4) years. The Members shall be appointed by the Government, upon the recommendations of Search Committee, for a period of four (4) years and shall be eligible for re-appointment for one further term of four (4) years.

(4) The Chairman shall preferably be from the private sector and shall be eligible for such remunerations and benefits, commensurate with market-based compensation package, as determined by the Government. The Chairman must be a person known for his integrity and eminence having experience of not less than fifteen (15) years and qualified in any relevant field including law, business, engineering, finance, accounting or economics should have sound knowledge and work experience preferably in the field of electric power services business.

(5) The Chairman may resign from his office by writing in his hand addressed to the Government or may be removed by the Government from his office if, on an inquiry by the Government, he is found unable to perform the functions of his office because of mental or physical disability or he is found guilty by a court of any serious crime of moral turpitude.

(6) The Members shall preferably be from the private sector and shall be eligible for such remunerations and benefits, commensurate with market-

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based compensation package, as determined by the Government. Member Technical & Development shall be a person holding an engineering degree in the fields of electricity, energy or power with a minimum of fifteen (15) years of related experience in the field of electrical and power services business. Member Legal & Corporate must be a person holding a degree in the field of law with corporate and commercial specialization and is a professional of known integrity and eminence with a minimum of fifteen (15) years of related experience in the field of corporate law. Member Finance & Policy must be a person holding a degree in the field of economics, finance or chartered accountancy and is a professional of known integrity and eminence with a minimum of fifteen (15) years of related experience in the field of corporate finance or chartered accountancy or electric power services business.

(7) A Member may resign from his office by writing in his hand addressed to the Government or may be removed from his office by the Government, if, on an inquiry by the Government, he is found unable to perform the functions of his office because of mental or physical disability or he is found guilty by a court of any serious crime of moral turpitude.

(8) The Authority may create, sanction and approve posts, from time to time as per regulations, and specified through regulations the qualifications, experience and terms and conditions for appointment of the Executive Directors and other officers, employees and staff of the Authority.

(9) The Authority shall meet at such time and place and in such manner, as may be determined by the Authority, through regulations or otherwise. Three (3) Members including the Chairman shall constitute a quorum for meetings of the Authority requiring a decision by the Authority:

(10) No act or proceeding of the Authority shall be invalid by reason only of the existence of a vacancy in, or defect in, the constitution of the Authority.

(11) The powers and functions of the Authority as provided in the Act shall be exercised in the name of the Authority by the Authority, comprising of the Chairman and the Members, which shall act through the Chairman who shall be the Chief Executive of the Authority. In performance of his functions under the Act, the Chairman may act either directly or through the Members. In the absence of the Chairman, the Members may on interim basis appoint an acting Chairman from amongst the Members to discharge the functions of the Chairman as specified under the Act.

(12) The principal office of the Authority shall be in Gilgit, and it may set up offices at such place or places within or outside Gilgit-Baltistan as may be required.

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(13) The Authority shall have the power to constitute as many committees, councils and associations, to achieve its goals, as it may deem fit.

(14) The Chairman or a member shall not be appointed under sub-section (2) if he has attained the age of sixty five years.

(15) The process of appointment of new Chairman or member under sub- section (2) shall be finalized ninety days prior to the retirement of incumbent Chairman or member as the case may be.

(16) The process of appointment shall be finalized within ninety days in case of vacancy created due to the death, resignation or removal of the Chairman or member. The Government shall appoint a member to work as an acting Chairman till the appointment of new Chairman within the prescribed time period.

(17) The Chairman and Members of the Authority shall be eligible for such remuneration and allowances as the Authority may, with approval of the Government, determine. The remuneration and allowances of the Chairman and members shall account for—

(a) the specialized nature of work to be performed by the Authority;

(b) the need to ensure the financial self-sufficiency of the Chairman and members; and

(c) the salaries paid in the private sector to individuals with equivalent responsibilities, expertise, and skills.

4. **Powers and Functions of the Authority.**—(1) Subject to the provisions of this Act, the Authority may take such measures and exercise such powers and functions as may be required for performance of its objectives.

(2) Without prejudice to the generality of the powers conferred by sub-section (1), the Authority shall have exclusive regulatory power and authority:—

(a) to grant, issue, notify, extend, renew and cancel licences for the electric power services;

(b) to grant, issue, notify, extend, renew and cancel licenses to supply projects;

(c) to regulate the electric power services within Gilgit-Baltistan;

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(d) to determine the terms and conditions of the supply including tariff, rates, charges;

(e) to regulate the transmission of electricity within Gilgit-Baltistan;

(f) to develop, undertake and approve the supply projects without any financial limit;

(g) to adjudicate upon disputes between the licensees;

(h) to impose and collect fees, fines and penalties for the purposes of this Act;

(i) to specify provincial grid, transmission, distribution, market and supply codes having regard to national and international standards;

(j) to specify and enforce the standards with respect to quality, services, continuity and reliability of electric power services licensees;

(k) to issue guidelines, procedures and standards operating procedure for electric power services licensees;

(l) to review its orders, decisions or determinations;

(m) to promote development of electricity market in accordance with the electric power policy and the plan;

(n) to discharge such other functions as may be assigned under this Act.

(3) The Authority shall have the general powers to:

(a) specify and receive fees and charges for processing applications, fees for grant of licences and renewal thereof and deposit and disburse or utilize the same, if required;

(b) open and operate bank accounts in local and foreign currencies as permissible under the laws of Pakistan;

(c) commence, conduct, continue and terminate litigation, arbitration or alternate dispute resolution mechanisms at whatever levels may be necessary or appropriate;

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(d) appoint technical, professional and other advisers, agents and consultants, including accountants, bankers, engineers, lawyers, valuers and other persons.

5. Decisions of the Authority.—Subject to the compliance of quorum requirements, all orders, determinations and decisions of the Authority shall be taken in writing and reached through consensus or majority vote, as the case maybe:

Provided that in case of meetings conducted through electronic platforms the provisions of applicable laws on electronic transactions shall be applicable.

6. Authority Hearing.—Unless otherwise expressly provided in this Act or any rule or regulation, any decision that the Authority has the power to make, may be made on its own motion or initiative after the holding of a meeting of the Authority, and without giving notice to the public, and without holding a hearing:

Provided that if it appears to the Authority that its decision relating to a regulated activity may directly and adversely affect the rights of a person, the Authority shall, prior to reaching the decision, give the person an opportunity of being heard, including presentation of evidence relevant to decision.

7. Budget, Finance and Audit.—(1) The Authority shall, in respect of each financial year, prepare its own budget in accordance with the prescribed procedure.

(2) The Budget statement, on single line basis, shall specifically state the estimated receipts and expenditure and the sums which are likely to be required from the Government during the next financial year.

(3) The Authority shall maintain complete and accurate books of accounts of its receipts and expenditure.

(4) The accounts of the Authority shall be audited at the close of each financial year by a qualified firm of Chartered Accountants.

(5) The Authority shall produce such accounts, books and documents and furnish such explanations and information as the auditors may require for the purpose of audit by the external auditors.

(6) Copies of the Auditor's Report on the accounts shall be provided to the Authority.

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(7) The Chairman of the Authority shall be its Principal Accounting Officer.

8. **Grants.**—The Government may, from time to time, place grants to the Authority to carry out the powers and functions under the Act.

9. **Funds.**—(1) There shall be constituted a non-lapsable fund to be called the 'Gilgit-Baltistan Electric Power Regulatory Authority Fund', which shall vest in the Authority and shall be utilized by the Authority to meet all expenses and charges properly incurred in connection with carrying out the purposes of this Act. The Fund shall be credited all sums received by the Authority. The Fund shall be financed by:

(a) fees, commissions, charges and other amounts received by the Authority;

(b) funds including grants provided by the Government for payment of salaries, establishing infrastructure and running day-to-day business of the Authority as a single line budget, including the first three consecutive years, annual grant of two hundred million rupees;

(c) funds provided by the Government, Federal Government, Local Bodies or any other body including grants;

(d) funds including grants from national and international bodies / organizations;

(e) loans from the Government;

(f) loans, investments and foreign aid obtained by the Authority;

(g) funds raised through public-private partnerships by the Authority;

(h) funds from bonds, sukuks and other forms of finances and investments on the basis of participation term certificates, musharika certificates, term finance certificates or any other financial or debt instruments or securities issued by the Authority; and

(i) proceeds of any investments made by the Authority in utilizing any amount of Funds which is not required for immediate use.

10. **Expenditure to be Charged on Gilgit-Baltistan Electric Power Regulatory Authority Fund.**—(1) The Gilgit-Baltistan Electric Power Regulatory Authority Fund shall be expended for the purposes of:

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(a) paying any expenditure lawfully incurred by the Authority, including the remuneration and allowances of the Chairman, Members, staff, employees, accountants, advisers, agents, consultants, lawyers, valuers and other experts appointed and employed by Authority, including provident fund contributions, superannuating allowances or gratuities and legal fees and costs and other fees and costs, if any;

(b) supply projects development and operation cost;

(c) paying for expenditure incurred on:

(i) communication strategy conventional and digital, marketing and publicity;

(ii) consultative workshops, capacity building, seminars and conferences, and

(iii) restructuring, organization, infrastructure and corporatization.

(d) purchasing or hiring equipment, machinery and any other materials, acquiring land and constructing buildings and carrying out any other work and undertakings by Authority in the performance of its functions or the exercise of its powers under this Act;

(e) re-paying any financial accommodation received or moneys borrowed under or pursuant to or by virtue of this Act and the profit, mark-up or return due thereon:

(f) expenditures incurred in relation to the objects and functions of the Authority; and

(g) paying any other expenses, costs or expenditure properly incurred or accepted by the Authority in the performance of its functions or the exercise of its powers under this Act.

(2) The Fund will be utilized for the above purposes as per the procedure and mechanism specified by the Authority.

11. **Bank Accounts.**—(1) The Authority may open and maintain bank accounts in local and foreign currency in any scheduled bank in Gilgit-Baltistan; however, preference shall be given to the Gilgit-Baltistan Bank.

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(2) Bank accounts of the Authority shall be opened with the prior approval of Principal Accounting Officer.

CHAPTER 3

ELECTRIC POWER POLICY AND PLAN

12. **Electric Power Policy and Plan.**—(1)The Government shall, from time to time make and approve electric power policy and plan for development of electric power services and electricity market:

Provided that in the development of policy and plan under this section, the Government may seek such advise and assistance from the Authority as may be required.

(2) The Authority shall aid and advise the Provincial Government on all or any of the following matters, namely:-

(a) formulation of Electric Power Policy and Plan;

(b) promotion of competition, efficiency and economy in electric power services;

(c) promotion of investment in electric power services;

(d) matters in relation to Article 60 (2) (c) read with Entry No. 44 (residuary subject to subject of "Electricity and Bulk Water Storage") read with Entry 49 (other than all regulatory authorities established under Federal law) of Third Schedule (Council Legislative List) of Government of Gilgit-Baltistan Order, 2018 further read with Rules of Business 2009 pursuant to which the subject of electricity is to be administered by the Government of Gilgit-Baltistan (protected through Article 119(3) of the Gilgit-Baltistan Order, 2018);

(e) any other matter referred to the Authority by the Government relating to electric power services.

(3) Notwithstanding anything contained in this Act, the Government:

(a) to the extent electricity is supplied to Gilgit-Baltistan from the national grid, require supply to be made in bulk at the point of interconnection of national and Gilgit Baltistan grid for transmission and distribution of electricity within the Gilgit-Baltistan;

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(b) subject to licence granted under the Act, may construct power houses and grid stations and lay transmission lines for use within territory of the Gilgit-Baltistan;

(c) levy tax on sale, supply, consumption, use of electric power services within the Gilgit-Baltistan;

(d) subject to licence granted under the Act, determine the tariff for distribution of electricity within the Gilgit-Baltistan.

CHAPTER 4

GRANT OF LICENCES FOR ELECTRIC POWER SERVICES

13. **Captive Generation.**—(1) There is no requirement for a licence in respect of captive generation facilities for supply of electric power to the bulk power consumers and consumers of its affiliates provided that the captive generation company shall be required to register in accordance with the regulations to be specified by the Authority.

(2) Notwithstanding, any supply of electric power from the captive generation company to the Gilgit Baltistan grid shall be a licensed activity.

(3) Supply of electric power from the captive generation company to its affiliate consumers through the Gilgit Baltistan grid shall be subject to the manner, procedure, terms and conditions and payment for the use of transmission and distribution system charges for availing open access and wheeling of electric power by the open access users.

14. **Special Purpose Licence.**—The Authority may, in the public interest, grant a licence authorizing the licensee to engage in the development, construction, ownership, maintenance and operation of specified electric power service business on the rates, charges, terms and conditions, performance standards as may be prescribed and specified by the Authority.

15. **Generation Licence.**—(1) No person shall, unless licensed by the Authority under this Act and subject to eligibility criteria, terms and conditions prescribed and specified by the Authority, to construct, own or operate a generation facility.

(2) An application for grant of a licence for generation facility shall specify—

(a) the type of facility for which the licence is applied;

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(b) the location of the generation facility; and

(c) the expected life of the generation facility.

(3) The Authority may, after such enquiry as it may deem appropriate and subject to the conditions specified in this Act and as it may impose, grant a licence authorizing the licensee to construct, own or operate a connected generation facility.

(4) In the case of a generation facility connecting directly or indirectly to the transmission facilities of the Gilgit Baltistan grid, the licensee shall make the generation facility available to the Gilgit Baltistan grid for the safe, reliable, non-discriminatory, economic dispatch and operation of the Gilgit Baltistan transmission grid and connected facilities, subject to the compensation fixed by the Authority for voltage support and uneconomic dispatch directed by the Gilgit Baltistan grid:

Provided that a generation company intending to set up a generating facility shall prepare and submit a detailed scheme covering all financial, geological, hydrological, technical, safety and environmental aspects to the Authority for its concurrence:

Provided further that, while considering the scheme submitted by a generation company intending to set up a hydro-generating facility, the Authority shall consider whether or not in its opinion the proposed river work will prejudice the prospects for the best ultimate development of the river or its tributaries for power generation and are consistent with the requirements of drinking water, irrigation, flood control and other public purposes and shall satisfy itself that necessary approvals have been sought from the concerned authorities of the Federal Government, Governments of the Provinces of Pakistan and Government.

16. **Distribution Licence.**—No person shall, except under the authority of a licence issued by the Authority under this Act and subject to the terms and conditions specified and prescribed by the Authority, engage in the distribution of the electric power.

17. **Electric Power Supply Licence.**—No person shall, unless licensed by the Authority under this Act, engage in supply of electric power to a consumer within a service territory, subject to the eligibility criteria, terms and conditions prescribed and specified by the Authority.

18. **Micro grid Licence.**—(1) No person shall, unless licensed by the Authority under this Act, engage in distribution and supply of electricity to a

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consumer within a service territory, subject to the terms and conditions specified by the Authority.

(2) A licensee shall be authorized to generate, distribute and supply of electricity to the consumers connected to the micro grid and to perform all activities incidental or ancillary thereto, including, without limitation, connection, metering, Billing, collection and disconnection for payment default by a consumer.

(3) The Authority shall grant a unified one licensee to one micro grid operator for the electric power services in its specified service territory to generate, distribute and supply of electricity up to five (5) megawatt.

(4) A licensee shall connect and supply electricity to any consumer within its service territory on a non-discriminatory basis, except where the requested supply will result in the licensee exceeding the limit of distribution system size of five megawatt or the new connection request is technically or financially not viable:

Provided that, the Authority may on receipt of a complaint by a person denied service conduct an inquiry and issue an order accordingly.

(5) A micro grid shall not be connected to the Gilgit Baltistan grid or a national grid or a grid of a Province without permission of the Authority, which may be granted after inviting submissions by the host transmission or distribution licensee.

CHAPTER-5

INVESTMENT AND TARIFF

19. **Tariff.**—The Authority shall, determine, modify or revise the rates, charges and terms and conditions for the provision of electric power services in accordance with procedure specified by the Authority and such guidelines as may be issued by the Government in order to give effect to the electric power policy and plan.

20. **Investment and power acquisition plan.**—(1) The Authority shall, specify procedures and standards for the Authority's prior approval of electric power services companies' investment and power acquisition plans.

(2) Any procedures specified by the Authority under this section shall advance the goal of competition for market participants and regulations for service providers.

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(3) Upon the Authority's approval of an investment plan or a power acquisition plan, the Authority shall, subject to such terms and conditions, including rates and charges of electric power, permit the market participants and service providers to enter into long term contracts for purchase of electric power.

CHAPTER-6

ELECTRICITY MARKET

21. **Competitive Electricity Market.**—(1) The Authority shall in a manner specified or determined may commence the competitive electricity market development, institutional reforms and implementation comprising of system operator, market operator, whereby generators, distributors, traders and suppliers of electricity will sale, supply and trade electric power among licensees and to the consumers on bilateral, real time spot market through a organized market mechanism, administration and settlement as approved and amended from time to time by the Authority.

(2) The suppliers, consumers and generators will be allowed open access and wheeling of electric power through the transmission and distribution facilities of the transmission and distribution companies of the licensees.

(3) The Authority may also allow the establishment of cloud-based platform and communication strategy for conduct of the prequalification and bidding process of the competitive auctions for electric power services and will make arrangements available for competitive auction of capacity and energy for providing services to licensees and the consumers.

(4) The Authority shall establish power exchange, digital boards, electronic platforms and electronic trading, electronic commerce for creation and operation of virtual and real time electricity markets with associated information and operation technologies development, SCADA, system integrated planning, despatch, market management system, demand forecasting, smart meters, smart and micro grids and any other related information and communication technology interventions.

22. **Licensees to be Companies.** – Unless, exempted by the Authority for reasons so determined, a licence shall not be granted to any person unless it is a company registered under the Companies Act, 2017.

23. **Modification and Renewal of Licence.**—(1) If the Authority is of the opinion that it is in the public interest, it may, with the consent of the licensee, modify or amend the terms and conditions of any licence granted under this Act and in the absence of licensee's consent, the Authority shall conduct a public hearing on whether the proposed modification or amendment is in the

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public interest and shall make a decision and issue determination consistent with the outcome to this hearing.

(2) A license may also request modification or amendment to the terms and conditions of any licence granted under this Act and, the Authority shall conduct a public hearing on whether the proposed modification or amendment is to be permitted and shall make a decision and issue determination consistent with the outcome to this hearing.

(3) The licence issued may be renewed, after expiry of its period, upon the application of the licensee, subject to provision of evidence and satisfactory performance of the licensee, compliance with the Act, the applicable documents and on such afresh terms and conditions as the Authority may deem appropriate for renewal or grant licence.

24. **Assignment of Licence Prohibited.**—A licensee shall not, without the prior approval of the Authority, surrender, assign or transfer its licence to any person.

CHAPTER 7
INVESTIGATION AND ENFORCEMENT

25. **Inquiry and Investigation by the Authority.**—(1) The Authority may, initiate an inquiry and or investigation.

(2) The Authority may appoint any one or more officers as an Administrator to investigate, either on its own motion or on the basis of any information received, whether any contravention of any provision of applicable documents or anything specified by this Act has been committed. Provided that an Administrator's investigation shall be carried in the manner and procedure specified by the Authority.

(3) Where an Administrator, after concluding an investigation is satisfied that a contravention of any provision of applicable documents or anything specified by this Act has been committed, may recommend to the Authority to undertake any of the following in the manner and procedure specified by the Authority:

(a) impose a fine on or sanction any person responsible for such contravention;

(b) suspend or cancel any licence issued by the Authority to any person responsible for such contravention; and

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(c) issue directions to any licensee to cease from doing any particular act.

(4) The findings of any inquiry or investigation report shall be placed before the Authority for its determination.

(5) The Authority shall specify the procedure for inquiry and investigation.

(6) Upon establishment of the contravention or breach of the licence or any provision of this Act, the Authority may impose fines and penalties in accordance with the regulations.

26. **Enforcement of orders of the Authority.**—The Authority's determinations shall be deemed to be decrees of a civil court under the Code of Civil Procedure, 1908 (Act V of 1908).

27. **Penalty for default or contravention.**—(1) Any person who acts in contravention of this Act or the rules and regulations made thereunder or fails to comply with the conditions of a licence granted to that person and such person is a party to such contravention shall be punishable in case of.—

(2) a company, with a minimum fine of five million rupees which may extend to fifty million rupees and, in the case of a continuing default, with an additional fine which may extend to fifty thousand rupees for every day during which the contravention continues; and

(3) an individual, with a minimum fine of one million rupees which may extend to ten million rupees and, in the case of a continuing default, with an additional fine which may extend to give thousand rupees for every day during which the contravention continues:

Provided that a fine shall only be imposed under this section after providing a reasonable opportunity of being heard to the person alleged to be in contravention:

Provided further that where the person is a licensee under this Act, a penalty imposed under this section shall not be treated as a cost for the purposes of tariff determination by the Authority.

28. **Prohibition order.**—The Authority may, after recording reasons in writing, for continuing violations of this Act or the rules or regulations made thereunder—

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(a) prohibit a licensee from providing electric power services; or

(b) prohibit any or all persons from buying an electricity from licensee; or

(c) require a licensee to improve the provision of electric power services so as to ensure compliance with this Act and the rules and regulations made thereunder.

29. **Complaints.**—(1) Any interested person may file a written complaint with the Authority against a licensee for contravention of any provision of this Act or applicable documents specified or issued thereunder.

(2) The Authority shall, on receipt of a complaint, before taking any action thereon, give notice to the licensee or any other person against whom such complaint has been made to show cause and provide such licensee or such other person an opportunity of being heard.

CHAPTER-8

MISCELLANEOUS

30. **Alternate Dispute Resolution Mechanism.**—The Authority shall specify a legally binding and enforceable alternate dispute resolution mechanism for the settlement of all disputes arising amongst and between the Authority and the licensees or between the licensees.

31. **Powers to make rules.**—The Authority may, with the approval of the Government, under this Act and by notification in the official Gazette, prescribe the rules, on the matters as deemed necessary for implementation and to carry out the purposes of this Act.

32. **Powers to make regulations.**—The Authority may, under this Act and by notification in the official Gazette, make regulations not inconsistent with the provisions of the Act as deemed necessary for the performance of functions, implementation of and to carry out the purposes of this Act.

33. **Annual report.**—The Authority shall prepare and submit to the Government, within four months of the expiry of each financial year, a report pertaining to conduct of its affairs for that year including anticipated developments for the following year, the financial statements, performance, investment plan and conduct of its functions and affairs for the relevant years.

34. **Information.**— The Authority may call for any information, required by it for carrying out the purposes of this Act, from any person involved

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directly or indirectly, in the provision of electric power services or any matter incidental or consequential thereto. Any such person shall be liable to provide the information called by the Authority, failing which he shall be liable to a penalty under this Act.

35. **Delegation of powers.**—The Authority may delegate any of its powers and assign its functions subject to such conditions as it may deem fit to impose, to the Chairman, Member, Employee or any committee.

36. **Recruitment.**—The Authority may, from time to time, create, sanction and approve posts and determine the need to employ and appoint such Members, officers, members of its staff, advisers, consultants, experts and other employees, as it considers necessary for efficient and effective performance of its functions on such terms and conditions as may be specified by Authority. provided that all appointments shall be made in accordance with the specified educational, technical or professional qualifications and experience:

Provided that the regulations, orders, instructions for the time being in force governing all appointments and terms of service of employees of the Authority shall be contractual and non-statutory.

37. **Employee of the Authority to be public servants.**—For the purposes of this Act, the Chairman, Members, Executive Directors and other Officers, staff, advisers, consultants and experts of the Authority shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code, 1860 (Act XLV of 1860).

38. **Assistance from agencies and persons.** — Notwithstanding anything contained in any other law for the time being in force, the Authority may seek any assistance or information from any person including but not limited to, department, statutory body, corporation, agency of the Government or local body which, in its opinion, concerns any matter relating to the functioning of the Authority and the requisite assistance or information, whatever the case may be, shall be provided to the Authority within the time frame stipulated by it.

39. **Indemnity.**—No suit, prosecution or other legal proceedings including criminal proceedings shall lie against the Authority, the Chairman, Members, Executive Directors, officers, the employees and consultants of the Authority and its subsidiaries for anything done in good faith or intended to be done under this Act or any rule or regulation.

40. **Sums payable to the Authority to be recoverable as land revenue.**—All sums payable to the Authority in accordance with the provisions of this Act and the rules or regulations shall be recoverable as arrears of land revenue.

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41. **Act to override other laws.**—The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force and any such law shall, to the extent of any inconsistency, cease to have any effect on the commencement of this Act.

42. **Relationship to Other Laws.**—The provisions of this Act, rules and regulations made and licences issued thereunder shall have effect notwithstanding anything to the contrary contained in any other law, rule or regulation, for the time being in force and the Authority shall, subject to the provisions of this Act, be exclusively empowered to determine rates, charges and other terms and conditions for electric power services within Gilgit-Baltistan.

43. **Power of the Authority to issue directives, circulars, guidelines, etc.**—The Authority shall have the power to issue such directives, codes, guidelines, circulars or notifications as are necessary to carry out the purposes of this Act and the rules and regulations made hereunder.

44. **Exclusivity.**—(1) The supply projects sites, including but not limited to hydro, riverbeds, tributaries, streams, rivers, wind corridors, wind farms, mine sites for electricity supplies, gas reservoirs for electricity supplies, solar parks, waste to energy, bagasse, biomass, renewable energy clusters, irrigation canals within Gilgit-Baltistan, are exclusively vested in the Government.

(2) The supply project sites may be developed by the Authority through the public sector, private sector and or on public private partnership basis, as prescribed.

45. **Repeal and Saving.**—All the orders, determinations made under and pursuant to the Government of Gilgit Baltistan Administrative Orders shall be protected and saved unless repealed, adjusted, modified or adopted as the case may be under and in accordance with provisions of this Act.

NAZIR AHMAD,
Speaker
Gilgit-Baltistan Assembly.

SYED MEHDI SHAH,
Governor
Gilgit-Baltistan.

PRINTED BY THE MANAGER, PRINTING CORPORATION OF PAKISTAN PRESS, ISLAMABAD.
PUBLISHED BY THE DEPUTY CONTROLLER, STATIONERY AND FORMS, UNIVERSITY ROAD, KARACHI.

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