

# **Bihar Electricity Regulatory Commission (Delegation of Financial Powers) Regulations, 2011**

BIHAR

India

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### **Rule**

### **BIHAR-ELECTRICITY-REGULATORY-COMMISSION-DELEGATION-OF- of 2011**

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Bihar Electricity Regulatory Commission (Delegation of Financial Powers) Regulations, 2011Published vide Notification No. BERC-Est.-1/07 (Part-II)-732-04, dated 15.11.2011Last Updated 5th February, 2020No. BERC-Est.-1/07 (Part-II)-732-04 - In exercise of powers conferred by Section 181 (1) of Electricity Act, 2003 and all powers enabling in this behalf, and in supersession of the Regulation and Appendix A of the Regulation issued under notification No. 1 dated 8th July, 2005 published in the Bihar Gazette, Extraordinary on 27th July 2005, the Bihar Electricity Regulatory Commission hereby makes the following Regulations with regards to financial powers to the various officers to carry out the function of the Commission.

### **1. Short title and commencement.**

- These regulations shall be called the Bihar Electricity Regulatory Commission (Delegation of Financial Powers) Regulations, 2011. They shall come into force on the date of their publication in the official gazette.

### **2. Definitions.**

- In these regulations the words used shall have the following meanings, -(i)State Government shall mean Government of Bihar.(ii)Commission shall mean Bihar Electricity Regulatory Commission.(iii)Chairman shall mean Chairman of Bihar Electricity Regulatory Commission.(iv)Head of department shall mean Chairman of the Commission or any other officer to whom such powers may be delegated by the chairman.(v)Act shall mean the Electricity Act, 2003

and shall include any statutory amendment,(vi)Secretary shall mean Secretary of Bihar Electricity Regulatory Commission or any other officer of the Commission authorized by the Chairman to discharge the responsibility of the Secretary in his/her absence.(vii)Head of the office shall mean Secretary of the Commission or any other officer of the Commission to whom such financial powers may be delegated by the Chairman.(viii)Words and expressions used and not defined in these regulations but defined in the Act shall bear the same meaning as in the Act.

### **3. Financial Powers.**

- (i) All financial expenditures relating to the affairs of the Commission shall be made in accordance with the delegation of financial powers mentioned in appendix A to these regulations.(ii)The powers delegated shall be used with due care maintaining financial propriety and economy.(iii)Total value of work should not be split up to avoid sanction of higher authority.

### **4. Power to amend.**

- The Commission shall have powers to make suitable amendments to these regulations from time to time in accordance with requirements of the functioning of the Commission.

### **5. Repeal and saving.**

- The Bihar Electricity Regulatory Commission (Delegation of Financial Powers) regulation, 2005 and Annexure A of the regulations issued under notification No.-1 dated 8th July, 2005 and published on 27 July, 2005 in the Bihar Gazette, Extra Ordinary are hereby repealed.(ii)Notwithstanding such repeal, anything done or purported to have been done or any action taken or purported to have been taken under the repealed regulation before such repeal, shall be deemed to have been done or purported to have been done or taken or purported to have been taken under these regulations.

### **6. Removal of difficulties.**

- If any difficulty arises in giving effect to any of the provisions of these regulations, the Commission may, for reasons to be recorded in writing, pass any order as it may consider necessary not inconsistent with the provisions of the Act for removing the difficulties.

### **7.**

Any item of expenditure not appearing in Appendix A (Delegation of Financial Powers) shall be dealt with as per State Govt. guidelines issued from time to time.Bihar Electricity Regulatory CommissionDelegation of Financial Powers Regulation, 2011.Appendix-A

SL No.	Item of Expenditure	Monetary limit upto
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		which expenditure can be incurred.			
		Powers of the Chairman	Powers of the head of the department	Powers of the head of the office	Remarks
1	2	3	4	5	6
1.	Unspecified items of contingent Expenditure:				
(a)	Recurring (not covered under any other item in these regulations).	Full power	Rs. 25,000 per occasion	Rs.10,000 per occasion	Subject to availability of fund in the Budget
(b)	Non-recurring (not covered under any other item in these regulations)	Full Powers	Rs. 50,000 per occasion	Rs.25,000 per occasion	Subject to availability of fund in the Budget and observance of the procedure prescribed by the State Govt. for procurement of goods in Bihar Finance (Amendment) Rules, 2005
2.	Motor vehicle:				
(a)	Purchase of vehicle	Full powers	Nil	Nil	Subject to availability of fund and observance of process prescribed by the State Govt. for procurement of goods as laid down in Bihar Finance (Amendment) Rules, 2005
(b)	Maintenance, Repair and replacement of parts	Full Powers	Rs. 30,000 p.a. per vehicle	Rs. 16000 p.a per vehicle	Subject to observance of conditions prescribed by the State Govt. regarding purchase of Battery, Tyre & Tube and other such conditions prescribed by Govt. of Bihar, Finance Deptt. letter no. M4-18/2006-4082foo(2) dated-24.06.2006.

(c)	Registration and insurance of vehicle	Full Powers	Full Powers	Full Powers	
(d)	POL	Full Power	Full Power within sanctioned limit per vehicle per month	Full powers within sanctioned limit of POL per vehicle per month	State Govt. Finance Department order dated 09.10.2007 extending limit of POL per vehicle per month shall apply in case of Chairman and Members of the Commission i.e, 250 liters per vehicle per month for official purposes and for commuting from residence to office and back. For other officers it shall be 110 liters per month per vehicle for official purposes and for commuting residence to office and back. Subject to fulfillment of norms prescribed by the State Govt. for disposal of goods as laid down in Bihar Finance (Amendment) Rules, 2005, read with Govt. of Bihar, Finance Deptt. letter no. 04.11.2008-4665/fo0(2), dated 09.06.2008
(e)	Condemnation of vehicles and their disposal through auction	Full Powers	Nil	Nil	
3.	Hiring of conveyance	Full Power	20,000 per occasion	10,000 per occasion	
4.	Office Equipment Electric Appliances and computers:				
(a)	Purchase of all office equipment including electric and electronic appliances, intercom, calculators, photocopiers, machine, franking machine, filing and indexing system, computer accessories, projectors, printers	Full Powers	50,000 per occasion	20,000 per occasion	Subject to observance of guiding principle as laid down by the State Govt. for procurement of goods in Bihar Finance (Amendment) Rules 2005.

etc.					
(b)	Purchase of Computers including personalcomputers, printers and computer furniture	Full Power	Rs. 50,000 per occasion	Nil	Do
(c)	Repair of computers of all kinds and maintenanceand repair of other equipments	Full Power	Rs. 15,000 per occasion	Rs. 10,000 per occasion	
(d)	Refill of Cartridge of Printer/Photocopier/Faxmachine.	Full Power	Full Power	Full Power	
5.	Furniture and fixtures:				
(a)	Setting up of the office	Full Power	Rs. 50,000 on each occasion	Rs.10,000 on each occasion	
(b)	Purchase of furniture	Full Power	Rs. 50,000 on each occasion	Rs. 15,000 on each occasion	Subject to observance of instructions of theState Govt. for procurement of goods as laid down in BiharFinance (Amendment) Rules, 2005.
(c)	Purchase of Air conditioner and Room cooler	Full Power	Rs. 35,000 on each occasion	Rs. 10,000 on each occasion	-Do-
(d)	Repair of furniture and fixtures	Full Power	Rs. 20,000 annual	Rs.10,000 annual	
6.	Purchase of stationery:				
(a)	Purchase of stationery stores	Full Power	Rs. 25,000 per month	Rs.10,000 per month	Subject to the condition as contained in Govt.of Bihar Finance Department circular No. 195, dated 08.01.2003.Any amendment subsequently made in the said provision by theState Govt. shall automatically apply.
(b)	Purchase of rubber stamps and office seals	Full Power	Full Power	Full Power	
7.	Printing and binding, Publication and Publicity				
(a)	Printing and Binding	Full Power			

			Rs. 75,000 on each occasion	Rs.25,000 on each occasion	
	(b) Purchase of publications including purchase of Govt. publication, non- Govt. publication, Books, periodicals, newspapers.	Full Power	Rs.1,00,000 annual	Rs.25,000 annual	
	(c) Publicity charges	Full power	Rs. 25000 on each occasion	Rs.15,000 on each occasion	Advertisement shall be taken out at DAVP rate only.
8.	Telephone, Mobile and Internet charges:				
	(a) Sanction of residential telephone with separate telephone lines or to allow the existing residential telephone installed in the name of the officer or his/her spouse as official with internet connectivity and facility of mobile phone in case of officers appointed against post equivalent to the scale of Dy Secretary in Govt. of India (15,000-39,100 with Grade pay 7600) and above.	Full Power	Nil	Nil	Subject to ceiling of amount payable/reimbursable for land line, internet connectivity and mobile charge together prescribed by Govt. of India for different rank of officers as laid down in Govt. of India, Ministry of Finance, Department of Expenditure OM no. 7 (14)/ 2006-C&V/2006 dt. 14.11.2006. Payment of Bill within the prescribed limit will be made by Head of the Office.
	(b) Sanction of residential telephone/internet connection/mobile in case of officers below the grade of Dy. Secretary in Govt. of India (15000-39100 with grade pay of Rs.7600)	Full Power	Nil	Nil	The ceiling amount shall be Rs. 800 p.m (landline + internet + mobile). Once it is approved by the Chairman payment of Bills will be made by Head of the Office.
9.	Hiring of Building:				
	(a) Hiring of building for office accommodation	Full Power	Nil	Nil	Once decision is taken for hiring of building for office accommodation and monthly rent is decided by the Chairman, rent shall be paid by the

	(b) For residential and other purposes	Full Power	Nil	Nil	head of the Office. Do
10.	Petty works and repair:				
	(a) Execution of petty works and special repairs to office building (hired) including sanitary fittings, water supply and electric installations and repairs to such installations.	Full Power	Rs. 25,000 on each occasion	Rs.10,000 on each occasion	Subject to availability of fund. In case of hired building, if special repair is undertaken the expenditure incurred shall be adjusted against rent payable.
	(b) Execution of petty works, special repairs and day to day maintenance of own Building	Full Power	Rs. 50,000 on each occasion	Rs.25,000 on each occasion	Subject to availability of fund in the Bridget
11.	Legal charges:				
	(a) Hiring of legal consultants including appointment of counsel, arbitrator	Full Power	Nil	Nil	Once panel of advocates/counsels is approved and their remuneration payable is sanctioned by the Chairman, payment against their bill after proper verification shall be made by The Head of the Office.
	(b) Reimbursement of legal expenses incurred by Commission employees relating to discharge of their official duties	Full Power	Full Power	Full Power	
12.	Payment of consultancy charges	Full Power	Nil	Nil	Once sanction is granted and amount payable is decided at the level of Chairman, payment shall be made by the Head of the Office.
13.	Miscellaneous charges:				
	(a) Electric, Gas and water Charges	Full Power	Full Power	Full Power	
	(b) Municipal rates and Taxes	Full Power	Full Power	Full Power	
	(c) Freight and demurrage/wharfage charge	Full Power	Full Power	Full Power	
14.	Staff paid from contingencies:	Full Power	Nil	Nil	Once amount is approved by the Chairman,

payments shall be made by the Head of the Office.

15.	Sanction of Honorarium:	Full Power	Nil	Nil
16.	Postal and courier charges:	Full Power	Full Power	Full Power
17.	Supply of liveries and washing allowance	Full Power	Full Power	Full Power
18.	Sanction of Tour			
	(a) In case of group 'A' officers	Full Power	Nil	Nil
	(b) In cases of other officers and staff of the Commission	Full Power	Full Power	Full Power
	(c) Sanction of advance of TA if tour is sanctioned as at (a) & (b) above up to the limit and rate as prescribed by the State Govt.	Full Power	Full Power	Full Power
19.	Drawal of amount from Bank to replenish cash chest to meet day to day petty contingent expenses.	Full Power	Up to 75,000 including unspent balance	Up to 50,000 including unspent balance
20.	(a) Expenditure on refreshment for official meeting	Full Powers	Rs. 50 per head with a ceiling of Rs. 5,000 per occasion	Rs. 50 per head with a ceiling of Rs. 25,00 per occasion
	(b) working lunch during the meetings/conferences/seminar/work shops	Full Power	Rs 150 per head with a ceiling of Rs. 10,000 per occasion	Rs. 150 per head with a ceiling of Rs. 5,000 per occasion
	(c) Working lunch on holidays to officers & staff	Full Power	Rs. 100 per head with a ceiling of Rs. 5,000 per occasion	Rs. 100 per head with a ceiling of Rs. 500
21.	Security and sanitation service:			
	(a) Engagement of security and sanitation services	Full Power	Nil	Nil
	(b) Extension of contract of	Full Power	Nil	Nil

Once engagement of services is approved by the Chairman, payment will be made by Head of Office.

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Security and sanitation services

			Full Power as per Bihar Electricity Regulatory Commission (Terms and conditions of services of Chairperson and Members)	Full Power as per Bihar Electricity Regulatory Commission (Terms and conditions of services of Chairperson and Members)	
22.	Reimbursement of medical Expenses	Full Powers including powers to grant relaxation of provisions in deserving cases	Rules, 2003 in case of Chairperson and Members of the Commission and in case of other officers and staff as per Bihar Govt. Medical Rules	Rules, 2003 in case of Chairperson and Members of the Commission and in case of other officers and staff as per Bihar Govt. Medical Rules	
23.	Write-off irrecoverable losses of stores public money due to the theft fraud, negligence depreciation in the value of stores	Full Power	Nil	Nil	
24.	Disposal of obsolete, surplus or unserviceable stores	Full Power	Up to Rs. 50,000	Nil	Subject to obtaining report of condemnation of the article by constituting suitable committee and to follow the provisions of disposal of goods as laid down in Bihar Finance (Amendment) Rules, 2005
25.	Re appropriation of fund	Full Power	Nil	Nil	