

# **Bihar Electricity Regulatory Commission (Delegation of Financial Powers) Regulations, 2014**

BIHAR

India

## **Bihar Electricity Regulatory Commission (Delegation of Financial Powers) Regulations, 2014**

### **Rule**

### **BIHAR-ELECTRICITY-REGULATORY-COMMISSION-DELEGATION-OF- of 2014**

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Bihar Electricity Regulatory Commission (Delegation of Financial Powers) Regulations, 2014 Published vide Notification No. BERC-Regl-06/2013-05, dated 15.7.2014 Last Updated 11th February, 2020 No. BERC-Regl-06/2013-05. - 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. - BERC - Est. -1/07 (Part II)-732-04 published in the Bihar Gazette, Extraordinary on 15 th November, 2011, 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, 2014. 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. The Chairman shall be the Chief Executive of the Commission (sub-section 84 of the Act). (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, modification and re-enactment thereof.(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, 2011 and Appendix A of the regulations issued under notification No.- BERC-Est.-1/07 (Part II)-732-04 dated 15th November, 2011 and published on 18th Nov, 2011 in the Bihar Gazette, Extraordinary 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 Commission Delegation of Financial Powers Regulation, 2014.Appendix - A

Item of Expenditure

Sl No.		Monetary limit upto 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. 50,000/- per occasion	Rs.20,000/- per occasion	Subject to availability of fund in the Budget.	Subject to availability of fund in the Budget and observance of the procedure prescribed by the State Govt.
(b)	Non-recurring (not covered under any other item in these regulations)	Full Power	Rs. 1,00,000/- per occasion	Rs.50,000/- per occasion	for procurement of goods in Bihar Finance (Amendment) Rules, 2005 and any subsequent amendment made to it by the State Govt.	
2.	Motor vehicle:					Subject to availability of fund and observance of procedure prescribed by the State Govt. for procurement of goods as laid down in Bihar Finance (Amendment) Rules, 2005 and any subsequent amendment made to it by the State Govt.
(a)	Purchase of vehicle	Full power	Nil	Nil		
(b)	Maintenance, Repair and replacement of parts	Full Powers	Rs. 50,000/-p.a. per vehicle	Rs. 25000/- p.a per vehicle.	Subject to availability of fund in the Budget and conditions prescribed by the State Govt. regarding purchase of Battery, Tyre & Tube and other such	

					conditions laid down by Govt. of Bihar in Finance Deptt. letter no. M4-18/2006-4082foot dated 24.06. 2006 and any subsequent amendmentmade to it the State Govt. from time to time.
(c)	Registration and insurance of vehicle	Full Power	Full Power	Full Power	State Govt. Finance Department order dated09.10.2007 extending limit of POL per vehicle per month shallapply in case of Chairman and Member of the Commission i.e, 250liters per vehicle per month for official purposes and forcommuting from residence to office and back. However, theexpenditure on fuel tour in connection with public hearing atDivisional headquarters level including other field tours will beout of this limit. For other officers shall be 110 liters permonth per vehicle for official purposes and for commutingresidence to office and back. Expenditure on fuel for field toursfor various purposes will be out of this limit.
(d)	POL	Full Power	Full Power within sanctioned limit per vehicleper month	Full power within sanctioned limit of POL pervehicle per month	Subject to fulfillment of norms prescribed bythe State Govt. for disposal
(e)	Condemnation of vehicles and their disposalthrough auction	Full Power	Nil	Nil	

				goods as laid down in Bihar Finance (Amendment) Rules, 2005, read with Govt. of Bihar, Finance Deptt. letter no. 04.11.2008-4665/fo0(09.06.2008 and any subsequent amendment made to it by the State Govt.
3.	(i) Hiring of conveyance (for specific occasion)	Full Power	Rs. 35,000/- per occasion	15,000/- per occasion
	(ii) Hiring of conveyance (on regular basis)	Full Power	Nil	Nil
4.	Office Equipment Electric Appliances and computers:			
	Purchase of office equipment including electric and electronic appliances, intercom, calculators, photocopiers, filing and indexing system, computer accessories, projectors, printers etc.	Full Power	Rs. 75,000/- per occasion	30,000/- per occasion
(a)				Subject to observance of guiding principle as laid down by the State Govt. for procurement of goods in Bihar Finance (Amendment) Rules 2005 and any subsequent amendment made to it by the State Govt. and availability of fund in the Budget.
(b)	Purchase of Computers including personal computers.	Full Power	Rs. 1,00,000/- per occasion	Rs. 50,000/- per occasion - Do-
(c)	Repair of computers of all kinds and maintenance and repair of other equipments	Full Power	Rs. 25,000/- per occasion	10,000/- per occasion
(d)	Refill of Cartridge of Printer/Photocopier/Fax machine.	Full Power	Full Power	Full Power
5.	Furniture and fixtures:			
(a)	Purchase of furniture	Full Power	Rs. 1,00,000/- on each occasion	Rs. 40,000/- on each occasion
				Subject to observance of instructions of the State Govt. for procurement of goods as laid down in Bihar Finance

					(Amendment) Rules, 2005 any subsequent amendment made to it by the State Govt. and the availability of fund in the Budget.
(b)	Purchase of Air conditioner	Full Power	Rs.1,00,000/- on each occasion	Rs. 50,000/- on each occasion	-Do-
(c)	Repair of furniture and fixtures	Full Power	Rs. 30,000/- annual	Rs.15,000/- annual	
6.	Purchase of stationery:				
	(a) Purchase of stationery stores	Full Power	Rs. 40,000/- on each occasion	Rs.15,000/- on each occasion	Subject to the condition as contained in Govt. of Bihar Finance Department circular No. 195 dated 08.01.2003 and any amendment subsequently made in the said provision by the State Govt. shall automatically apply.
7.	Printing and binding, Publication and Publicity				
	(a) Printing and Binding	Full Power	Rs.1,00,000/- on each occasion	Rs.30,000/- 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.40,000/- annual	
	(c) Publicity and Advertisement	Full power	Rs. 1,00,000/- on each occasion	Rs.30,000/- on each occasion	Advertisement shall be taken at approved rate only and it shall be released with due care for financial propriety and economy.
8.	Telephone, Mobile and Internet charges:				
(i)	(a) Sanction of residential telephone with separate telephone lines or to allow the existing	Full Power	Nil	Nil	On the basis of functional requirement and subject to ceiling of amount

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 Dy. Secretary in Govt. of India in the scale of Rs.15,000-39,100 with Grade pay Rs. 7600 and above.				payable/reimbursable land line, internet connectivity and mobile charge together prescribed by Govt. of India for different ranks of officers as laid down in Govt. of India, Ministry of Finance, Department of Expenditure OM no. (14)/ 2006-C&V/2006 dated 14.11.2006 and amendment made to it from time to time. Payment of Bill within prescribed limit will be made by Head of the Office/ Drawing and Disbursing Officer.
(b) Sanction of residential telephone/internet connection/mobile in case of officers below the grade of Dy. Secretary in GOI in the pay scale of Rs.15000-39100 with grade pay 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/ Drawing and Disbursing Officer.
Office telephone and internet connectivity to Officers appointed against post equivalent to Dy. Secretary in GOI in the pay scale of Rs. 15,000 to 39100 with Grade pay of Rs.7600 and Ombudsman may be allowed office telephone and internet connectivity on the basis of functional requirements.	Full Power	Nil	Nil	
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 theChairman. Rent shall be paid by the head of the Office/DDO.
	(b) For residential and other purposes	Full Power	Nil	Nil	Do
10.	Petty works and repair:				
	(a) Execution of petty works and special repairsto office building (hired) including sanitary fittings, watersupply and electric installations and repairs to suchinstallations.	Full Power	Rs. 50,000/- on each occasion	Rs.25,000/- on each occasion	Subject to availability of fund in the Budgetand in case special repair is undertaken in hired building theexpenditure incurred shall be adjusted against rent payable.
	(b) Execution of petty works, special repairsand day to day maintenance of own Building	Full Power	Rs. 100,000/- on each occasion	Rs.50,000/- on each occasion	Subject to availability of fund in the Budget
11.	Legal charges:				
	(a) Hiring of legal consultants includingappointment of counsel, arbitrator	Full Power	Nil	Nil	Once panel of advocates/counsels is approved andtheir remuneration payable sanctioned by the Chairman, paymentagainst their bill after proper verification shall be made bythe head of the office/ Drawing and Disbursing Officer.
	(b) Reimbursement of legal expenses incurred byCommission employees relating to discharge of their officialduties	Full Power	Full Power	Full Power	
12.	Hiring of Consultants	Full Power	Nil	Nil	Once sanction is granted and amount payable isdecided at the level of Chairman, payment shall be made by theHead of the Office/DDO.
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	
		Full Power	Full Power	Full Power	



## (c) Freight and demurrage/wharfage charge

14.	Engagement of 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	Subject to limitation of amount for each item prescribed by the State Govt. from time to time.
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	The expenditure may closely be watched by the Drawing and Disbursing Officer and cash payment may be made for petty expenditure (below Rs. 500/-) only otherwise necessary payment should be made through cheque.
20.	(a) Expenditure on refreshment for official meeting	Full Power	Rs. 70 per head with a ceiling of Rs. 7,000/- per occasion	Rs. 70 per head with a ceiling of Rs. 35,00/- per occasion	
	(b) working lunch during the meetings/conferences/seminar/workshops	Full Power	Rs. 200/- per head with a ceiling of Rs. 15,000/- per occasion	Rs. 200/- per head with a ceiling of Rs. 7,000/- per occasion	

(c) Working lunch on holidays to officers & staff	Full Power	Rs. 125/- per head with a ceiling of Rs. 5,000/-per occasion	Rs. 125/- per head with a ceiling of Rs. 4000/-per occasion	
21. Security and sanitation service:				
Engagement of security and sanitation services	Full Power	Nil	Nil	Once engagement of services is approved by the Chairman, payment will be made by Head of the Office/DDO.
		Full Power as per Bihar Electricity Regulatory Commission (Terms and conditions of services of Chairperson and Members) Rules, 2003 in case of Chairperson and Members of the Commission and in case of other officers and staff as per State Govt. Medical Rules and orders	Full Power as per Bihar Electricity Regulatory Commission (Terms and conditions of services of Chairperson and Members) Rules, 2003 in case of Chairperson and Members of the Commission and in case of other officers and staff as per State Govt. Medical Rules and orders.	
22. Reimbursement of medical Expenses	Full Powers including powers to grant relaxation of provisions in deserving cases			
23. Write-off irrecoverable losses of stores, public money due to theft, fraud, negligence and 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
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