

Assam State Electricity Board Rules, 1958

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Rule ASSAM-STATE-ELECTRICITY-BOARD-RULES-1958 of 1958

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Part I – Preliminary

1. Short title.

- These Rules may be called the Assam State Electricity Board Rules, 1958.

2. Definitions.

- In these Rules, unless the context otherwise requires, the following expressions will have the meanings hereby respectively assigned to them, that is to say-(a)"Act" means the Electricity (Supply) Act, 1948 (Act 54 of 1948);(b)"Appendix" means Appendix to these rules;(c)"Auditor" means one or more auditors appointed by the State Government under Section 69(2) of the Act, and if the context so admits, it will also mean an Auditor appointed by the State Government for the purpose of Para II of the 4th Schedule to the Act;(d)"Board" means the Assam State Electricity Board constituted under Section 5;(e)"State Government" means the Government of Assam;(f)"Council" means the State Electricity Council, constituted by the State Government under Section 16 of the Act;(g)"Local Advisory Committee" means a Committee constituted by the State Government under Section 17 of the Act, in respect of any area of the State of Assam;(h)"Member" means a Member of the Board and shall include the Chairman thereof;(i)"Regulations" means the Regulations framed under Section 79 of the Act;(j)"Secretary" means the Secretary appointed by the Board with the approval of the State Government under Section 15 of the Act and shall include any other person for the time being performing the duties of the Secretary.

3. Expressions not specifically defined.

- In these rules, other words and expressions which have not been specifically defined shall have the meanings respectively assigned to them in the Act.

4. Interpretation of the Rules.

- If any question arises as to the interpretation of any of these rules, the matter shall be referred to the State Government whose decision thereon shall be final, until a different interpretation is made by a Court of Law.

5. Headquarters.

- The Board shall have Headquarters at such place as may be notified by the Government from time to time.

6. Members of the Board to act collectively.

- The powers of the Board shall be exercised and its functions discharged by the Members of the Board in their collective capacity. For the better and more convenient exercise and discharge of such powers and functions the Board may, however, assign to individual members, authority over specified subjects including control over the staff dealing therewith.

7. Budget forecast.

- The Board shall, for the purpose of scrutiny and provision in the State's Budget estimates for the ensuing financial year, submit to the State Government by a specified date each year, or whenever called upon to do so, an estimate of-(a)the amount of loan to be advanced to the Board under Section 64;(b)the extent of guarantee solicited under Section 66 of the Act to the Board's issue of Bonds or stocks;(c)its borrowing programme for the coming financial year under Section 65;(d)interest free capital loans; and(e)various subventions.

Part II – Term of Office, Remuneration, Allowance and Conditions of Service of The Chairman and Members of The Board

8. Term of office and conditions for re-appointment of the Members of the Board.

- The Chairman and other Members of the Board shall hold office for such period and shall, on the expiration of their term of office, be eligible for reappointment under such conditions as the State

Government may, from time to time, by order, direct.

9. Remuneration.

- The remuneration of the Chairman or other member of the Board shall be such as may be specified in each case by the State Government.

10. Resignation.

- The Chairman or any other Member of the Board may resign his office by giving six months' notice in writing to the State Government. The State Government may, however, waive this condition at their discretion.

11. Leave and leave salary.

(1)The Chairman or any other Member of the Board shall be entitled to leave and leave salary under the leave terms which may be specified, from time to time, by the State Government.(2)The power to grant leave to the Chairman or any other Member of the Board shall vest in the State Government.

12. Travelling allowance.

(1)The Chairman or any other Member of the Board shall be entitled to the travelling allowance for journeys performed for the purposes of the Board on the scale provided for in the Subsidiary Rules applicable to the Class of Officers to which the State Government may declare them to correspond in status.(2)The Chairman shall be the Controlling Officer in respect of his own travelling allowance bills as well as those of any other Members of the Board.

13. Appointment of Government servants.

- Notwithstanding anything contained in Rules 8, 9, 10, 11 and 12 the allowances and other conditions of service of the Chairman or any other Members of the Board, if he is a Government servant, shall be such as may be determined by the State Government in each case :Provided that the allowances and other conditions of service of such Government servants shall not be such as may deprive them of their usual expectations in such matters.

14. Contributory Provident Fund.

- The Chairman or any other Member of the Board, if he is not a Government servant, shall be entitled to the benefits of the Contributory Provident Fund in accordance with the provisions of Contributory Provident Fund (Assam Services) Rules, 1939.

15. Medical facilities.

- (i) The Chairman or any other Member of the Board shall be entitled to such medical facilities as are enjoyed by the Officers of the Assam Government of corresponding status; (ii) The Chairman shall be the Controlling Officer in respect of his own medical bills as well as those of other Members of the Board; (iii) The decision of the State Government as to who are officers of corresponding status for the purpose of this rule, shall be final.

Part III – State Electricity Consultative Council and Local Advisory Committee

16. The term of office and conditions for re-appointment of Members of the Council and Committees.

- The Members of the Council and Committees shall hold office for such period and shall, on expiration of their term of office, be eligible for re-appointment under such conditions as the State Government may, from time to time, by order, direct.

17. Secretary of the Council.

- (i) An officer of the Board, not being a Member thereof, may be appointed by the Board as ex officio Secretary to the council. The officer so appointed shall not be entitled for any extra remuneration on account of such work. (ii) It shall be the duty of the Secretary to the Council to call meetings of the Council and to give the Members thereof not less than fourteen days' notice in writing of the date, time and place of the proposed meeting.

18. Meeting of the State Electricity Consultative Council.

- There shall be an annual meeting of the Council to consider the Annual Financial Statement of the Board. The Council shall also meet when a supplementary statement is placed before it. The Council may submit a report to the State Government on any financial statement placed before it by the Board.

19. Proceedings.

- The proceedings of every meeting of the Council shall be recorded in a Minutes Book to be kept for the purpose and shall be signed by the Chairman of the meeting at that or at the next succeeding meeting.

20. Quorum.

- Quorum for the meeting of the Council shall be five. All questions arising for decision shall be decided by the majority vote and the names of persons voting for and against a motion shall be recorded in the 'Minutes Book'. In the event of a tie and Chairman shall have a casting vote or second vote.

21. Officers not entitled to vote.

- Officers of the Board not being members thereof, may be invited by the Chairman to attend any meeting of the Council and such officers may take part in the discussion at the meeting but shall not be entitled to vote.

22. Chairman of the meeting.

- The Chairman of the Board shall preside at every meeting of the Council. In his absence, a Member of the Board shall be deputed by the Board to act as the Chairman. In the event of the absence of both Chairman and the person deputed by the Board, the Members present shall elect a Chairman from among themselves.

23. Place of meeting.

- All meetings of the Council shall be held at the Head Office of the Board unless the State Government otherwise directs.

24. Fees and travelling allowances for Members.

- (i) A Member of the Council shall not be entitled to any remuneration other than provided in this rule. (ii) A Member of the Council, other than a Government servant shall be entitled to receive a sitting fee of Rs. 21 for each day on which a meeting is held and he is present and travelling allowance payable on the scale applicable to a Government servant of the First Grade, but shall not be entitled to any daily or halting allowance : Provided that no sitting fee shall be payable to the Chairman or any Member or Officer of the Board who is also a Member of the Council. (iii) A Member of the Council who is a Government servant shall be entitled to draw travelling allowance and daily or halting allowance on the scale admissible to him under Travelling Allowance Rules of the State Government, or All India Services (Travelling Allowance) Rules, 1954, whichever are, for the time being, applicable to him.

25. Secretary of the Committee.

- (i) An Officer of the Board may be appointed by the Board to serve as ex-officio Secretary to any or all Local Advisory Committees. The Officer so appointed shall not be entitled to any extra remuneration on account of such work. (ii) It shall be the duty of the Secretary of the Committee to

call Committee meetings in accordance with the instructions received from the Chairman of the Board or from the State Government.

26. Quorum.

- All questions arising for decision of the Committee shall be determined by a majority vote and the names of persons voting for and against a motion shall be recorded in a 'Minutes Book'. In case of equality of votes the Chairman shall have a casting or second vote.

27. Travelling allowance for Members of Local Advisory Committee.

(1) A Member of the Committee shall not be entitled to any remuneration except the travelling allowances provided in sub-paragraph (2). (2) Travelling allowances on such scale as may be determined by the State Government shall be payable to all non-Government servants/Members of the Committee for attendance at meetings. (3) A Member of the Committee who is a Government servant shall be entitled to draw travelling and daily or halting allowance on the scale admissible to him under Travelling Allowance Rules of the State Government or, All India Services (Travelling Allowance) Rules, 1954 whichever are, for the time being, applicable to him.

Part IV – Annual Financial Statement and other Statements and Reports to be Submitted by The Board

28. Form of Financial Statement.

- The Board shall submit to the State Government each year an annual financial statement in the form specified in Appendix 'A' not later than such date in the month of February as the State Government may specify in this behalf.

29. Supplementary statement.

- A Supplementary statement (if any) shall also be submitted to the Government in the form specified in Appendix 'A' during the year to which such Supplementary statement pertains.

30. Submission of statement to the State Electricity Council.

- The Board shall submit to the State Electricity Council each year annual financial statement in the form specified in Appendix 'A' not later than fifteenth day of January each year. A supplementary statement if any, shall also be submitted to the Council before submission to the State Government.

31. Annual Statement of Accounts.

(1)The Annual Statement of Accounts of the Board shall be submitted to Government in the form specified in Appendix 'C'.(2)The Statement of Accounts shall be published in the official Gazette and printed copies thereof shall be put on sale at a price to be fixed by the Board not exceeding Rs. 5 per copy.

32. Submission of annual report.

(1)The Board shall, as soon as possible after the 31st day of March, in each year but not later than the 30th September, submit to the State Government an annual report showing the Board's operation during the financial year ending on the 31st March.(2)The annual report under sub-rule (1) shall, in addition to matters of general interest, deal with the following matters, namely : (a)the names of members and Chief Officers of the Board, organisations of various sections of the Board and a chart showing the organisation;(b)a map showing the jurisdiction of the Board indicating the location of its stations, transmission and distribution system and major industries operating therein;(c)details of any station or stations which the Board has closed down or over which the Board has assumed control;(d)details of any undertakings, stations or main transmission lines which the Board has acquired under provisions of Section 23 or Section 37;(e)other activities of the Board such as manufacture of any electric or other machinery operated by electricity, hire or hire-purchase of appliances, show-room display, etc.:(f)the progress made in the planning or construction of any new power sources and any new transmission and distribution system in urban and rural areas;(g)tariffs-(i)details of tariffs of the Board in force during the year;(ii)names of licences for whom rating committees were set up by the Board under Section 57, the recommendations made by such rating committees and the orders made thereon by the State Government; and(iii)details of any directions given to licensees being local authorities in respect of their undertakings under the provisions of Section 58;(h)details of the provisions of any inter-State agreement entered into with a contiguous State under the provisions of Section 6;(i)matters referred to the Central Electricity Authority;(j)statistical data in the forms specified in Appendix 'D';(k)the annual statement of accounts of the Board as admitted to the Government in the form specified in Appendix 'C';(l)general financial position of the Board indicating the profit or loss made during the year and the financial prospects for the ensuing year;(m)review of the work of the State Electricity Council and Local Advisory Committees constituted under Sections 16 and 17; and(n)particulars of education, training facilities, welfare schemes for the staff and labour of the Board, etc.[Appendices not printed]