

The Central Electricity Regulatory Commission Fund (Constitution and the manner of application, of the Fund) and Form and Time for Preparation of Budget Rules, 2007

UNION OF INDIA

India

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The Central Electricity Regulatory Commission Fund (Constitution and the manner of application, of the Fund) and Form and Time for Preparation of Budget Rules, 2007Published vide Notification No. G.S.R. 675(E), dated 22nd October, 2007Ministry of PowerG.S.R. 675(E). - In exercise of powers conferred by section 98 and 99 and clause (p) of sub-section (2) of section 176 of the Electricity Act, 2003 (No. 36 of 2003), the Central Government hereby makes the following rules namely:-

1. Short title and commencement.

(1)These rules may be called the Central Electricity Regulatory Commission Fund (Constitution and the manner of application, of the Fund) and Form and Time for Preparation of Budget Rules, 2007.(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;(b)'Central Commission' means the Central Electricity Regulatory Commission Constituted under section 76 of the Act;(c)'Secretary' means the Secretary of the Central Commission;(d)'Form' means a form appended to these rules;(e)'Fund' means the Central Electricity Regulatory Commission Fund.(2)Words and expressions used and not defined in these rules but defined in the Electricity Act, 2003, shall have the meanings respectively assigned to them in that Act.

3. Constitution of the Fund.

(1)The Central Government hereby constitutes a Fund to be called the Central Electricity Regulatory Commission 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 Central Commission shall, by the 30th September of each year, submit to the Central Government its requirement of funds for the next financial year taking into account the estimated receipts of the Commission.(4)The Central Government may, after due appropriation made by the Parliament, make to the Central Commission grants and loans of such sums of money as the Government considers necessary after having due regard to the requirement communicated by the Central Commission under sub-rule (3).(5)The Fund shall comprise of-(i)any grants and loans made to the Central Commission by the Central Government under section 98 of the Act;(ii)all fees received by the Central Commission under the Act;(iii)all sums received by the Central Commission from other sources as may be decided upon by the Central Government from time to time.

4. Application of the Fund.

- The Fund shall be applied for meeting -(a)the salary, allowances and other remuneration of the Chairperson, Members, Secretary, Officers and other employees of the Central Commission;(b)the expenses of the Central Commission in discharge of its functions under section 79 of the Act;(c)the expenses on objects and for purposes authorised by the Act.

5. Release of amount from the Fund.

(1)The Central 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. Upon receiving such a requisition from the Central Commission, the Central Government shall-(a)transfer the appropriate part of the sums of grants and loans for the Central Commission approved by the Parliament in the annual budget of the Ministry of Power to the Fund and simultaneously.(b)release the amount as requisitioned from the Fund to the Central Commission by account payee cheque through its Pay and Accounts Office.(2)The Central Commission shall maintain proper accounts and other records of the grants and loans in the manner as may be prescribed by the Central Government in this behalf(3)At the close of Financial Year the Central 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. Opening of Bank Account.

(1)The Central Commission shall open account(s) in one or more nationalised banks.(2)The Central Commission shall make available the specimen signatures of two of its officers to be the authorised signatories to the nominated bank/(s) for their information and records.(3)The link branch of the nominated bank/(s) shall furnish daily payments and receipts scrolls to the Central Commission which will ensure that the cheques appearing in the payment scrolls are those issued by the Central

Commission and reconcile each transaction with the bank(s).

7. Manner of applying the Fund.

(1) All amount released from the Fund shall be paid into the Central Commission's account(s) in the bank(s) and shall not be withdrawn except on presentation of a cheque signed jointly by Deputy Director (Accounts) and Accounts Officer or such other officer as authorised by the Central Commission. (2) These officers shall be responsible for monitoring the proper transactions of receipts and payments on behalf of the Central Commission.

8. Budget Estimates and Revised Estimates.

- The Central Commission shall prepare its budget estimates and revised estimates in the format as at Annexure - I and Final Grant statement in format as at Annexure - II and submit them to the Central Government by the 30th September and 15th January of each Financial Year.

9. Delegation of Powers.

(1) The Chairperson of the Central Commission shall have the powers of the Central Government relating to items as given in schedule II, V, VI and VII of Delegation of Financial Powers Rules, except in the following matters:-(i) Creation of posts, (ii) re-appropriation of funds from one head to another, (iii) purchase of vehicles, (iv) permitting any officer of the Commission to participate in seminars, conferences or training programme abroad; Provided that the exercise of these powers will be subject to the general restrictions and conditions contained in the Delegation of Financial Power Rules, 1978 and other general rules and orders issued by the Government of India from time to time. (2) The Central Commission shall lay down the detailed procedure for sanction of various expenditure and delegation of power among the Central Commission, Chairman and Secretary of the Central Commission.

10. Audit of the Accounts.

(1) The accounts of the Central Commission shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him. (2) The accounts of the Central Commission as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with audit report thereon shall be forwarded annually to the Central Government by the Central Commission to enable it to place the audit report before each House of Parliament. Annexure I Revised Estimates of (Current Year) / Budget, Estimates of (Next Year)

Head of Account	Actuals Last two Years	Budget Allotment	Actuals of First 6 months (Prev 2 years and FY)	Actuals for last 6 months (prev 2 years)
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1	2	3	4	5	6	7	8	9
Estimate last 6months (FY)		Total Revised Estimate	Budget Estimate	Difference between Allotment & RE (11 - 4)				
10		11	12	13				
Difference between (BE & RE) (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. Annexure - II Final Grant Statement (Financial Year)

Head of Account	Revised Allotment received	Actuals of first 10 months	Requirement last 2 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 CERC 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

3.1 From Government 3.2 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 CERC

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

31.1Investments31.2Deposits

32. Security Deposits

33. Loads and Advances

33.1To employees33.1.1Bearing Interest33.1.2Not-bearing interest33.2To Suppliers and Contractors33.3Others (to specify)

34. Repayment of Loads

35. Others

35.1Leave salary and pension contribution35.2Audit fee35.3Miscellaneous

36. Description

37. Loss on sale of assets

38. Bad debt written off

39. Provision for bad & doubtful debts

TotalAppendix BExplanatory Memoranda to RE/BE Statements of Central Electricity Regulatory Commission

- 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 CERC for the budget year and previous year.**