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BIHAR ELECTRICITY REGULATORY COMMISSION, PATNA

NOTIFICATION

The 15th July, 2014

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 15th November, 2011 and published on 18th 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 (4) of 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
 - ¹[(a) **Drawing & Disbursing Officer (D.D.O.)** shall mean any officer of the Commission authorised to act as Drawing and Disbursing Officer]
 - (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.

[1] Added Sl.No. "(iv)(a)" by the BERC (Delegation of Financial Powers) [1st Amendment] Regulations, 2015 vide Bihar Gazette No. 1311 dated 11th December, 2015 (w.e.f. 11.12.2015)

- (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.

By order of the Commission,
Parmanand Singh,
Secretary, BERC.

**Bihar Electricity Regulatory Commission
Delegation of Financial Powers Regulation, 2014.**

Appendix-A

SL No.	Item of Expenditure	Monetary limit upto which expenditure can be incurred.				Remarks
		Powers of the Chairman	Powers of the head of the department	Powers of the head of the office	Powers of the D.D.O.	
1	2	3	4	5	² [5(a)]	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	Rs.10,000/- per occasion (Subject to availability of fund in budget and without splitting the items/ orders.)	Subject to availability of fund in the Budget.
	(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	Nil	Subject to availability of fund in the Budget and observance of the procedure prescribed 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.
2.	Motor vehicle:					
	(a) Purchase of vehicle	Full power	Nil	Nil	Nil	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.
	(b) Maintenance, Repair and replacement of parts	Full Powers	Rs. 50,000/- p.a. per vehicle	Rs. 25000/- p.a per vehicle.	Nil	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. M4-18/2006-4082वि० (2) dated-24.06.2006 and any subsequent amendment made to it by the State Govt. from time to time.
	(c) Registration and insurance of vehicle	Full Power	Full Power	Full Power	Nil	

[2] Added a new column "5(a)" by the BERC (Delegation of Financial Powers) [1st Amendment] Regulations, 2015 vide Bihar Gazette No. 1311 dated 11th December, 2015 (w.e.f. 11.12.2015)

	(d) POL	Full Power	Full Power within sanctioned limit per vehicle per month	Full power within sanctioned limit of POL per vehicle per month	Full power within sanctioned limit of POL per vehicle per month	State Govt. Finance Department order dated 09.10.2007 extending limit of POL per vehicle per month shall apply in case of Chairman and Members of the Commission i.e, 250 liters per vehicle per month for official purposes and for commuting from residence to office and back. However, the expenditure on fuel for tour in connection with public hearing at Divisional headquarter level including other field tours will be out of this limit. For other officers it shall be 110 liters per month per vehicle for official purposes and for commuting residence to office and back. Expenditure on fuel for field tours for various purposes will be out of this limit.
	(e) Condemnation of vehicles and their disposal through auction	Full Power	Nil	Nil	Nil	Subject to fulfillment of norms prescribed by the State Govt. for disposal of goods as laid down in Bihar Finance (Amendment) Rules, 2005, read with Govt. of Bihar, Finance Deptt. letter no. 04.11.2008-4665/वि० (2), dated 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	Nil	
	(ii) Hiring of conveyance (on regular basis)	Full Power	Nil	Nil		
4.	Office Equipment Electric Appliances and computers:					
	(a) 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	Nil	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	Nil	-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	Nil	
	(d) Refill of Cartridge of	Full Power	Full Power	Full Power	Full Power	

	Printer/Photocopier/Fax machine.					
5.	Furniture and fixtures:					
	(a) Purchase of furniture	Full Power	Rs. 1,00,000/- on each occasion	Rs. 40,000/- on each occasion	Nil	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 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	Nil	-Do-
	(c) Repair of furniture and fixtures	Full Power	Rs. 30,000/- annual	Rs.15,000/- annual	Nil	
6.	Purchase of stationery:					
	(a) Purchase of stationery stores	Full Power	Rs. 40,000/- on each occasion	Rs.15,000/- on each occasion	Rs.5,000/- 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	Nil	
	(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	Nil	
	(c) Publicity and Advertisement	Full power	Rs. 1,00,000/- on each occasion	Rs.30,000/- on each occasion	Nil	Advertisement shall be taken at approved rate only and it shall be released with due care of 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 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.	Full Power	Nil	Nil	Nil	On the basis of functional requirement and subject to ceiling of amount payable/reimbursable for land line, internet connectivity and mobile charge together prescribed by Govt. of India for different rank of officers as laid down in Govt. of India, Ministry of Finance, Department of Expenditure OM no. 7 (14)/ 2006-C&V/2006 dt. 14.11.2006 and amendment made it to from time to time. Payment of Bill within the

						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	Nil	The ceiling amount shall be Rs. 800/- p.m (land line + internet + mobile). Once it is approved by the Chairman payment of Bills will be made by Head of the Office/ Drawing and Disbursing Officer.
	(ii) 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	Payment of bills shall be made by Drawing and Disbursing Officer.	
9.	Hiring of Building:					
	(a) Hiring of building for office accommodation	Full Power	Nil	Nil	Nil	Once decision is taken for hiring of building for office accommodation and monthly rent is decided by the Chairman, 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 repairs to office building (hired) including sanitary fittings, water supply and electric installations and repairs to such installations.	Full Power	Rs. 50,000/- on each occasion	Rs.25,000/- on each occasion	Nil	Subject to availability of fund in the Budget and in case special repair is undertaken in hired building the expenditure incurred shall be adjusted against rent payable.
	(b) Execution of petty works, special repairs and day to day maintenance of own Building	Full Power	Rs. 100,000/- on each occasion	Rs.50,000/- on each occasion	Nil	Subject to availability of fund in the Budget
11.	Legal charges:					
	(a) Hiring of legal consultants including appointment of counsel, arbitrator	Full Power	Nil	Nil	Nil	Once panel of advocates/counsels is approved and their remuneration payable is sanctioned by the Chairman, payment against their bills after proper verification shall be made by the head of the office/ Drawing and Disbursing Officer.
	(b) Reimbursement of legal expenses incurred by Commission employees relating to discharge of their official duties	Full Power	Full Power	Full Power	Nil	
12.	Hiring of Consultants	Full Power	Nil	Nil	Nil	Once sanction is granted and amount payable is decided at the level of Chairman, payment shall be made by the Head of

						the Office/DDO.
13.	Miscellaneous charges:					
	(a) Electric, Gas and water Charges	Full Power	Full Power	Full Power	Full Power	
	(b) Municipal rates and Taxes	Full Power	Full Power	Full Power	Nil	
	(c) Freight and demurrage/ wharfage charge	Full Power	Full Power	Full Power	Nil	
14.	Engagement of Staff paid from contingencies:	Full Power	Nil	Nil	Nil	Once amount is approved by the Chairman, payment shall be made by the Head of the Office.
15.	Sanction of Honorarium:	Full Power	Nil	Nil	Nil	
16.	Postal and courier charges:	Full Power	Full Power	Full Power	Full Power	
17.	Supply of liveries and washing allowance	Full Power	Full Power	Full Power	Nil	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	Nil	
	(b) In cases of other officers and staff of the Commission	Full Power	Full Power	Full Power	Nil	
	(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	Nil	
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	Nil	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	Nil	
	(b) working lunch during the meetings/conferences/seminar/work shops	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	Nil	
	(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	Nil	
21.	Security and sanitation service:					
	Engagement of security and sanitation services	Full Power	Nil	Nil	Nil	Once engagement of services is approved by the Chairman, payment will be made by Head of the Office/DDO.
22.	Reimbursement of medical Expenses	Full Powers including powers to grant relaxation	Full Power as per Bihar Electricity Regulatory Commission (Terms and	Full Power as per Bihar Electricity Regulatory Commission (Terms and	Nil	

		of provisions in deserving cases	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	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.		
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	Nil	
24.	Disposal of obsolete, surplus or unserviceable stores	Full Power	Up to Rs. 50,000/-	Nil	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	Nil	

By order of the Commission,

**Parmanand Singh,
Secretary, BERC.**