

Joint Electricity Regulatory Commission for the State of Goa and Union territories (Constitution and Manner of Application of Fund, Form and Time for Preparation of Budget) Rules, 2016

GOA

India

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Joint Electricity Regulatory Commission for the State of Goa and Union territories (Constitution and Manner of Application of Fund, Form and Time for Preparation of Budget) Rules, 2016 Published vide Notification No. G.S.R. 315(E), dated 17th March, 2016 Ministry of Power G.S.R. 315(E). - Whereas the Joint Electricity Regulatory Commission for Union territories was constituted by the Central Government by notification published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii), vide number S.O.643(E) dated the 2nd May, 2005; And whereas, the State Government of Goa agreed to join the said Joint Commission and authorised the Central Government in this behalf under section 83 of the Electricity Act, 2003 (36 of 2003) and the Central Government by notification published in the Gazette of India, Extraordinary, Part II, section 3, subsection (ii), vide number S.O.1271(E), dated the 30th May, 2008 has facilitated the State of Goa to join the said Joint Commission; Now, therefore, the Central Government, in exercise of powers conferred by sections 103 and 106 and clauses (g) and (j) of sub-section (2) of section 180 of the said Act, and in consultation with the Comptroller and Auditor-General of India, hereby makes the following rules, namely:-

1. Short title and commencement.

(1) These rules may be called the Joint Electricity Regulatory Commission for the State of Goa and Union territories (Constitution and Manner of Application of Fund, Form and Time for Preparation of Budget) Rules, 2016. (2) They shall come into force from the date of publication in the Official Gazette.

2. Definitions.

(1) In these rules unless the context otherwise requires, -(a) "Act" means the Electricity Act, 2003 (36 of 2003); (b) "accounting period" means the period for which the accounts to be prepared by the Joint Commission and shall be concurrent with the financial year; (c) "budget" means the statement of estimated income and expenditure of the Joint Commission prepared in accordance with the provisions of section 106 of the Act; (d) "Chairperson" means the Chairperson of the Joint Commission; (e) "Drawing and Disbursing Officer" means an officer designated as such by the Commission to draw and make payments on behalf of the Joint Commission; (f) "financial year" means a period not exceeding twelve calendar months commencing on the 1st day of April of a year and ending on the 31st day of March of the successive year; (g) "Form" means a Form annexed to these rules; (h) "Fund" means the Joint Electricity Regulatory Commission for the State of Goa and Union territories Fund; (i) "Joint Commission" means the Joint Electricity Regulatory Commission for the State of Goa and Union territories, constituted under section 83 of the Act; (j) "Member" means a member of Joint Commission; (k) "Participating State" means the State of Goa; (l) "Participating Union Territory" means any Union territory, except Delhi; and (m) "Secretary" means Secretary of Joint Commission. (2) Words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in that Act.

3. Constitution of Fund.

(1) The Central Government hereby constitutes a Fund to be called the Joint Electricity Regulatory Commission for the State of Goa and Union territories Fund. (2) The Fund shall be opened under the Public Account of India and this shall be a non-lapsable and non-interest bearing account. (3) The Fund shall comprise of -(i) any grants and loans made to the Joint Commission by the Central Government and any grants and loans made to the Joint Commission by the participating State Government under section 102 of the Act; (ii) all fees received by the Joint Commission under the Act; (iii) all sums received by the Joint Commission from other sources as may be decided upon by the Central Government from time to time.

4. The Fund shall be applied for meeting the.

(a) salary, allowances and other remuneration of the Chairperson, Members, Secretary, officers and other employees of the Joint Commission; (b) expenses of the Joint Commission in discharge of its functions under section 86 of the Act; (c) expenses on objects and for purposes authorised by the Act.

5. Release of amount from Fund.

(1) The Joint Commission shall seek release of amount from the Fund against its annual budget twice, in the month of April and September, in a financial year, and upon receiving such a requisition from the Joint Commission, -(a) the Central Government shall transfer the appropriate part of the sums of grants and loans for the Joint Commission approved by the Parliament in the annual budget of the Ministry of Power to the Fund; (b) the participating State Government shall transfer the sums

of grants and loans for the Joint Commission approved by the participating State Legislature to the Fund;(c)the Central Government shall, simultaneously, release the amount as requisitioned from the Fund to the Joint Commission by account payee cheque through its pay and accounts office.(2)The Joint Commission shall maintain proper accounts and other records of the grants and loans in accordance with the provisions of the Joint Electricity Regulatory Commission for the State of Goa and Union territories (Form of Annual Statement of Accounts and Records) Rules, 2015.(3)At the close of financial year, the Joint Commission shall furnish a utilisation certificate stating therein the opening balance, amount (including of grants and loans) received from the Fund and utilised and the balance remaining unutilised.

6. Manner of applying funds, opening of bank account and drawing of funds from banks.

(1)The Joint Commission shall meet expenses required in connection with the discharge of its functions under section 86 of the Act and also for meeting objects and purposes authorised by the Act.(2)The Joint Commission shall, after taking a decision of the full Commission to open the main account of the Fund to be maintained in a nationalised commercial bank, and subsidiary accounts to be maintained at such other branches of such banks as the said Commission considers appropriate, make available the specimen signatures of two of its officers to the authorised signatory to the nominated bank or banks for their information and record.(3)The nominated bank(s) shall furnish daily payments and receipts scrolls to the Joint Commission which will ensure that the cheques appearing in the payment scrolls are those issued by the Joint Commission and reconcile each transaction with the banks.(4)(a)The Drawing and Disbursing Officer, who shall be not below the rank of Deputy Secretary, as may be designated by the Chairperson from time to time, shall operate the Fund of the Joint Commission.(b)Withdrawal from the bank account shall be made only on presentation of cheque signed by the Drawing and Disbursing Officer and one other officer designated by the Commission.(c)The Drawing and Disbursing Officer shall be responsible for monitoring the proper transactions of receipts and payments on behalf of the Joint Commission.(d)The Drawing and Disbursing Officer shall be responsible to ensure that the amount specified in cheques or demand drafts deposited in the accredited banks have been timely credited in the accounts of the Joint Commission and shall also reconcile the receipts and payments accounts with them.

7. Budget.

(1)The Joint Commission shall prepare its budget which shall be the annual financial statement of the estimated receipts and expenditure of the Commission for the ensuing financial year.(2)The budget for the ensuing financial year shall be prepared by the Joint Commission by the end of September every year and forwarded to the Central Government, after taking into account its estimated receipts, in accordance with section 106 of the Act.(3)The Central Government may, after due appropriation made by the Parliament, make to the Joint Commission grants and loans of such sums of money as considers necessary, after having due regard to the requirement as communicated by the Joint Commission.(4)The budget of the Joint Commission shall include the revised estimates of the current year and the budget estimates for the next year, giving details of estimated receipts

and expenditure in Form-I and final grant in Form-II and submit them to the Central Government by the 30th day of September and the 15th day of January of each financial year, respectively.

8. Accounts.

(1)The accounts of the Fund shall be maintained in accordance with the provisions of the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Form of Annual Statement of Accounts and Records) Rules 2015.(2)The accounts of the Joint Commission shall be authenticated by the Chairperson, one Member dealing with the finance and the Secretary of the Commission.

9. Audit of accounts .

(1)The accounts of the Joint Commission shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him.(2)The Joint Commission shall forward its accounts annually as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the report of the audit thereon, to the Central Government and the participating State Government to enable the Central Government and the participating State Government to lay the accounts and the report of the audit before each House of Parliament and the participating State Legislature, as the case may be.

10. Delegation of powers .

(1)The Chairperson of the Joint Commission shall have the same powers as are conferred on a Department of the Central Government relating to the matters specified in Schedules V and VI read with rule 13 of the Delegation of Financial Powers Rules, 1978, the General Financial Rules, 2005 and the General Provident Fund (Central Services) Rules, 1960, except in respect of the following, namely:-(i)creation of posts;(ii)re-appropriation of funds from one head to another;(iii)purchase of vehicles;(iv)write off of loss;(v)permitting any officer of the Joint Commission to participate in seminars, conferences or training programmes abroad:Provided that the exercise of these powers shall be subject to the general restrictions and conditions contained in the Delegation of Financial Powers Rules, 1978 and other general rules and orders issued by the Central Government from time to time.(2)The Joint Commission shall lay down the detailed procedure for sanction of various expenditure and delegation of power among the Joint Commission, Chairman and Secretary of the Joint Commission.Form-I[see rule 7(4)]Revised Estimates of (Current Year)/Budget Estimates of (Next Year)

Head of account	Actuals last two Years	Budget allotment	Actuals of first six months (previous two yearsand financial year)	Actuals for the last six months (previous twoyears)				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Estimate last six months (financial year)		Total revised estimate	Budget estimate	Difference between allotment and revisedestimates (11-4)				

(10) (11) (12) (13)
 Difference between (budget estimate and revised estimate)(12-11) Reasons for variation
 (14) (15)

Note 1. - Heads of account shall be as per list at Appendix A. Note 2. - Budgetary provisions shall be explained with detailed memoranda as listed at Appendix B. Form-II[see rule 7(4)] Final Grant Statement (Financial Year)

Head of account	Revised allotment received	Actuals of first ten months	Requirement of last two months	Total final grant	Net savings/ excess	Remarks
1	2	3	4	5	6	7

Note 1. - Heads of account shall be as per list at Appendix A. Note 2. - Budgetary provisions shall be explained with detailed memoranda as listed at Appendix B. Appendix A Detailed heads of account (with description) under which Joint Commission shall furnish budget statements and explanatory memoranda thereto

A/c Description

Code

Revenue

2 Fee and Charges

2.1 Fee

2.2 Charges

2.3 Fines

Total

2.4 Others (Specify)

Grand total

3 Grants

3.4 From Government

3.5 From others

Total

4 Gifts

5 Seminars and conferences

6 Sales of publications

7 Income on investments and deposits

7.1 Income on Investments

7.2 Income on Deposits

8 Loans

8.1 From Government

8.2 From Others (specify)

9 Sale of assets

10 Sale of investments

11	Recoveries from pay bills
11.1	Principal amount of loans and advances
11.2	Interest on loans and advances
12	Miscellaneous Income
12.1	Gain on sale of assets
12.2	Any others (specify)
Expenditure	
13	Chairperson and Members
13.1	Pay and allowances
13.2	Other benefits
13.3	Travelling expenses
13.3.1	Overseas
13.3.2	Domestic
14	Officers
14.1	Pay and allowances
14.2	Retirement benefits
14.3	Other benefits
14.4	Travelling expenses
14.4.1	Overseas
14.4.2	Domestic
15	Staff
15.1	Pay and allowances
15.2	Retirement benefits
15.3	Other benefits
15.4	Travelling expenses
15.4.1	Overseas
15.4.2	Domestic
16	Hire of conveyance
17	Wages
18	Overtime
19	Honorarium
20	Other office expenses
21	Expenditure on research
22	Consultation fee
23	Seminars and conferences
24	Publications of the Joint Commission
25	Rent and taxes

26	Interest on loans
27	Promotional Expenses
28	Membership fee
29	Subscription
30	Purchase of fixed assets
31	Investments and deposits
31.1	Investments
31.2	Deposits
32	Security deposits
33	Loans and advances
33.1	To employees
33.1.1	Bearing interest
33.1.2	Not-bearing interest
33.2	To Suppliers and contractors
33.3	Others (to specify)
34	Repayment of loans
35	Others
35.1	Leave salary and pension contribution
35.2	Audit fee
35.3	Miscellaneous
36	Depreciation
37	Loss on sale of assets
38	Bad debt written off
39	Provision for bad & doubtful debts
	Total

Appendix BExplanatory Memoranda to RE/BE Statements of the Joint Commission for the State of Goa and Union Territories(1)Statement showing grade-wise details of establishment with provision sought therefor in the estimates, with actual establishment strength and cost thereof in previous year.(2)Estimates of individual projects/consultancies costing over Rs. 5 lakhs indicating original cost, revisions if any and provisions sought for the project in the budget grants.(3)Details of Foreign exchange component in the Budget/Revised estimates.(4)Estimates of Revenue Receipts in Budget Year and previous year.(5)Statement showing financial results of the Joint Commission for the budget year and previous year.