

The Orissa State Electricity (Supply) Rules, 1962

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Rule THE-ORISSA-STATE-ELECTRICITY-SUPPLY-RULES-1962 of 1962

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The Orissa State Electricity (Supply) Rules, 1962 Published vide Notification No. 8966-EL-4-9/60 dated 19th March, 1962, Orissa Gazette Extraordinary No. 163/19.3.1962 Notification No. 8966-EL-IV-9/60 dated the 19th March, 1962. - In exercise of the powers conferred by Section 78 of the Electricity (Supply) Act, 1948 (54 of 1948) the State Government do hereby make the following rules, the same having been previously published as required by Sub-section (i) of the said section, namely: Part-I Preliminary

1. Short title.

- These rules may be called the Orissa State Electricity (Supply) Rules, 1962.

2. Definitions.

- In these rules, unless the context otherwise requires-(a)"Act" means the Electricity (Supply) Act, 1948 (54 of 1948)(b)"Board" means the Orissa State Electricity Board constituted under Section 5;(c)"Bond" includes a mortgage bond and mortgage debenture executed or issued by the Board under the Act, whether or not the money borrowed is charged on the works and revenues of the Board or on any specific property forming part of the works of the Board;(d)"Chairman" means the Chairman of the Board;(e)"Council" means the State Electricity Consultative Council constituted under Section 16;(f)"Government servant" means a person in the employment of the State Government;(g)"Member" means a member of the Board;(h)"Section" means a section of the Act;(i)"Security" means any stock or bond issued or any mortgage granted by the Board;(j)"Government" means the State Government of Orissa. Part-II The Board

3. Term of office and conditions for appointment of Chairman and members.

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

4. Remuneration.

- The remuneration of the Chairman or other members shall be such as may be determined in each case by the Government.

5. Resignation.

- The Chairman or any other member may resign his office by giving six months' notice in writing to the Government. This resignation will be effective on the date of expiry of this notice, unless it is accepted earlier. The Government may, however, waive this condition, at their discretion.

6. Leave and leave salaries.

(1)The Chairman or any other member shall be entitled to leave salary under the leave terms as the Government may, from time, specify by an order.(2)[Power to grant leave other than casual leave to any member of the Board shall vest in the State Government.] [Substituted vide Orissa Gazette Extraordinary No. 670/1962.]

7. Travelling allowances.

(1)When the non-official members are appointed as the Chairman or any other member of the Board they shall be entitled to travelling allowances for journeys performed for the purposes of the Board, at the rates for the time being admissible under the Orissa Travelling Allowance Rules to the class of officer, which the Government may declare them to correspond in status.(2)When the said posts are held by Government servants, they shall be entitled to travelling allowance as admissible to them under Orissa Travelling Allowance Rules.[* * *] [Deleted vide Orissa Gazette Extraordinary No. 670/1962.](3)[The Chairman or any other member shall not be entitled to any travelling allowance for journey performed on the first appointment and on relinquishment, unless he is a Government servant and is entitled to such allowance under the rules applicable to him as a Government servant.] [Re-numbered vide Orissa Gazette Extraordinary No. 670/1962.]

8. Powers of Chairman.

- Chairman shall exercise powers specified in Appendix 6 annexed to these rules and Government may from time to time by order add to or modify the same.

9. 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 Government of corresponding status. (ii) The decision of the Government for determining the officers of the corresponding status for the purpose of this rule shall be final. Part-III State Electricity Consultative Council

10. Term of office and conditions for re-appointment of the Council.

- The members of the Council 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 Government may, from time to time, by order, direct.

11. Secretary of the Council.

(1) 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 to any extra remuneration on account of such work. (2) It shall be the duty of the Secretary to the Council to call meetings of the Council and to give to the members thereof not less than 14 days' notice in writing of the dates, time and place of the proposed meeting; provided that the Chairman if he so considers necessary, may reduce the period of notice in case of meeting convened to transact any urgent business.

12. Meetings of the Council.

(1) There shall be an annual meeting of the Council to consider the annual financial statement of Board. The Council shall also meet to consider a supplementary statement when placed before it. The Council may submit a report to the State Government on any financial statement placed before it by the Board. (2) In addition to the meetings of the Council, required to be held under the provisions of Section 16, the Chairman may call a special meeting of the Council whenever he deems it necessary.

13. Proceedings.

- The proceedings of every meeting of the Council shall be recorded in a minute 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.

14. Quorum.

- The quorum for a meeting of the Council shall be five. All questions arising for decision shall be decided by a majority of votes and the names of persons voting for and against a motion shall be recorded in the minute book. The Chairman and in his absence a Chairman elected for conducting a meeting of the Council shall be entitled to vote, and in the event of equality of votes, he shall have

the casting or second vote,

15. Conduct of business in the meetings of the Council.

(1) If there is no quorum within 15 minutes of the time appointed for the meeting, no meeting shall be held and the Chairman of the meeting may then and there adjourn the meeting to a specified date. (2) No further notice need be given for an adjourned meeting. (3) If at any time during the progress of the meeting after its commencement there is no quorum, it shall not be dissolved but shall continue to be held. (4) No quorum shall be necessary at an adjourned meeting. (5) No matter shall be considered at an adjourned meeting other than matters left over at the meeting from which the adjournment took place ; provided that the Chairman may bring or direct to be brought any new matter which in his opinion is urgent, before an adjourned meeting of the Council with or without notice. (6) Any point of order raised at a meeting shall be decided by, its Chairman and his decision shall be final. (7) No proceedings of the Council shall be invalid by reason merely of a vacancy or, vacancies existing in the Council or by reason of nonreceipt of the notice or the agenda paper : provided it was duly issued or by reason of any irregularity in the conduct of the business of the meeting. Explanation - A notice shall be deemed to be duly issued if it is sent within the prescribed time to the registered address of a member by post or by messenger. (8) Every member shall have one vote. (9) The Chairman of any meeting may direct any member of the Council whose conduct at the meeting in his opinion is disorderly, to withdraw and any such member so ordered shall be deemed to have withdrawn from the meeting even though in fact he may not withdraw. (10) In cases not expressly provided for in these rules for the conduct of a meeting the decision of the Chairman presiding at the meeting on all matters relating to the conduct of business at the meeting shall be final.

16. Chairman of meeting.

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

17. Place of meeting.

- Unless the Government otherwise direct all meetings of the Council shall be held at the Head Office to the Board.

18. Fees and travelling allowance for members of the Council.

(1) A member of the Council shall not be entitled to any remuneration other than that provided in these rules. (2) A member of the Council, other than a Government servant shall be entitled to receive, for each day on which a meeting is held and he is present a daily allowance and travelling allowance or such other allowances for the purpose of reimbursing the personal expenditure

incurred by him at the rate admissible for the time being under Orissa Travelling Allowance Rules to the class of officers to which the Government may declare him to correspond in status :Provided that a member shall not be entitled to draw the aforesaid allowances for attending any meeting of the Council, if on the same day a meeting of the Board is held.(3)A member of the Council who is a Government servant shall be entitled to draw travelling and daily or halting allowances on the scale admissible to him under the Orissa Travelling Allowance Rules.

19. Resignation.

- Any non-official member of the Council may, by writing under his hand addressed to the Government in the Works Department, resign his office as member of the Council.Part-IV The Finance of the Board-Borrowing

20. Particulars of borrowing to be furnished to the Government.

- While applying for previous sanction of the Government, under Sub-section (1) of Section 65, the Board shall furnish all such particulars of the amount, purpose, nature and circumstance of the proposed borrowing as the Government may require.

20A. [Mode of raising money. [Inserted vide Orissa Gazette Extraordinary No. 209/1962-Works Department Notification No. 12241/11.4.1962.]

(1)In addition to any subvention and loans received from the Government, the Board may, with the previous sanction of the Government raise or borrow any sum or sums of money from other sources by issuing debentures, bonds, stock and/or by borrowing from Bankers for the purpose of the Act, and may secure payment or repayment thereof in such manner and upon such terms and conditions as may be specified by the Government in this behalf.(2)The Board may receive deposits and issue certificate for, fixed terms bearing interest at such rates as the Government, may by, general or specific order approve.]

21. Temporary borrowing by Board.

- The Board may, for the purposes of meeting any current expenditure properly chargeable to revenue or preliminary expenses connected with the raising of money by issue of bonds, stock or otherwise, borrow by way of temporary loan or overdraft from any bank or otherwise such sums as it may require, on such terms, conditions and security, and in such form, as may be approved by the Government. The amount so borrowed, together with the interest thereon, shall be repaid from the current revenues within a period of twelve months from the date of the temporary borrowing or such extended period as the Government may allow.

22. Power to re-borrow.

(1)The Board shall have power to borrow-(a)for the purpose of paying off any money previously borrowed by them which is intended to be forthwith repaid; or(b)in order to replace the money which during the previous twelve months has been temporarily applied from other funds of the Board in repaying money previously borrowed in accordance with these rules and which at the time of such repayment it was intended to replace by borrowed money.(2)Any money borrowed under these rules shall, for the purpose of repayment, be deemed to form part of the original loan.

23. Application of money borrowed.

- Except with the previous sanction of the Government, no money borrowed for a specific purpose shall be applied to any other purpose.

24. Temporary investment.

- The Board may, from time to time, invest temporarily in such securities as the Government may, by general or special order, approve, any sum raised by the issue or grant of any security and not for the time being required for the purpose for which it was raised, [and till it is so invested, the amount shall be kept in deposit with the State Bank of India.] [Inserted vide Orissa Gazette Extraordinary No. 209/1962.]

25. Issue of stock.

(1)All stock issued by the Board shall be redeemable stock and shall be created by and issued in pursuance of a resolution of the Board.(2)The Board may issue such class or classes of stock as it may determine, but each class of stock shall have a distinct title and shall be issued subject to the condition that all stock at any time belonging to that class shall bear one and the same rate of interest, shall become redeemable at the same time and shall in all other respects be of the same character.(3)Subject to the provisions of the Act and these rules, stock may be issued for such amount, at such price and at such rate of interest as the Board may with the previous approval of the Government determine.

26. Redeemability of stock.

- Stock issued by the Board shall be redeemed on the expiration of such period as the Board may, with the approval of the Government by a resolution, determine ;Provided that it may be redeemed before the expiration of the said period, if the Board, by a subsequent resolution, so determine :Provided further that no stock shall be liable to be redeemed before the expiration of the latest date for repayment mentioned in the original resolution creating the stock unless at least three months' notice of intention to redeem the same has been given.

27. Issue of stock at discount.

(1)Where stock is issued at a price lower than that at which it is to be redeemed, the difference between the price of issue and the price of redemption shall for the purposes of these rules be treated as loan repayable by the party to whom the stock is issued within the period expiring on the earliest date on which the said stock may be redeemed.(2)For the purpose specified in Sub-rule (1), the Board shall create a Discount Sinking Fund out of the revenues of the Board for the period of currency of stock or bond issues.

28. Power to grant mortgages.

(1)The Board may, subject to the provisions of the Act and these rules, mortgage or charge the works and all the revenues of the Board or any specific property forming part of those works,(2)No mortgage shall be granted by the Board for a period of less than ten years and no extension of the term of any mortgage shall be for a period of less than ten years :Provided that the provisions of this sub-rule shall not apply to or in respect of any mortgage charged upon any specific property forming part of the works of the Board.(3)Subject to the provisions of these rules, every mortgage other than a mortgage of any specific property granted by the Board shall be by a deed made in the form specified or similar to that specified in Appendix A.

29. Power to issue and renew bonds.

- Subject to the provisions of these rules the Board may issue and renew bonds.

30. Security for bonds.

(1)The principal money and interest for which bonds are issued by the Board shall be secured on the covenant of the Board to pay and the principal money and interest secured by any bond or class of bonds may in addition be charged upon or secured by a trust deed charging the works and all the revenues of the Board or any specific property forming part of those works.(2)Bonds issued by the Board shall be called "Orissa State Electricity Bonds" or "Orissa State Electricity Board Mortgage Bonds", "Orissa State Electricity Board Mortgage Debentures", as the case may be.(3)Bonds and applications for bonds shall be for amounts of one hundred, five hundred or one thousand rupees or multiples of one thousand rupees.(4)The principal money secured by a bond shall be repayable at such [date on the expiry of] [Substituted vide Orissa Gazette Extraordinary No. 209/1962.] the period determined by the Government as may be specified in the bond being not less than five years from the date of the bond.(5)Nothing in this rules shall be construed as prohibiting the Board from redeeming a bond any time by agreement with the holder of the bond if it thinks fit to do so.

31. Extinction of securities redeemed or purchased.

- Any security redeemed or purchased by the Board shall be extinguished.

32. Unclaimed security.

- If at the end of a period of twenty years after the date on which any class of security is to be redeemed (hereinafter referred to as "the date of redemption"), the Board, by reason of the holder of any such class of security not forthcoming or by reason of any doubt as the ownership of any security, is not able to redeem the security, the said security shall thereupon be deemed to have been extinguished and the sum credited to Revenue.

33. Appointment of Registrars.

- The Board shall, before making each issue of stock or bonds and before granting any mortgage, appoint and thereafter continue to appoint on such terms and subject to such conditions and instruction not inconsistent with these rules as they think expedient, an officer of the Board or any banking or other company as Registrar of the Stock or Bonds to be issued or as Registrar of mortgages for all or any of the purposes of these rules.

34. Registers of securities.

- Each Registrar shall maintain a register relating to each class of security for which he is appointed Registrar (hereinafter referred to as "the register" in which shall be entered-(a)in the case of stock : the name, address and description of each holder from time to time of bonds of the class to which the register relates and the amount held by him ;(b)in the case of mortgages : (i) the names, address and descriptions of the parties to each mortgage the number and date thereof, the amount for which the same is granted and particulars of the property mortgaged ; and(ii)the date of registration of each mortgage and the date on which the same is paid off ;(c)in the case of bonds : the name, address and description of each holder from time to time of bonds of the class to which the register relates, a statement of the amount of the bonds held by him, the periods for which they are issued, and the property (if any) on which they are charged, and, if the bonds are secured by a trust deed, the numbers and dates of the certificates issued to him as thereafter provided, or if the bonds are not so secured, the number of each bond held by him and the date of registration of each bond and the date on which the same is paid off.

35. Certificates of registered stock and bonds secured by trust deed.

- On the registration of stock or of bonds secured by a trust deed, the appropriate Registrar shall issue to the holder of the stock or bonds a certificate of the proprietorship of such stock or bond (as the case may be) and such certificate shall be prima facie evidence of the title of the person named therein.

36. Right to transfer securities.

- Subject to these rules and the terms on which the security is issued the holder of any security may transfer the same in whole or in part, except that no mortgage or bond not secured by a trust deed

shall be transferred in part, and no part of a bond secured by a trust deed shall be transferred which is not of an amount for which a bond may be issued by the Board.

37. Transfer of stock and bonds secured by trust deed.

(1) Stock and bonds secured by a trust deed shall be transferred by an instrument in writing and shall be executed both by the transferor and the transferee, and duly witnessed and the transfer shall be properly stamped. (2) The instrument of transfer and the certificate to which the same relates shall be deposited with and retained by the appropriate Registrar. Such Registrar shall cause an entry thereof to be made in a book to be called "the register of transfers" and shall endorse on the deed of transfer a note of that entry and shall issue a new certificate or certificates to the transferee or the transferor, as the case may, require. A separate register of transfers distinguished by a number or otherwise shall be kept for each class of stock and of bonds secured by a trust deed. (3) Not more than one class of stock or bonds shall be included in any transfer and the deed shall relate only to the transfer, and shall not contain any recital, power or proviso whatever. (4) The transferor of stock or of bonds secured by a trust deed shall be deemed to remain with the holder thereof until the name of the transferee is entered on the register relating thereto.

38. Transfer of mortgages and bonds not secured by trust deed.

(1) Mortgages not secured by a trust deed shall be transferred by an instrument in writing. Each such deed shall be duly stamped and shall state its date and the consideration for the transfer and may be endorsed on the mortgage to which it relates. (2) The appropriate Registrar shall keep a register of transfers of mortgages not secured by a trust deed, and as soon as may be after the date of every transfer the deed of transfer shall be produced before the appropriate Registrar who shall cause entries to be made in the appropriate register of transfers of the date of such deed, the names, addresses and descriptions of the parties thereto and the number of the mortgage transferred thereby, and until such entries have been made neither the Board nor the Registrar shall be in any manner responsible to the transferee [* * *] [Omitted vide Orissa Gazette Extraordinary No. 209/1962.]. (3) On the registration of any transfer of a mortgage [* * *] [Omitted vide Orissa Gazette Extraordinary No. 209/1962.] not secured by a trust deed, the transferee, or his executors or administrators, shall be entitled to the full benefit of the original mortgage and the principal and interest secured thereby. (4) No person, except the last transferee registered as aforesaid or his executors or administrators shall be entitled to transfer, release or discharge any such mortgage or any money secured thereby.

38A. [Transfer of bonds not secured by a trust deed. [Inserted vide Orissa Gazette Extraordinary No. 209/1962.]

(1) Bonds not secured by a trust deed may be transferred by endorsement and delivery. (2) The appropriate Registrar shall keep a register of transfer of bonds not secured by a trust deed and as soon as may be after the date of every transfer, the appropriate Registrar shall cause entries to be made in the appropriate register of transfers, the date of such transfer, the names, addresses and

descriptions of the parties thereto and the number, of bond transferred thereby and until such entries have been made neither the Board nor the Registrar shall be in any manner responsible to the transferee. A separate register of transfer of bonds, distinguished by a number or otherwise shall be kept for each class of bonds not secured by a trust deed.(3)On the registration of any transfer of a bond not secured by a trust deed, the transferee, or his executors or administrators, shall be entitled to the full benefit of the original bond, the principal and interest secured thereby.(4)No person except the last transferee registered as aforesaid or his executors or administrators shall be entitled to transfer, release or any such bond or any money secured thereby.]

39. Inspection of register of mortgages.

- The register of mortgages shall be open to inspection at all reasonable times by any mortgage or other person entitled to a mortgage free of charge and by any other person on payment of a fee not exceeding rupees five as the Board may from time to time determine.

40. No notice of trusts.

- No notice of any trust, express, implied or constructive in respect of any security shall be entered in any register, or in any other book kept by the Board or any Registrar or on any certificate, or in any mortgage or in any transfer of any security, or, be receivable by the Board or any Registrar or affect any Registrar or the Board through any register or otherwise and the receipt of any person in whose name any security stands in the register relating thereto shall be a sufficient discharge to the Board for any money paid in respect of such security.

41. Transfer on death.

(1)The interest of a deceased holder of any security shall be transferable by his executors or administrators.(2)Where two or more persons are registered as holders of any security those persons shall be deemed to be joint holders of such security with right of survivorship between them.(3)The Board or the appropriate Registrar may refuse to allow any executors or administrators to transfer any security until the probate of the will or the letters of administration to the estate of the deceased or a succession certificate under the Indian Succession Act, 1925 (39 of 1925) has or have been left with the Registrar for registration and may require all the executors or the administrators to joining the transfer.

42. Transfer otherwise than by death of holder or transfer in books or by deed.

(1)If the interest in any security has been transferred by any lawful means other than a transfer in books or a deed in accordance with these rules on the death of a holder of the security satisfactory evidence of the transfer shall be furnished to the appropriate Registrar by an affidavit of one or more competent persons or in such other manner as such Registrar, with the approval of the Board' may require.(2)The name of the person entitled under the transfer shall be entered in the appropriate

register.(3)Until evidence has been furnished in accordance with Sub-rule (1) the Board or such Registrar shall not recognise the transfer and no person claiming under the transfer shall be entitled to receive any interest on the security.(4)For purposes of this rule, the expression "transfer" includes any case of nominal transfer in the name of the holder of a security although the actual ownership of the security may remain unaltered.

43. Change of Register.

- Subject to the conditions on which any security is issued, the Board may at any time determine the appointment of the Registrar for the time being of that security and appoint another Registrar in his place.

44. Registrar may take fees, etc.

- A Registrar may refuse to permit an entry to be made in the stock transfer books kept by him or to register any transfer of a security unless-(i)the fee hereinafter mentioned is paid in respect thereof, and the instrument of transfer is accompanied either by the certificate, or the deed creating the mortgage, or (in the case of a bond not secured by a trust deed) the bond to which it relates (as the case may be), and(ii)such other evidence (if any) as he may reasonably require to show the rights of the transferor to make the transfer, is produced.

45. Registration fees.

(1)Except as otherwise provided by the conditions on which any security is issued, the appropriate Registrar shall be entitled to charge a fee not exceeding three rupees as the Board may, from time to time, specify in respect of the registration of each on of the following :(a)any transfer;(b)probate of will or letters of administration;(c)change of name;(d)power of attorney;(e)order of Court; and(f)any other document affecting the registration of a security.(2)If any such registration affects more than one class of security a separate fee may be charged in respect of each class.

46. Registers to be prima facie evidenced.

- Each register, shall be prima facie evidence of any matter-entered therein in accordance with these rules and of the title of any person entered therein as the holder of a security.

47. Defaced or lost certificates.

(1)If any certificate of any security is worn or defaced, the appropriate Registrar shall on surrender of the certificate and payment of fee of three-rupees, issue a new certificate to the person entitled to the surrendered certificate.(2)If it is shown to the satisfaction of the appropriate Registrar that any such certificate has been lost or destroyed he shall after due notification in the Official Gazette and on receiving indemnity to his satisfaction against all claims in respect of the lost or destroyed certificate and on payment of the charges of notification and a fee of three rupees, issue a new

certificate to the person entitle to the cost or destroyed certificate.(3)A memorandum of the issue of a new certificate shall be made thereon and on the appropriate register.

48. Closing of transfer book, etc.

(1)The appropriate Registrar, with the approval of the Board and after giving due notice by public advertisement, may close the register of transfers of any class of security for a period not exceeding thirty days immediately preceding the date for the payment of interest on the security.(2)The persons who on the day of closing in accordance with Sub-rule (1) are registered as holders of any security, shall be entitled to the interest next payable thereon.

49. Arrangements with bankers.

(1)The Board may, subject to the provisions of these rules, make any arrangement with, and provide for the proper remuneration of any banking or other company brokers or financial agents with respect to the issue of securities, the registration and transfer of securities, the payment of interest on securities, the keeping of books and other matters incidental to the issue, management, redemption, and repayment of securities.(2)When arrangement is made with the State Bank of India for this purpose the procedure prescribed in the Government Securities Manual shall apply to all the securities issued under these rules.

50. Protection of lenders and holders of securities.

- A person lending money to the Board or holding any security shall not be under any obligation to inquire into or to take notice of, whether the borrowing or the creation or issue or grant of such security was or was not within the competence of the Board under the Act or these rules or whether or not the Board or any meeting thereof was properly constituted or convened, or whether or not the proceedings at any meeting of the Board were legal or regular, or to see to the application of any money borrowed or raised by any security or be answerable for any loss or misapplication thereof.

51. Protection of purchaser of land or property.

- Where the Board sell, lease or .otherwise dispose of any land or property charged as security for any mortgage or bond (other than land or property specifically mortgaged or charged) the land or property shall, in the hands of the transferee or lessee, be absolutely free from any charge for that purpose, and no transferee or lessee shall be bound to inquire into the application of the money arising from such sale, lease or disposal or be it any way responsible for the misapplication or non-application thereof.

52. Saving for power of revocation.

- The Board may, by resolution, revoke at any time, in whole or in part, any resolution for the creation of any security passed by the Board if and as the same has not been acted on by the issue or

grant of securities thereunder, and shall forthwith give notice of any such revocation to the Government.

53. Saving for Government.

- No security shall be issued or granted as a security in respect of which the payment of the principal and interest or the principal or interest is guaranteed by the Government until the amount, price, rate of interest, date and method of issue of such security, the arrangements for the application of the proceeds of the issue and for the re-payment or the proceeds have been previously approved by the Government and no variation of any such arrangements shall be made without the like approval of the Government.

54. Ownership of stocks and bonds.

- The registered holders of stocks and bonds and the mortgages whose names appear in the register shall, so far as payment of interest and principal to be made by the Board is concerned, be regarded as the owners thereof and on payment being made, the Board shall be discharged for the amount paid. Saving for other obligation - Except as otherwise expressly provided nothing in these rules shall relieve the Board from any obligation which may be imposed on it, in relation to any borrowing power conferred by or under any enactment for the time being in force in the State of Orissa. Part-V Annual financial statements and other statements and reports to be submitted by the Board

55. Form of financial statement.

- The Board shall submit to the Government each year an annual financial statement for the ensuing year in the form as may be specified by the Government not later than such date in the month of February as the Government may specify in this behalf.

56. Supplementary statement.

- A supplementary statement (if any), shall also be submitted to the Government in the form to be specified by the Government, during the year to which such supplementary statement pertains.

57. Submission of statements to the Council.

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

58. Annual statement of accounts.

(1)The annual statement of accounts of the Board shall be submitted to the Government in the form as may be specified by the Government.(2)The statement of accounts shall be published at the cost of the Board in the Official Gazette and printed copies thereof shall be put on sale at a price to be fixed by the Board not exceeding rupees five per copy.

59. 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 Government an annual report of the Board's operations during the financial year ending on the 31st March and the activities, if any, which are likely to be undertaken by the Board in the next financial year.(2)The annual report under Sub-rule (1) shall, in addition to matters of general interest, deal with the following matters, namely : (a) a map showing the jurisdiction of the Board indicating the location of its stations, transmission and distribution systems; (b) the names of members and Chief Officers of the Board, organisation of the various sections of the Board and a chart showing the Organisation; (c) details of the provisions of any inter-State agreement entered into with contiguous State under the provisions of Section 6; (d) review of the work of the State Electricity Council constituted under Section 16 and Local Advisory Committees constituted, if any, under Section 7; (e) details of any station or stations which the Board has closed down or over which the Board has assumed control; (f) details of any undertakings, stations or main transmission lines which the Board has acquired under the provisions of Section 23 or Section 37; (g) 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.; (h) the progress made in the planning or construction of any new power sources and any new transmission and distribution systems in urban and rural areas; (i) details of the tariff of the Board in force during the years; (j) matters referred to the Central Electricity Authority; (k) particulars of education, training facilities, welfare schemes for the staff and labour of the Board, etc.; (l) names of licensees for whom rating committees were set up by the Board under Section 57-A, the recommendations made by such rating committees and the order made thereon by the Government; (m) details of any direction given to licensees being local authorities in respect of their undertakings under the provisions of Section 58; (n) the annual statement of accounts of the Board as submitted to the Government in the form specified by the Government, (o) general financial position of the Board indicating the profit or loss made during the year and the financial prospects for the ensuing year; (p) statistical data in the form as may be specified by the Government in respect of the Board and in respect of licensees.

Appendix 'A' [See Rule 28] Form of mortgage

Orissa State Electricity Board No.....Rs.....By virtue of the Electricity (Supply) Act, 1948 (Central Act LIV of 1948), the Orissa State Electricity (Supply) Rules, 1961 and of all other powers enabling it on behalf the Orissa State Electricity Board (hereinafter referred to as "the Board") in consideration of the sum of Rs..... (hereinafter referred to as "the principal sum") paid to the Board by..... of..... (hereinafter referred to as "the mortgage") do hereby grant and assign-up to the mortgage (his) executors, administrators and assigns such proportion of the undertaking and revenues of the Board as the principal sum doth or shall bear to the whole sum which is or shall be charged on the said undertaking and revenues, to hold up to the mortgage (his) executors,

administrators and assigns from the day of the date of these presents, until the principal sum shall be fully paid and satisfied with the interest for the same (subject as hereinafter provided) at the rate of..... per centum per annum from the.....day of.....nineteen hundred anduntil the payment of the principal sum, such interest to be paid half-yearly on theday of..... and the day of in each year, and it is hereby agreed that the principal sum shall be repaid at the principal office of the Registrar of mortgages of the Board on the day of..... nineteen hundred and :Provided always and it is hereby agreed and declared that the above-mentioned period for payment may from time to time by agreement between the Board and the mortgagee be extended to a subsequent day and upon any such extension the above-mentioned rate of interest may be altered to such other rate or rates of interest as shall from time to time be agreed upon between the Board and the mortgagee and mentioned in an endorsement to be made hereon under the hand of the Chairman or Secretary of the Board for the time being and that upon any such endorsement being made whether relating to extension of time only or to extension of time with alteration of rate of Interest, the provision thereof shall be incorporated herewith and shall operate and take effect as though they had been originally inserted herein. In witness whereof the Board have caused its common seal to be hereunto affixed this.....day of.....nineteen hundred andSecretary of the Board. The endorsement within referred to The within named..... consenting the within mentioned time for repayment of the within mentioned principal sum of Rs..... is hereby extended to the day of.....nineteen hundred and (and the interest to be paid thereon on and from the.....day of nineteen hundred and..... is hereby declared to be at the rate of centum per annum). Dated this.....day of.....nineteen hundred and.....Chairman or Secretary of the Board for and on behalf of the Board. Appendix 'B' Powers of the Chairman The State Government may, from time to time, by order define the power of the Chairman.

1. Responsibility of Chairman. - The Chairman shall be responsible for property carrying out the directions and decisions of the Board.

2. Liason between the Government and the Board. - The Chairman shall function as a liaison between the Government and Board in matters arising out of the administration of the Act, to the extent the Government is concerned.

3. Difference of opinion to be reported. - The Chairman may bring to the notice of the Government any difference of opinion, on matters of policy, arising between him and the other members of the Board. He may also similarly refer any other matter of policy, to the Government and place the directions received from them, for consideration and action by the Board.

4. Controlling officer in respect of travelling allowance and medical bills. - The Chairman shall be the controlling officer in respect of-

(a) travelling allowance and medical bills of members of the Board including himself;
and (b) travelling and other allowances (if any) admissible to the members of the Council.

5. Alteration in the period of notice of meeting. - The Chairman may determine at his discretion, the period of notice of any particular meeting of the Council.

6. Placing new matters before meeting. - The Chairman may bring or cause to bring any new matter which in his opinion is urgent before any meeting of the Council with or without giving notice.

7. Matters not to be discussed. - The Chairman shall, if in his opinion it would be contrary to the public interest to discuss or answer any particular matter relating to the Board at a meeting of the Council, exercise his discretion to disallow such matter.

8. Invitees for a meeting. - Any officer of the Board, not being a member thereof may be invited by the Chairman to attend any meeting of the Council. Such officer, may, with the previous consent of the Chairman, take part in the deliberations, but shall not be entitled to vote.

9. Prohibition of disclosure of confidential information. - No member of the Council except with the previous permission of the Chairman in writing, shall disclose to any person, other than a member of the Board or of the Council or of a committee, any information relating to the affairs of the Council or allow such person to inspect or have access to any books, documents or other papers relating to the business of the Council or of a committee, which are required to be treated as confidential.

10. Approval of agenda. - The Chairman shall approve the agenda for meetings of the Board as also of the Council including the fixation of date, time and place of meetings.

11. Distribution of duties and functions. - Subject to the provisions of the Act, the Chairman shall distribute the duties and functions between members, Secretaries and other officers of the Board, and matters pertaining to the disposal of the case work in the secretariat of the Board on such subjects that are not to be included in the regular agenda of the Board's meeting.

12. Sanctioning of casual leave to members, etc. - The Chairman shall be responsible for sanctioning casual leave to members and casual and other kind of leave, without a substitute, to the Secretary of the Board.

[The Chairman may however avail himself of casual leave not exceeding 10 days (inclusive of public holidays) at a time, and 15 days in a year, after making suitable arrangements for the proper disposal of his duties during such absence and sending prior intimation to Government.] [Inserted vide Orissa Gazette Extraordinary No. 670 of 1972.]

13. Decision on point of order. - Any point of order raised at the meeting of the Council shall be decided by the Chairman and his decision thereon shall be final.

14. Performance of journeys outside the jurisdiction of the Board. - The Chairman shall be competent to allow the members and officers of the Board, to undertake journeys for the performance of the duties of the Board outside the jurisdiction of the Board, and also to make arrangements for carrying out the functions and duties of such members and officers in their absence.