

Answer to Question 1 (a)

Account Code: 22.201 to 22.219 explains the Capital Material Purchase A/c by Material Group as under:

- 22.201----Capital Material Purchase-Steel
- 22.202----Capital Material Purchase -Cement
- 22.203----Capital Material Purchase -Transformers
- 22.204----Capital Material Purchase -Metering Equipments
- 22.205----Capital Material Purchase -Cables & Conductors
- 22.206----Capital Material Purchase -Poles
- 22.207----Capital Material Purchase -Electric Light Fittings
- 22.208----Capital Material Purchase -Spares
- 22.209----Capital Material Purchase -Timber
- 22.210----Capital Material Purchase -Steel Pipes
- 22.219----Capital Material Purchase -Others

This account would identify materials purchases under capital account to specific Materials Group.

The basis of selecting materials groups are:

- major consumption and
- capital jobs requirements.

This account would correspond to physical materials receipts of specific category.

Answer to Question 1 (b)

I.U.T. stands for Inter-Unit-Transfers. An IUT Bill is raised when:-

1. Cash is transferred from one Accounting Unit to another;
 2. Material is issued from stores for use on works of another Accounting Units;
 3. Recoveries are affected on behalf of another Accounting Unit;
- Payment is made by one Accounting Unit on behalf of another Accounting Unit.

Answer to Question 1 (c)

IUT transactions have been divided into following codes:-

- 30 For transfer of fuel from one Thermal Station to another;
- 31 For transfer of materials
- 32 For transfer of assets such as completed Building from C.W. Divisions to D.S. organizations. Transmission Lines from TLSC Division to DS organization. Lines & Connections by RE to DS organization & so on.
- 33 For transfer of cash remitted by field units to HO (RIB).
- 34 For transfer of funds from HO to Field Units (Drawing Limits).
- 35 For transfer of payment made by HO on behalf of field units.
- 36 Employees related transactions on behalf of other units.
- 37 Other Transactions not falling under 30 to 36.
- 37.000 Issuance of U-cheque in acceptance of IUT Bill or straight credit such as transfer of cash.
- 38 HO Reserve Account for transferring Difference of Income & Expenditure at year end.

Issue of stores from stock to works of other Divisions, payment of a liability by one Accounting Unit on behalf of another has to be classified to A. Code 31, 32, 36 or 37 & an IUT Bill raised against the beneficiary Division. After the IUT Bill is received it is verified by the JE/SDO with reference to the record available in their office & IUT Bill sent to the Division which would debit the expenditure to the appropriate Head of Account & convey acceptance of IUT Bill by issuing a U-cheque.

Similarly the Division that incurred the expenditure / or issued the stores on receipt of U-cheque, enters the U-cheque in U-cheque Book & clears the IUT Bill raised by it.

Answer to Ques. 2

Rate per kilometre of vehicles is arrived at as under:-

	(Rs.)
Employee cost	3,00,000
Repair and minor replacement of vehicle	50,000
Maintenance and repair of vehicle shed	10,000
Fuel and Lubricant (supplied from stores)	1,00,000
Depreciation (2,00,000 X 0.90 X 1/5)	36,000
Total expenditure for Powercom's use	496000

(i) Rate for Powercom's use = $4,96,000 / 30,000 \text{ km} = \text{Rs. } 16.53 / \text{KM}$

	(Rs.)
Employee cost @ 127.50%	3,82,500
Repair and minor replacement of vehicle @ 127.50%	63,750
Maintenance and repair of vehicle shed @ 127.50%	12,750
Fuel and Lubricant (supplied from stores) @ 110.00%	1,10,000
Depreciation (2,00,000 X 0.90 X 1/5)	36,000
Interest @ 13.50% on (2,00,000 / 2 + 20,000)	16,200
Total expenditure for Private use	6,21,200

(ii) Rate for Private use = $6,21,200 / 30,000 \text{ km} = \text{Rs. } 20.71 / \text{KM}$

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Answer to Question 3 (a)

The SDO shall examine the inspection report prepared by JE to determine the nature & cause of damage & proceed to get the transformer replaced within 48 hours. The estimate for the replacement of transformer shall be prepared & got sanctioned.

The cost of transformer drawn from stores shall be debited to 10.541/ 10.542. Fixed Assets while the cost of damaged transformer & accumulated depreciation thereon shall be removed from the Fixed Assets A/c etc. at the time of returning the damaged transformer to TRW.

Entry of damaged transformer shall be recorded in the Register of Transformers in Form TRW-10 kept in the sub-division. An abstract showing details of total no. of transformers / transformers damaged during the month & those sent to the COS for repairs shall be prepared & sent to Sr. Xen (Division).

In the Divisional office a Register of Damaged transformers (in Form TRW-9) shall be maintained by the HDM capacitywise for each Sub-division/ Office. On receipt of report of damaged transformer, entry shall be made in the Register by HDM & it shall be cross checked with reference to the abstract from the Register of Transformers received from the Sub-Divn.

The damaged transformer shall be sent to TRY through SRW. On receipt of SRW in the Divisional A/cs section, necessary IUT Bill shall be raised by DS Divn against COS.

While receiving the damaged transformer in TRY, a joint verification report shall be prepared by the JEs of DS/COS organization indicating the shortages which shall be debited to 28.868 shortages pending investigation by the DS Divn.

With the transfer of TRY under COS, the value of damaged transformers and accumulated depreciation thereon shall be kept in the books of COS under 16.416. After receipt of repaired transformers from TRW the COS shall clear the head 16.416. COS shall raise debit against DS Divn when a repaired transformer is issued from stores.

Transformers after repair shall be sent by TRY to stores under COS through SRWs without value. The cost of damaged / repaired transformers shall be treated as part of capital assets and stock inventory. Following accounting entries shall be passed by various accounting units while transferring the damaged/ repaired transformer:-

DS Divn. for sending damaged transformer to TRY.

Dr. IUT-32 Written Down Value of the Transformer
 Dr. 12.541/ 12.542 Depreciation Provision
 Cr. 10.541/ 10.542 Original Value of the Transformer

COS (TRY) on receipt of damaged transformer.

Dr. 16.416 Damaged transformer (with the original value)
 Dr. 46.941 Credit awaiting IUT (written down value)
 Cr. 16.421 Accumulated Depreciation

DS Divn on receipt of Repaired transformer from Stores

Dr. 11.541/ 10.542 Original value of the Transformer
 Dr. 12.541/ 12.542 Accumulated Depreciation
 Cr. 37.000 U Cheque for net value

Answer to Question 3 (b)

Against payment of Rs. 11800 cheque issued to party Rs. 18000, excess payment of Rs. 6200 is recoverable from the Contractor.

A consolidated JV required would be as under:-

Dr.-----Work	Rs. 1000	
Dr.-----28.810 Contractor	Rs. 6200	
Credit-----24.403 Cheque Issued A/c		Rs. 7200

Answer to Question 4 (a)

- 1) Checking / sanctioning of Estimates.
- 2) Getting the audit of works conducted through the Divisional Supdt. (Accounts).
- 3) Initiating the action against the discrepancies detected as a result of audit by the Divisional Supdt. (Accounts).
- 4) Ensuring that the accounts are being maintained and initiating action against officials reported by the Divisional Supdt. (Accounts) who have failed to render the accounts.
- 5) Surveying off tools and plants and unserviceable articles/ materials.
- 6) Ensuring that the register of issue of MBs, EMBs, dismantlement registers etc. are being maintained.
- 7) To ensure that register of cheque books is being maintained.
- 8) To ensure that the Budget Grant is fully spent and to submit a list of E&S for re-appropriation of the Budget Grant.
- 9) To ensure the framing of the completion plans and completion reports.
- 10) Ensuring maintenance of works register and controlling the expenditure on works through Divisional Supdt. (Accounts).

Answer to Question 4 (b)

1) Open Tenders:

For the major works, tenders will be invited from eligible contractors, as per para 5(i) through publicity in the news papers/journals allowing a minimum period of 4 weeks from the date of first publication for submission of tenders. In urgent cases, the period may be reduced to 2 weeks.

2) Limited Tenders:

For minor works tenders may be invited from all registered contractors through letters sent by registered post 'acknowledgement due' giving a minimum period of 15 days from the date of issue of such letters for submission of tenders. In exceptional cases the period can be reduced as considered necessary by the competent authority.

Limited tenders may be invited for major works upto Rs. 50 lacs only in any emergency case.

3) Single Tenders:

Single tenders may be invited for jobs such as maintenance and repairs of proprietary equipment etc, which can ~~not~~ be got done only through a specialized firm/ contractor.

Answer to Question 5 (a)

The tenders will be submitted as per Notice Inviting Tender (NIT) / Tender specifications complete in all respects and deviation from NIT / Tender specification shall be clearly brought out by the Tenderers. No post tender development shall be allowed regarding any change in terms of prices or technical specifications.

a) **TWO PART BIDS: For works upto Rs. 5 crores**

Tenders shall be submitted in two parts:

Part-I: Earnest Money; Part-II: Commercial Technical Conditions and Price Bid.

The tenderer shall seal original or each part of the tender separately in double envelope, duly marked as Part-I and Part-II. The inner envelope of each part of the tenders shall indicate the name and address of the tenderer to enable the tender to be returned un-opened, if it does not meet the NIT requirements. The tender shall be submitted in duplicate, triplicate or quadruplicate, as desired. Other copies of the tender shall be similarly sealed and marked.

b) **THREE PART BIDS: For works exceeding Rs. 5 crores**

Each part shall be sealed in separate envelope duly subscribed on the envelope as Part-I, Part-II and Part-III. Envelope marked Part-I, 'Earnest Money' shall be opened and if the earnest money is found in order then the envelope marked Part-II 'Commercial & Technical conditions Qualifying Financial effects' shall be opened. In case financial effects are unambiguous and without any reservations specified, only then Part-III 'Price Bid' shall be opened.

Answer to Question 5 (b)

OPENING OF TENDERS

- 1) Tender shall be opened on the due date, time and place in the presence of Tenderers or their authorized representatives on production of letter of authority and they will append their signatures in the Tender Register in token of their presence.
- 2) In case the due date happens to be a holiday, the tenders shall be opened on the next working day at the same time and place.
- 3) The tenders shall be opened by the officer/ official inviting tenders or by an officer deputed by him for the purpose in the presence of another officer.
In the case of Sub Divisions, tenders shall be opened in the presence of a Senior Official like Junior Engineer, Line Supdts/ Sectional Officer.
- 4) Tenders submitted by the firms who did not purchase a set of tender documents / specifications as required shall not be opened and words " Ineligible Tenders-Specification not purchased," shall be written on the envelope and kept in safe custody.
- 5) The envelope containing earnest money shall be opened first and in case the deposit of earnest money is in accordance with the terms of NIT/Tender specification only then the envelope containing detailed offer shall be opened.
- 6) The Silent particulars viz. brief description/ specifications of items, quantities, prices and delivery period offered in each tender, shall be read out before the Tenderers/ their Authorized representative present.
- 7) After opening the tenders, the originals shall be handed over to the officer/ official deputed for processing the case and his acknowledgement recorded in the Tender Register. The second copy of tenders duly signed shall be retained in safe custody with the office Superintendent/ Head Clerk/ Sub Divisional Clerk concerned.

PAPER II SERVICE RULES & REGULATIONS

Question No 1

a) Distinguish between

i) Probationer is one appointed in or against a post substantively vacant with definite conditions of probation while a person on probation is one appointed to a post (not necessarily vacant substantively) for determining his fitness for eventual substantive appointment to that post.

ii) Fee & Honorarium

Fee means a recurring or non-recurring payment to a corporation employee from a source other than the corporation funds, whether made directly to corporation employee or indirectly through the intermediary of corporation but does not include ;-

a) unearned income such as dividends, interest on securities etc.

b) income from literary, cultural, artistic, scientific or technological efforts and income from participation in sports activities as amateur.

Honorarium means a recurring or non-recurring payment granted to a corporation employee from the corporation funds as remuneration for special work of an occasional nature or intermittent character.

III) Half Pay Leave And Commuted Leave

Half pay leave means leave earned in respect of completed years of service. It is admissible 20 days for each completed year of service. It is granted on medical ground or on private affairs.

Commuted Leave upto half amount of half pay leave due may be granted to an employee on medical grounds only subject to maximum of 240 days in entire service. It shall be granted for a minimum period of 15 days.

IV) Pay band & Grade Pay

Pay band means running pay scale in the revised pay structure introduced w.e.f. 1.1.2006. There are five pay bands in the revised pay structure. These are not any post specific.

Grade pay indicates the fixed amount in the revised pay structure. It indicates the pay scale applicable to a particular post/posts. It is determined with reference to unrevised pay scales of various posts/groups.

(b) Comment

i) The action of the competent authority is not in order as provided in note to regulation 3.2 of PSEB MSR Vol 1 Part 1

ii) The action is covered under note 2 to para 1 (3) (1) in appendix 8 of PSEB MSR Vol 1 Part II.

Question No 2

(a)

i) The officer is entitled to

Hotel Charges Rs.3500/

Daily Allowance Rs. 525/ for 1st Day(3/4 of hotel D. All. at delhi) + Rs. 120/ DA for Patiala for next day.

Provided

He stayed in a hotel not above 3 star.

He obtained non availability of room in PSPCL Guest House at New Delhi.

ii) The T. A. in this case is regulated under Reg. 38 of PSEB MSR Vol. III (T.A. Regulations 1972. According to this regulation the officer along-with his family members are entitled to Travelling Allowance to Ludhiana either from the place from which he is recalled from leave or Patiala as the case may be. But he is entitled to claim transporting charges for personal effects from Patiala To Ludhiana.

iii) T.A. Claim is admissible under Reg. 40 (i) & (ii) of T.A. regulations which provides as under:-

In case the employee attended the court as PSPCL witness T.A. & daily allowance is admissible provided diet money received from the court is deposited by the employee. In case employee does not receive diet money and get the certificate T. A. will be admissible only if the employee receives and deposit the diet with PSPCL.

In case employee attends the court not at the instance of PSPCL no T. A is admissible and he will be on casual leave.

iv) As per note 5 below Regulation 20 of PSEB T.A. Regulations-1972 local mileage on days of stay is regulated as per the given statement i.e. it is restricted up-to one ordinary daily allowance instead of actual expenditure.

(b)

i) As per Rule 3.17 of Punjab CSR Vol II following services do not count for pension:-

i) Service rendered in work-charged establishment

ii) Service paid from contingencies.

iii) Casual or daily rated service.

iv) Suspension adjudged as a specific penalty.

v) Resignation of public service except where such resignation is with proper permission and to take up another appointment, service in which counts in full or in part for pension.

vi) Joining time for which no pay & allowances are admissible.

vii) Unauthorised leave of absence occurs in continuation of authorised leave of absence and if the post of the absentee has been substantively filled up, past service of the absentee is forfeited.

viii) Transfer to a non-qualifying service in an establishment not under government control or if such transfer is not made by the competent authority and transfer to service in a grant in aid school.

ix) Removal from public service for misconduct, insolvency, inefficiency not due to age, or failure to pass an examination will entail forfeiture of past service.

(ii)

Interruption in service may be condoned subject to the following conditions namely:-

(1) The interruption should have been caused by reasons beyond the control of government/PSPCL employee concerned.

(2) Service preceding the interruption should not be less than five years' duration.

(3) The interruption should not be of more than one year' duration

The period of interruption condoned shall not count as qualifying service.

(iii)

Invalid pension

An invalid pension is awarded on his retirement from the PSPCL service to an employee who by bodily or mental infirmity is permanently incapacitated for the public service or for the particular branch of it to which he belongs.

Retiring Pension

Under Premature Regulations 1982 a retiring pension is granted to a PSPCL employee who retires or is retired under the aforesaid regulations.

(iv) Pensionary benefits admissible to the PSPCL employee

Basic Pay	Rs. 35490.
D.A.	107%
Qualifying service	32 years 5 months 20 days say 65 half yeats.
Pension	$35490/2=17745/$ p.m.
DCRG	$Rs(35490*107+35490)*65/4=1193795/$ maximum Rs. 10,00,000/
Commutation of pension	$Rs. 17745*.3*8.371*12=534756/$
Leave Encashment	$Rs. 35490*207/100*245/30=599958/$
Family pension	$Rs. 35490*30/100=10647/$

Question no 3

(a)

i) In case of censure the employee is not selected for a selection post, this does not amount to the withholding of promotion. If competent authority decides that the employee should not be promoted to a selection post for a definite period or until he has obtained good reports, this order would amount to the infliction of the penalty of withholding promotion. In case of non-selection for a selection post the employee in question is considered for selection but some other employee is preferred on his merits, but in case of withholding of a promotion the employee has been declared as a disciplinary measure to be ineligible for selection irrespective of the merits of the other employees available.

ii) The employee who has been issued show cause notice can not be awarded major punishment. He can be given any one of the following minor penalty as per Regulation-5 ((i) to (iv)) of PSEB employees punishments and appeal regulation-1971:

- i) Censure
- ii) withholding of his promotions
- iii) recovery from his pay of the whole or part of any pecuniary loss caused by him to the Board by negligence or breach of orders.
- iv) withholding of increments of pay without cumulative effect.

(b)

i) Following acts constitute sexual harassment'

(a) physical contact and advances.

(b) demand or request for sexual favour.

(c) sexually coloured remarks;

(d) showing any pornography; or

(e) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

Complaints Committee headed by a woman is the competent authority for making complaint of sexual harassment.

ii) The expression 'movable property' includes:-

- (i) jewellery, insurance policies, the annual premium of which exceeds Rs.2000/-or one sixth of the total annual emoluments received from Board whichever is less, shares, securities and debentures.
- (ii) loans advances by such PSPCL employee whether secured or not; and

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- (iii) motor cars, motor cycles, horses, or any other means of conveyance; and
- (iv) refrigerators, radios and radiograms.

Every PSPCL employee shall on his 1st appointment to any service or post submit a return of assets and liability including shares, debentures, and cash including bank deposits inherited by him or similarly owned acquired or held by him, other movable property inherited by him or similarly owned, acquired or held by him and debits and other liabilities incurred by him directly or indirectly. Further the PSPCL on the prescribed authority may at any time by general or special order demand a full and complete statement of such movable property held or acquired by the employee or on his behalf or by any member of the family as may be specified in the order.

Question No 4

(a) Comment

- i) Advance from GPF neither refundable nor non-refundable is admissible to repay the personal loan.
- ii) Third advance for addition & alteration of house is admissible after 5 years from draw of second advance. Hence it is not admissible.
- iii) In this case GPF final payment is required to be made in equal share to widow and minor son of the deceased employee instead of widow only.
- iv) Advance can be sanctioned as the employee applied for the same ahead of the ceremony. As such the action is in order.

(b)

- i) Sub divisional officer is competent to sanction misc. expenditure for civil suits upto Rs. 375/ in each case.
- ii) Competency of Senior Executive Engineer in this case is Rs. 2500/ subject to conditions laid down in DOP Sr. No 77. These condition are

In each case provided that

- a) the loss does not disclose a defect of system, the amendment of which required the order of higher authority or serious negligence on the part of some individual which might possibly call for disciplinary action requiring the order of higher authority.
- b) no write off would be sanctioned if the amount relates to TDPs/Review paras/ CAG report paras or CPU paras.
- c) a report of all such cases is sent to the Board.
- ii) AE/AEE distribution is competent to purchase material & repair of equipment against cash payment upto Rs. 2000/
- iv) Powers to sanction deposit works are delegated as under:-

CEs	Full Powers
SE	Rs 12 Lac
Sr. Xen/Add S.E./Res	Rs. 2.5 lac
AEs/AEEs in-charge S/Divns	Rs. 10000

- v) The annual limit to purchase material for specific works by AE/AEE distribution is Rs. 100000+Rs.15000/(POL)

Question No 5

(a) The guidelines for proper implementation of new defined contributory scheme are as under;

1. Each DDO will ensure that all subscribers of CPF(NPS) have been allotted PRAN numbers. If PRAN has not been allotted to any employee, DDO will forward the S-I Form to the office of AO-NPS Head Office Patiala. A certificate in this regard shall be submitted by each DDO to NPS Section that all subscribers under their office have been allotted PRAN or S-I form of all employees have been filed & submitted.
2. While submitting the application form(S-I) for allotment of PRAN, it should be ensured that all columns of the form are properly filled in black ink only. Un-attested photograph should be properly pasted on the form and one cancelled cheque should also be attached. Form S-I should be submitted in duplicate and ONLY ONE COPY of S-I Form should be properly signed & stamped by the DDO Employee ID Nos. and DDO address should be mentioned on the back side of this signed copy. Instructions given on the last page of the form S-I should be properly followed.
3. While submitting the form S-2 for change correction in subscriber master detail and or reissue of I-Pin/T-Pin PRAN card, instruction given on page 3 of the form should be properly followed.
4. It is clarified that employees who have been appointed by TRANSCO(PSTCL) after 16.04.2010 will get their PRANs allotted through AO/NPS PSTCL(TRANSCO) only. But those employees who are currently working under TRANSCO and their process of recruitment was started during the erstwhile PSEB and they joined during the year 2010, will get their PRANs allotted through AONPS PSPCL.
5. Where an employee has joined PSPCL after resigning from any other Govt. Department and PRAN has been issued to him/her from his/her previous employee, there is no need to apply for a new PRAN. Subscription may be deposited in his old PRAN and a proper note to this effect including detail of previous department should be given in the NPS schedule.
6. The amount of each financial year standing at the credit of 57.165(employer share) & 57.160(employee share) must be tallied since 1.1.2004, if there is any difference, same shall be rectified.
7. In case the recovery of amount of subscription from the salary of employee recruited on or after 1.01.2014 (whose PRAN No shall be allotted by NSDL) towards New Pension Scheme could not be started yet same shall be deducted with the current Month Subscription i.e. one subscription for Current Month and one additional of equivalent amount towards arrears.
8. Every DDO shall create an E-Mail ID. If the same has been already been created in respect of their office, in order to furnish the schedule register (in prescribed format in MS Excel) under NPS of those employees appointed on or after 01.01.2004 at aopscl.in/aopscl@gmail.com by 25th of every month to enable NPS section to deposit the CPF to NSDL.
9. DDO should ensure that correct PRAN(12 Digits) of each subscriber has been shown in the schedule. DDO is fully responsible for the subscription shown in the schedule by his office

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against incorrect PRAN/PRANS. It is advised to keep a photocopy of the PRAN card of each subscriber in the office.

10. The subscription under NPS is deposited with NSDL, Mumbai on the basis of the NPS schedules submitted by the DDOs. In case any less/excess subscription has been intimated by the DDO, the adjustment is to be made by the DDO at his own level in the NPS schedule of the next month. No revised schedule of NPS subscription for any month will be accepted.
11. The MPS Schedule should be submitted only as per prescribed Performa in MS Excel and in soft as well as hard copy, NPS Schedule submitted in any other format/form will be rejected.

(b)

Office Sub Division Officer,
Distribution Sub Division, PSPCL-----

Memo No

Dated

To

Senior Executive Engineer

Distribution Division PSPCL

Subject Shortage of Staff

In this connection it is stated that more than half posts including Revenue Accountant are vacant in this sub division. There is only two ledger keepers and two cashiers against sanctioned strength of five and four respectively. UDC Revenue is looking after the work of Revenue Accountant. Resultantly he can not certify the correctness of CCR book.

In such a situation a great difficulty is faced in collection of cash, remittance thereof in bank and getting the same transferred to main account timely. Similarly consumer problems with regard to billing are not taken care in time bound manner.

Keeping in view the above position it is requested to take up the matter of solving staff shortage with higher authorities. Posting of Revenue Accountant alongwith at least one each ledger keeper and cashier may solve this problem to a great extent.

Sub Divisional Officer

PSPCL

**PAPER-III
(REVENUE ACCOUNTS)**

1. a)

Ans. Compounding Charges recoverable from the consumers indulging in theft of energy as per notification of Punjab Govt. No. 1/27/05-EB (PR)/204 dated 22.3.06 as follows:-

- | | | | |
|----|--|---|--|
| 1) | Industrial Services (SP & MS) | = | Rs. 10,000/- per KW or part thereof of sanctioned load. |
| 2) | LS(Gen. & Power Intensive) | = | Rs. 10,000/- per KW or part thereof of sanctioned load. |
| | | | or |
| | | | Rs. 10,000/- per KVA of Contract Demand whichever is higher. |
| 3) | Commercial/NRS | = | Rs. 5,000/- per KW or part thereof of sanctioned load. |
| 4) | Agriculture | = | Rs. 2,000/- per BHP or part thereof of sanctioned load. |
| 5) | Other Services (Domestic & Bulk Supply) | = | Rs. 3,000/- per KW or part thereof of sanctioned load. |

1. b)

Ans. The Govt. of Punjab has authorized the following officers of PSPCL to recover/collect the compounding charges from the consumer/person for compounding the offence of theft of electricity:-

- | | | | |
|----|--|---|--|
| 1) | All domestic, Bulk Supply Agriculture and Commercial connections (LT & H) | = | SE/Distribution of the respective areas. |
| 2) | All Industrial SP Connections | = | SE/Distribution of the respective areas |
| 3) | All LS & MS industrial connections | = | CE/Distribution of the respective areas. |

- 1.c) (i) PSERC has notified the Open Access Regulation PSERC.Secy/Reg/57 dated 01.07.2011, w.e.f. 01.07.2011. As per regulation subsidizing consumer of the State availing Open Access facility shall pay cross subsidy charge on per unit basis in addition to transmission and/or wheeling charges, determine by the Commission provided that such surcharge shall not be leviable to a person who has established a captive generating plant for carrying the electricity to the destination of his own use. The consumer availing Open Access exclusive on interstate transmission system and the consumers availing Open Access facility without involving licensee's Transmission and/or Distribution system shall also pay the same surcharge. The surcharge shall be paid to the distribution licensee of area where the premises of the consumer availing Open Access are located. In case of more than one licensee supplying in the same area, the licensee from whom the consumer was availing supply shall be paid the amount of surcharge.
- 1.c)(ii) Essential Services means the services which affect the general public at large and shall interalia include Hospitals, Railway Stations/Installations, Railway Traction, Defence and Military Installations, Radio/TV/ News Service Installations, Water Supply & Sewerage Installations, Postal & Telegraph / Telecom Installations/Telephone Exchanges/ Installations;
- 1.c)(iii) Contract Demand means the maximum demand in KVA sanctioned to the consumer. Consumers with load exceeding 100KW (except Public Lighting & AP High Tech) and all MS/BS consumers shall declare the maximum demand in KVA which shall not exceed 100% of the sanctioned load in KW and converted in KVA by using 0.90 power factor. However, in case of MS consumers, the maximum demand shall not exceed 100 KVA.
The maximum demand for any month shall be considered as highest average load measured in kilovolt Ampere (KVA) during a block of 30 minutes period.
- 1.c)(iv) Temporary Connection means an electricity connection required by a person for meeting with his temporary needs such as-
- (i) for construction of residential, commercial and industrial complexes including pumps for dewatering;
 - (ii) for illumination during festivals/family functions;
 - (iii) for threshers or other such machinery excluding AP pump sets;
 - (iv) for touring cinemas /theatres /circuses /fairs/ exhibitions/ melas/congregations;

Ans. 2 a) (i) For change of tariff for DS and NRS consumers following activities to be performed while sending advice no. 71 :-

- 1) Change of Tariff from DS to NRS and NRS to DS should be entered in SAP by ARA/RA/RS and authorized by AE/AEE
- 2) Board Employee Concession should be entered in SAP by UDC Revenue and authorized by ARA/RA/RS
- 3) Pb. Govt. connection code should be entered in SAP by UDC revenue
- 4) Type of NRS consumer should be entered in SAP by UDC revenue
- 5) Schedule Caste/BPL concession should be entered in SAP by RA and authorized by AE/AEE.

For correction of meter particulars in respect of DS and NRS consumers advice no. 73 should be sent in which Phase code (For Rental Purpose) shall be entered and authorized by UDC and No. of Digits entered by JE/AEE. Copy of Report should be filled by UDC in the file for audit purpose.

Ans. 2. a) (ii) Advice no. 76/86/96 are prepared as follows:-

- a) All the entries of Sundry allowances should be entered in Sundry Charges and Allowance register manually as well as in SAP.
- b) Sundry Allowance/Charges Upto Rs. 25000/- entered in SAP by UDC authorized by RA/ARA/RS. and above Rs. 25000/- entered in SAP by RA/ARA/RS authorized by AE/AEE.
- c) Refund of Audit period should be given by the approval of concerned authority as per Board Regulation.
- d) Key exception report on daily basis should be generated for its scrutiny.

Ans. 2. a) (iii) For correction of name, Address, Load and service rental of DS, NRS consumers advice no. 75 should be sent by UDC and authorized by ARA/RA/RS whereas correction of Load (old cases) entered by RA and authorized by AE/AEE and proof of it should be kept in file for audit purpose.

Ans. 2. a) (iv) PDCO on request & theft cases/defaulting amount is dealt as follows:-

- a) PDCO is issued by UDC Revenue after marking of report by AE/AEE and forward to JE for Implementation
- b) JE removes the meter and enter in SAP and hard copy returned to UDC revenue to check on SAP.
- c) In case of payment has been made by consumer then JE should complete the job order hard copy of PDCO returned to UDC.

Ans. 2.b) In compliance of Punjab State Electricity Regulatory Commission (PSERC) order dated 22.08.2014, Guidelines for Contract Demand in case of MS category consumers are as under:-

- i. The contract demand system for MS category of consumers shall be applicable w.e.f. 01.01.2015. All the field officers are directed to issue notice to all MS category consumers within one month of issue of this Order, for declaring their Contract Demand within 2 months of the issue of notice.
- ii. In case of MS category consumers the maximum sanctioned Contract Demand shall be 100 KVA. Further, in case consumer fails to declare his contract demand within the specified notice period, his sanctioned load shall be converted into KVA demand by using 0.90 Power Factor.
- iii. PSPCL will install complete meters against all the medium supply consumers before 31st December, 2014, if not already existing. However, any MS Industrial Category consumer shall be at liberty to arrange his own compatible meter and get it installed from PSPCL before this date.
- iv. The MMC for MS category shall be computed on the basis of sanctioned load in KW up to 31.12.2014 and afterwards on the basis of sanctioned contract demand in KVA w.e.f. 01.01.2015.
- v. The consumers will be levied a demand surcharge @ Rs. 750/- per KVA of demand in excess of the sanctioned contract demand irrespective of number of defaults. The tariff will continue to be single part as here-to-fore and MMC will be based on contract demand.
- vi. The above decision regarding introduction of Contract Demand system for MS Industrial Category consumers shall also apply to Compost Plants/ Solid Waste Management Plants for Municipalities/Urban Local Bodies.

Ans. 3.

BPM Machine means Bill Payment Machine, installed at various places as cash collection centre to provide 24 hrsX7 days facility to the consumer for depositing their Electricity Bills.

Instruction for operating bill payment machine are as under:-

1. Machines are to be operated on 24 hrsX7 days basis on all days including holidays.
2. Machine attendants provided by the firm shall be responsible for keeping the machine in working order. They shall do the job to maintain the machine and also to guide the consumer in making payment.
3. Chowkidar of the Sub Division or security guard of PESCO shall take care of the machines during 11.00 PM to 7.00 AM. in the night.
4. AE/AEEE or Sr.Xen of concerned Sub-division/Division shall ensure the attendance of Machine Operator.
5. Timings of evacuation of Cash and cheque shall be between 9.00 AM to 10.00 AM. Other timing can also be adopted by the concerned sub-division. Machine should be restarted immediately after taking out the cash and the reports. Two copies of the cash/cheque report shall be taken and signed both by representative/RA of PSPCL and firm. One copy shall be retained by RA and other copy by the firm. AE/AEE or Sr.Xen of the concerned subdivision/Division shall nominate a second standby person in case Revenue Accountant is not available.
6. In no case the set of keys which are meant for RA or their authorized official of the Sub Division/Division and the software code should be given to the machine attendant. Further, the cash and cheques should be evacuated, counted and tallied with the Bill Payment Machine Evacuation Report generated for the period by the RA or the authorized official of the Sub Division/Division himself. Machine attendant shall accompany the cashier/any other person authorized by the nodal subdivision to the bank for depositing the cash evacuated from the machine. Any currency note refused by the bank being mutilated or fake will be replaced by the firm within 2 days. Strict instructions in this regard should be issued to the concerned official/officers.
7. In case cash evacuated from the machine is found less/excess as compared to the cash/cheque collection report generated by the machine, RA or other authorized person shall put a note in token of it on the report and accept the payment. Firm shall reconcile it within 2 days. Any resultant shortage after reconciliation will be deposited by the firm to the PSPCL.

8. Software key code shall be with the authorized person of sub-division/Division and must be changed by him atleast once in a month or any time when RA/ARA/cashier/authorized official deem it necessary.
9. Identity Cards shall be issued by M/s Forbes to their attendants and service coordinators. AE/AEE/DS or Sr.Xen/DS. Divin. must ensure that the machine operator is wearing the Identity Card.
10. The Concerned AE/AEE/DS or Sr.Xen is agreement with concerned Sr.XEN/CSC shall decide the frequency of uploading/down loading of data through pen drive/CD to be done by the authorized Machine attendant. It shall be the responsibility of the nodal subdivision to provide data of all the subdivisions enabled in the machine under their control.
11. The concerned AE/AEE/DS or Sr.Xen shall get spot billing data uploaded daily or on alternate days and hand over through per drive/CD to the machine attendant for uploading the same on machines. They payment data from the machines shall also be downloaded on the same frequency and handed over by attendant for sending to DOEACC.
12. Nodal Sub Division shall maintain the machine maintenance register to record the machine up time/down time and calculate the total uptime of machine.
13. The machines are provided with two cash chest each with a capacity of about 1200 currency notes. One chest will be in service and other is spare. The AE/AEE/Xen of concerned Sub Divn. shall make arrangements if required to change the extra spare chest with the existing chest on daily basis when the main chest becomes full early or between 4.00 PM to 5.00 PM so that the chest space is available in the night after working hours.
14. It is also to ensure that the number of transactions are more than 3000 nos. per month which are minimum assured to be paid to the firm.
15. Apart from the Evacuation Report Cash/cheque collection report, following reports shall be generated from the machines. The segregation report supplied by M/s DOEACC should be treated as final for the purpose of depositing ED and Octroi to the concerned departments.
 - a) Bill Payment Evacuation report (Batch wise on every evacuation)
 - b) Bank Challan Report for Pay in slip for cheques (Bank statement)-daily
 - c) Segregation report(Monthly)
 - d) Cancelled Transactions report (daily)
 - e) Summary report.
 - f) CCR report for any period any time as per requirement for MIS.
 - g) Details of payment received (Advice-90 or Dump data)

Ans. 4. a)

Seasonal Industries:

Seasonal industries mean industries/factories which by virtue of nature of their production, work during part of the year up to a maximum of 9 months during the period of 1st September to 31st May next year. However, seasonal period for rice shellers shall be during the period 1st October to 30th June next year.

Approved seasonal industries are as under:

- (i) All cotton ginning, pressing and bailing plants
- (ii) All rice shellers
- (iii) All rice bran stabilization units (without T.G.Sets)
- (iv) Kinnow grading & Waxing Centers

Rice bran stabilization units having T.G. Sets, Rice Huller Mills, Ice Factories and Ice Candy Plants shall not be treated as seasonal Industries.

Billing of Seasonal Industries:

The seasonal Industry consumers shall have the option to be covered under General Industry Category and relevant Industrial Tariff shall be applicable in such cases. This option shall be exercised by the consumer at least one month prior to start of the season and billing as general industry shall be done for whole one year i.e. for a period of 12 months from the date of start of season.

However, for the season starting w.e.f. 1st September, 2014 the consumers may exercise this option within one month of the issue of this Tariff Order for the seasonal period for FY 2014-15. All seasonal industries shall be charged MMC as under:

- (i) For exclusive seasonal industries (except Rice Shellers), billing shall be done monthly and Monthly Minimum Charges (MMC) as applicable in respective schedules of tariff shall be levied on full sanctioned load/demand for the period these industries work during seasonal period of 9 months (from 1st September to 31st May next year). However, this working period shall be taken as minimum of 4 ½ months for the purpose of levy of MMC on month to month basis. Industries which work for more than 9 months and up to 12 months, monthly minimum charges shall be levied on full sanctioned load/ demand as mentioned above for the seasonal period of 9 months. For the remaining 3 months (i.e. 1st June to 31st August) billing shall be done as per tariff applicable to general industrial consumers and Tariff rate/rate of MMC shall be as given in Schedule of Tariff for general industrial consumers and as applicable depending upon the sanctioned load/demand.

(ii) However, billing of rice shellers (exclusive seasonal Industry) shall be done as under:-

- Billing for the rice sheller seasonal industry shall be done monthly. The Seasonal Minimum Energy Chares (SMEC) will principally be based on energy consumption formula (4800 + nx)X9 wherein monthly energy consumption of 50 KW rice sheller will be taken as 4800 units in accordance with LDHF formula (L-load: 50 KW.D-Days: 24 days. H-Hours:10, F- demand factor: 0.4); where,, n represents numerical number rounded off to two decimal point and will be positive/negative. 0,1,2,3,4,5.....up to „n" for each 10 KW increase/decrease, respectively, with respect to base load of 50 KW. "x" has been taken as 400 units per 10 KW change in load over base load of 50 KW.
- Once the amount equivalent to Minimum Energy Charges for 9 months (seasonal period) is deposited by the consumer in the form of consumption, thereafter the bill shall be raised on actual consumption only.
- During off season period, if the consumption of the consumer in any month exceeds the base energy units/monthly minimum energy consumption worked out with the energy consumption formula (4800+ nx), 1/3rd extra energy charges worked out by multiplying base energy consumption/ monthly minimum energy consumption (i.e. 4800+nx) with seasonal tariff rate shall be charged, in addition to regular of season energy charges during that month.

Note:

1. In case of MS and LS category of consumers the KWh consumption computer as per above procedure shall be converted to kVAh consumption by using Power factor of 0.90.
2. Rice Sheller Consumers shall not be required to serve any advance notice before closing/starting of the unit.
3. The Rice Sheller consumer shall also not be required to give an undertaking not to run his Sheller during off season.

(iii) For mixed load Industries, comprising load of seasonal Industries and general industry; billing shall be done/MMC levied on full sanctioned load/demand for the period seasonal industry runs. MMC on full sanctioned load/demand as applicable to seasonal industries shall be applicable during the seasonal period as specified above, subject to minimum of 4 ½ months. For the remaining period when seasonal load is disconnected, MMC on the basis of general industrial load/demand actually being utilized by the consumer (above 100 kVA in case of LS consumers) shall be leviable. Industries found running seasonal load after having got disconnected the same and intimation having been given to distribution licensee or during off seasonal period , shall be

liable to pay MMC as applicable to seasonal industries units for full period of 12 months. If the load/demand actually being utilized during off seasonal period is found to have exceeded the load/demand fixed for off seasonal period, the load/demand surcharge, as applicable, shall be leviable. For LS/MS consumers, if the actual demand recorded during off seasonal period exceeds the prorated demand fixed for off seasonal period, only demand surcharge shall be leviable.

- (iv) Consumption (kWh/kVAh) by exclusive seasonal industry during the off season shall be charged as per off-seasonal rates under the relevant Schedule of Tariff.
- (v) The seasonal Industry consumers covered under para (i) and (iii) shall be required to serve advance notice before starting/closing of the unit. Also such consumer shall give and under-taking not to run seasonal load during off season. These provisions shall not be applicable in case of seasonal Industry consumers who opt to be covered under general industry category.

Ans. 4. b) With effect from 1st October, 2014 as per General Conditions of Tariff and Schedules of Tariff, the Late Payment Surcharge shall be recoverable as under:-

1. For all categories of consumers having HT/EHT specified supply voltage, if the full amount of the bill is not paid within due date, late payment surcharge shall be levied @ 2% on the unpaid amount of the bill up to 7 days after the due date. After 7 days, the surcharge shall be levied @ 5% on the unpaid amount of bill up to 15 days from the due date.
2. In case of consumers having LT specified supply voltage, if the full amount of the bill is not paid within due date, the late payment surcharge shall be levied @ 2% on the unpaid amount of the bill up to 15 days from the due date.
3. In case of AP consumers, late payment surcharge shall not be levied up to 7 days after the due date. After 7 days surcharge shall be levied as in the case of LT consumers.
4. Interest @ 1.5% per month on gross unpaid amount including surcharge payable as per para 1,2 & 3 above shall be levied after expiry of 15 days from the due date of the bill till the deposit of outstanding amount. Part of the month shall be treated as full month for this purpose.

- Ans. 5. (1) The levy of voltage surcharge shall be as under:-
- i) All consumers catered at 400 volts against specified voltage of 11 kV shall be levied surcharge at the rate of 15%
 - ii) Arc furnace loads upto 2500 kVA without specified protection system for suppressing voltage surges & other LS consumers with Contract Demand exceeding 2500 kVA and up to 4000 kVA, catered at 11 kV against specified voltage of 33/66 kV shall be levied surcharge at the rate of 7%.
 - iii) DS/NRS/BS/LS consumers with Contract Demand exceeding 4000 kVA catered at 11 kV against specified voltage of 33/66 kV shall be levied surcharge at the rate of 10%.
 - iv) All consumers catered at 33/66 kV against specified voltage of 132/220 kV shall be levied surcharge at the rate of 5%.
 - v) All these surcharge shall be leviable on the consumption charges including Demand Charges, if any or monthly minimum charges.
 - vi) The exemptions from levy of surcharge(s) shall continue as under:-
 - (a) LS consumers existing as on 31.3.2010 availing supply at 33/66 kV but required to convert their system so as to receive supply at 132/220 kV will not be levied any surcharge related to supply voltage, till such consumers request for change of their Contract Demand.
 - (b) DS/NRS/BS consumers existing as on 31.3.2010 catered at a voltage lower than specified in Supply Code will be liable to pay surcharge only in case of any change in Contract Demand. In case there is any constraint in releasing a new connection or additional load/demand to an existing consumer at specified voltage, the distribution licensee may allow supply at a lower voltage on payment of voltage surcharge as specified above with the permission of whole Time Directors.
- Ans.5 (2) In case the MDI of a consumer becomes defective, the maximum demand shall be computed as under:
- 1) Higher of the average of maximum demands recorded during the preceding three months before the MDI became defective or the maximum demand of corresponding month of the previous year provided there was no change of load/demand thereafter, shall be adopted for billing purposes for the period the MDI remained defective.
 - 2) If there was change of load/demand immediately before the MDI became defective. the maximum demand computed as above shall be adjusted on pro-rata basis.
 - 3) In case of new connections where the previous reading record is not available the maximum demand shall be taken as 75% of sanctioned contract demand for billing purposes during the period MDI became defective.

Ans. 5.(3) Consumption charges i.e. both demand and energy charges including surcharges, rebates, octroi (if applicable), meter/MCB rentals, electricity duty as well as total energy bill (net as well as gross) shall be rounded-off individually to the nearest rupee by ignoring 1 to 49 paise and taking 50 to 99 paise as one rupee. Thus the amount mentioned in the bill shall be in whole rupee. The net amount payable in all electricity bills shall be rounded-off to the nearest Rs. 10/- (Rupees ten) and difference due to rounding -off shall be adjusted in subsequent bills.

Ans. 5. (4) To neutralize the changes in fuel cost, Fuel Cost Adjustment as per fuel cost adjustment formulae in accordance with the provisions of PSERC (Terms & Conditions for Determination of Tariff) Regulations, 2005 & PSERC (Conduct of Business) Regulations, 2005 as amended from time to time shall be applicable in addition to the tariff rates of various categories of consumers specified in relevant Schedule of Tariff.

Fuel cost adjustment clause shall be applicable to all metered and un-metered categories of consumers.

Fuel cost adjustment shall not be charged, if the energy bill including fuel cost adjustment remains within monthly minimum charges.

Que. 1

The Factories Act, 1948 makes detailed provisions in regard to various matters relating to health provisions. Chapter III of Section 11 to 20 of the Factories Act, 1948, deals with the provisions relating to the health of the workers in a factory.

1. Cleanliness (Sec. 11):

Every factory shall be kept clean and free from dirt. There should be effective drainage system that the floor of the manufacturing process should not remain wet and accumulation of dirt is easily getting removed through it. Use of disinfectants, detergents, painting and whitewashing shall be resorted to.

2. Disposal of wastes and effluents (Sec.12):

There should be such arrangement in the factory that the wastes and effluents easily disposed off.

3. Ventilation and Temperature:

(1) Effective and suitable provision shall be made in every factory for securing and maintaining in every workroom

(a) Adequate ventilation and the circulation of fresh air, and

(b) Workers therein reasonable conditions of comfort and prevention from injury to health.

(2) Process producing high temperature to be separated—

The walls and roofs shall be made and designed with such material that such temperature shall not be exceeded but kept as low as practicable. Beside this, where the nature of the work carried on in the factory involves production of excessively high temperatures, adequate measures as are necessary shall be taken to protect the workers.

4. Dust and Fume (Sect. 14):

In a factory, by reason of the manufacturing process carried on, there may be given off any dust or fume. Its inhalation by and anybody accumulation in any workroom is injurious or offensive to the workers employed therein. So, in order to prevent this the point of origin of the dust, fume or other impurity, shall be enclosed as far as possible. On the other hand, in any factory no stationary internal combustion engine shall be operated unless the exhaust is conducted into the open air, and no other internal combustion engine shall be operated in any room unless, effective measures have been taken to prevent such accumulation of fumes therefrom as they are likely to be injurious to workers employed in the room.

5. Artificial humidification (Sec. 15):

In respect of all factories in which the humidity of the air is artificially increased, the State Government may make rules,-

- (a) prescribing standards of humidification;
- (b) regulating the methods used for artificially increasing the humidity of the air;
- (c) directing prescribed tests for determining the humidity of the air to be correctly carried out and recorded;
- (d) prescribing methods to be adopted for securing adequate ventilation and cooling of the air in the workrooms; the water used for the purpose shall be taken from a public supply, or other source of drinking water, or shall be effectively purified before it is so used. But if the water that used is not purified, he may serve on the manager of the factory an order in writing, specifying the measures which in his opinion should be adopted, and requiring them to be carried out before specified date.

6. Overcrowding (Sec. 16):

The overcrowding affects the workmen not only in the discharge of duties but also their health. The working space should be 14.2 cubic meters of space per worker in every workroom.

7. Lighting (Sec. 17):

The Factories Act makes following provisions in this respect,

- (a) There shall be provided and maintained sufficient and suitable lighting, natural or artificial, or both, in every part of the factory.
- (b) In every factory all glazed windows and skylights be used and workrooms shall be kept clean on both the inner and outer surface.
- (c) In every factory effective provision shall, so far as is practicable, be made for the prevention of glare, either directly from a source of light or by reflection from a smooth or polished surface;
- (d) The State Government prescribes standards of sufficient and suitable lighting for factories or for any class of description of factories or for any manufacturing process.

8. Drinking water (Sec. 18):

The provisions in this respect under the Factories Act, are;

- (a) Arrangements shall be made to provide and maintain sufficient supply of wholesome drinking water.
- (b) Provision shall be made for cooling drinking water during hot weather by effective means and for distribution thereof in every factory wherein more than two hundred and fifty workers are ordinarily employed.
- (c) Examine as prescribed by the authorities of the supply and distribution of drinking water in factories.

9. Latrine and Urinal (Sec. 19):

The Factories Act makes following provisions in this respect,

- 1.(a) sufficient latrine and urinal accommodation of prescribed types shall be provided and conveniently situated to make them accessible to workers at all times while they are

at the factory;

(b) separate enclosed accommodation shall be provided for male and female workers and there should be adequately lighted and ventilated;

(d) they shall be maintained in a clean and sanitary condition at all times;

(e) sweepers shall be employed whose primary duty would be to keep latrines, urinals and washing places clean.

(2) But in factory wherein more than two hundred and fifty workers are ordinarily employed-

(a) all latrine and urinal accommodation shall be of prescribed sanitary types;

(b) the floors and internal walls, up to a height of ninety centimeter, the sanitary blocks shall be laid in glazed tiles or a smooth polished impervious surface;

(c) latrines and urinals shall be thoroughly washed and cleaned at least once in every seven days with suitable detergents or disinfectants or with both.

(3) The State Government may prescribe the number of latrines and urinals to be provided in any factory in proportion to the number of male and female workers ordinarily employed therein.

10. Spittoons (Sec. 20):

There shall be provided sufficient number of spittoons in convenient places and they shall be maintained in a clean and hygienic condition. The State Government may make rules prescribing the type and the number of spittoons to be provided and their location in any factory.

Que. 2 A)

Before Electricity Act, 2003, the Indian electricity sector was guided by The Indian Electricity Act, 1910 and The Electricity (Supply) Act, 1948. The generation, distribution and transmission were carried out mainly by the State Electricity Boards in various States. Due to politico-economic situation, the cross-subsidies reached at an unsustainable level. For the purpose of distancing state governments from tariff determination, The Electricity Regulatory Commissions Act was enacted in 1998. So as to reform electricity sector further by participation of private sector and to bring in competition, Electricity Act was enacted in 2003.

With effect from 2nd June, 2003 India has adopted a new legislation called the Electricity Act 2003, to replace some age-old existing legislation operating in the country. The act has attempted to address certain issues that have slowed down the reform process in the country and consequently has generated new hopes for the electricity industry. This is an act to consolidate the laws relating to generation, transmission, distribution, trading and use of electricity for taking measures conducive to development of electricity industry, promoting competition therein, protecting interest of consumers and supply of electricity to all areas, rationalisation of electricity tariff, ensuring transparent policies regarding subsidies, promotion of efficient and environmentally benign policies, constitution of Central Electricity Authority Regulatory Commissions and establishments of Appellate Tribunal for matters therewith or incident thereto. The main features of the Act are Generation has been delicensed and captive generation freely permitted, Open access in transmission with provision for surcharge for taking care of current level of cross-subsidy, with the surcharge being gradually phased out, Provisions related to thefts of electricity made more stringent, Thrust to complete rural electrification and provide for management of rural distribution by panchayat, cooperative societies, NGOs, franchisees etc.

Que. 2B)

The State Commission shall discharge the following functions:--

(a) determine the tariff for generation, supply, transmission and wheeling of electricity, wholesale, bulk or retail, as the case may be, within the State:

PROVIDED that where open access has been permitted to a category of consumers under section 42, the State Commission shall determine only the wheeling charges and surcharge thereon, if any, for the said category of consumers;

(b) regulate electricity purchase and procurement process of distribution licensees including the price at which electricity shall be procured from the generating companies or licensees or from other sources through agreements for purchase of power for distribution and supply within the State;

(c) facilitate intra-State transmission and wheeling of electricity;

(d) issue licences to persons seeking to act as transmission licensees, distribution licensees and electricity traders with respect to their operations within the State;

(e) promote cogeneration and generation of electricity from renewable sources of energy by providing suitable measures for connectivity with the grid and sale of electricity to any person, and also specify, for purchase of electricity from such sources, a percentage of the total consumption of electricity in the area of a distribution licensee;

(f) adjudicate upon the disputes between the licensees and generating companies and to refer any dispute for arbitration;

(g) levy fee for the purposes of this Act;

(h) specify State Grid Code consistent with the Grid Code specified under clause (h) of sub-section (1) of section 79;

(i) specify or enforce standards with respect to quality, continuity and reliability of service by licensees;

(j) fix the trading margin in the intra-State trading of electricity, if considered, necessary;

(k) discharge such other functions as may be assigned to it under this Act.

(2) The State Commission shall advise the State Government on all or any of the following matters, namely:--

(i) promotion of competition, efficiency and economy in activities of the electricity industry;

- (ii) promotion of investment in electricity industry;
 - (iii) reorganisation and restructuring of electricity industry in the State;
 - (iv) matters concerning generation, transmission, distribution and trading of electricity or any other matter referred to the State Commission by that Government:
- (3) The State Commission shall ensure transparency while exercising its powers and discharging its functions.
- (4) In discharge of its functions, the State Commission shall be guided by the National Electricity Policy, National Electricity Plan and tariff policy published under sect

Que. 3A)

The chapter V of the Act deals with provisions relating to Delayed Payments to Micro and Small Enterprises, which are:

i) Liability of buyer to make payment.-

Where any supplier, supplies any goods or renders any services to any buyer, the buyer shall make payment therefore on or before the date agreed upon between him and the supplier in writing or, where there is no agreement in this behalf, before the appointed day: Provided that in no case the period agreed upon between the supplier and the buyer in writing shall exceed forty-five days from the day of acceptance or the day of deemed acceptance.

ii) Date from which and rate at which interest is payable.-

Where any buyer fails to make payment of the amount to the supplier, as required under section 15, the buyer shall, notwithstanding anything contained in any agreement between the buyer and the supplier or in any law for the time being in force, be liable to pay compound interest with monthly rests to the supplier on that amount from the appointed day or, as the case may be, from the date immediately following the date agreed upon, at three times of the bank rate notified by the Reserve Bank.

iii) Recovery of amount due.-

For any goods supplied or services rendered by the supplier, the buyer shall be liable to pay the amount with interest thereon as provided under section 16 (point ii above).

iv) Reference to micro and small enterprises facilitation council.-

Notwithstanding anything contained in any other law for the time being in force, any party to a dispute may, with regard to any amount due under section 17, make a reference to the Micro and Small Enterprises Facilitation Council. Every reference made under this section shall be decided within a period of ninety days from the date of making such a reference.

v) Application for setting aside decree, award or order.-

No application for setting aside any decree, award or other order made either by the Council itself or by any institution or centre providing alternate dispute resolution services to which a reference is made by the Council, shall be entertained by any court unless the appellant (not being a supplier) has deposited with it seventy-five per cent of the amount in terms of the decree, award or, as the case may be, the other order in the manner directed by such court: Provided that pending disposal of the application to set aside the decree, award or order, the court shall order that such percentage of the amount deposited shall be paid to the supplier, as it considers reasonable under the circumstances of the case subject to such conditions as it deems necessary to impose.

vi) Requirement to specify unpaid amount with interest in the annual statement of accounts.-

Where any buyer is required to get his annual accounts audited under any law for the time being in force, such buyer shall furnish the following additional information in his annual statement of accounts, namely the principal amount and the interest due thereon (to be shown separately) remaining unpaid to any supplier as at the end of each accounting year; the amount of interest paid by the buyer in terms of section 16, along with the amounts of the payment made to the supplier beyond the appointed day during each accounting year.

vii) Interest not to be allowed as deduction from income.-

Notwithstanding anything contained in the Income-tax Act, 1961, the amount of interest payable or paid by any buyer, under or in accordance with the provisions of this Act, shall not, for the purposes of computation of income under the Income-tax Act, 1961, be allowed as deduction.

3 B)

The provisions relating to Distribution of compensation under the Act are:

(1) No payment of compensation in respect of a workman whose injury has resulted in death and no payment of a lump sum as compensation to a woman or a person under a legal disability shall be made otherwise than by deposit with the Commissioner and no such payment directly by an employer shall be deemed to be a payment of compensation :

Provided that in the case of a deceased workman an employer may make to any dependant advances on account of compensation of an amount equal to three months' wages of such workman and so much of such amount as does not exceed the compensation payable to that dependant shall be deducted by the Commissioner from such compensation and repaid to the employer.

Any other sum amounting to not less than ten rupees which is payable as compensation may be deposited with the Commissioner on behalf of the person entitled thereto. The receipt of the Commissioner shall be a sufficient discharge in respect of any compensation deposited with him. On the deposit of any money under sub-section (1) as compensation in respect of a deceased workman the Commissioner shall if he thinks necessary cause notice to be published or to be served on each dependant in such manner as he thinks fit calling upon the dependants to appear before him on such dates as he may fix for determining the distribution of the compensation. If the Commissioner is satisfied after any inquiry which he may deem necessary that no dependant exists he shall repay the balance of the money to the employer by whom it was paid. The

Commissioner shall on application by the employer furnish a statement showing in detail all disbursements made. Compensation deposited in respect of a deceased workman shall subject to any deduction made under sub-section (4) be apportioned among the dependants of the deceased workman or any of them in such proportion as the Commissioner thinks fit or may in the desecration of the Commissioner be allotted to any one dependant. Where any compensation deposited with the Commissioner is payable to any person the Commissioner shall if the person to whom the compensation is payable is not a woman or a person under a legal disability and may in other cases pay the money to the person entitled thereto. Where any lump sum deposited with the Commissioner is payable to a woman or a person under a legal disability such sum may be invested applied or otherwise dealt with for the benefit of the woman or of such person during his disability in such manner as the Commissioner may direct; and where a half-monthly payment is payable to any person under a legal disability the Commissioner may of his own motion or on an application made to him in this behalf order that the payment be made during the disability to any dependant of the workman or to any other person whom the Commissioner thinks best fitted to provide for the welfare of the workman. Where on application made to him in this behalf or otherwise the Commissioner is satisfied that on account of neglect of children on the part of a parent or on account of the variation of the circumstances of any dependant or for any other sufficient cause an order of the Commissioner as to the distribution of any sum paid as compensation or as to the manner in which any sum payable to any such dependant is to be invested applied or otherwise dealt with ought to be varied the Commissioner may make such order for the variation of the former order as he thinks just in the circumstances of the case :

Provided that no such order prejudicial to any person shall be made unless such person has been given an opportunity of showing cause why the order should not be made or shall be made in and case in which it would involve the repayment by a dependant of any sum already paid to him.

Where the Commissioner varies any order under sub-section (8) by reason of the fact that payment of compensation to any person has been obtained by fraud impersonation or other improper means any amount so paid to or on behalf of such person may be recovered in the manner hereinafter provided in section 31.

Que. 4. A)

Right To Information is derived from our fundamental right of freedom of speech and expression under Article 19 of the Constitution. In recent years, there has been an almost unstoppable global trend towards recognition of the right to information by countries, intergovernmental organizations, civil society and the people. The right to information has been recognized as a fundamental human right, which upholds the inherent dignity of all human beings. The right to information forms the crucial underpinning of participatory democracy - it is essential to ensure accountability and good governance. The greater the access of the citizen to information, the greater the responsiveness of government to community needs. Alternatively, the more restrictions that are placed on access, the greater will be the feelings of 'powerlessness' and 'alienation'. Without information, people cannot adequately exercise their rights as citizens or make informed choices.

The free flow of information in India remains severely restricted by three factors:

- The legislative framework includes several pieces of restrictive legislation, such as the Official Secrets Act, 1923;
- The pervasive culture of secrecy and arrogance within the bureaucracy; and
- The low levels of literacy and rights awareness amongst India's people.

The primary power of RTI is the fact that it empowers individual Citizens to requisition information. Hence without necessarily forming pressure groups or associations, it puts power directly into the hands of the foundation of democracy- the Citizen.

The basic object of the Right to Information Act is to empower the citizens, promote transparency and accountability in the working of the Government, contain corruption, and make our democracy work for the people in real sense. It goes without saying that an informed citizen is better equipped to keep necessary vigil on the instruments of governance and make the government more accountable to the governed. The Act is a big step towards making the citizens informed about the activities of the Government.

4 B)

Information is any material in any form. It includes records, documents etc. Right to information means the right to information accessible under this RTI Act, which is held by or under the control of any public authority and includes the right to—

- inspection of work, documents, records;
- taking notes, extracts or certified copies of documents or records;
- taking certified samples of material;
- obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device.

4 C)

In normal course, information to an applicant shall be supplied within 30 days from the receipt of application by the public authority. If information sought concerns the life or liberty of a person, it shall be supplied within 48 hours. In case the application is sent through the Assistant Public Information Officer or it is sent to a wrong public authority, five days shall be added to the period of thirty days or 48 hours, as the case may be. In case of information about allegations of corruption or human right violation in respect of organisations, which have been exempted, the time frame is 30 days and 45 days resp.

Que 5.

A)

The Act defines 'restrictive trade practice' as a trade practice which tends to bring about manipulation of price or conditions of delivery or to affect flow of supplies in the market relating to goods or services in such a manner as to impose on the consumers unjustified costs or restrictions and shall include delay beyond the period agreed to by a trader in supply of such goods or in providing the services which has led or is likely to lead to rise in the price; any trade practice which requires a consumer to buy, hire or avail of any goods or services as condition precedent for buying, hiring, or availing of other goods or services.

B)

Complaint means any allegation in writing made by complainant that –

- (i) an unfair trade practice or a restrictive trade practice has been adopted by any trader;
- (ii) the goods bought by him or agreed to be bought by him suffer from one or more defects;
- (iii) the services hired or availed of or agreed to be hired or availed of by him suffer from deficiency in any respect;
- (iv) a trader has charged for the goods mentioned in the complaint price in excess of the price fixed by or under any law for the time being in force or displayed on the goods for any package containing such goods,
- (v) goods which will be hazardous to life and safety when used, are being offered for sale to the public in contravention of the provisions of any law for the time being in force requiring traders to display information in regard to the contents, manner and effect of use of such goods.

with a view to obtaining any relief provided by or under this Act.

C)

Consumer means any person who -

- (i) buys any goods for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any user of such goods other than the person who buys such goods for consideration paid or promised or partly paid or partly promised, or under any system of deferred payment when such use is made with the approval of such person, but does not include a person who obtains such goods for resale or for any commercial purpose; or

(ii) hires or avails of any services for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any beneficiary of such services other than the person who hires or avails of the services for consideration paid or promised, or partly paid and partly promised, or under any system of deferred payment, when such services are availed of with the approval of the first mentioned person.

D)

Consumer protection is essential for a healthy economy. The main objective of the Consumer Protection Act, 1986 is to protect the interest and safeguard the rights of the consumers which are as follows:

- Right to be protected against the marketing of goods and services which are hazardous to life and property
- Right to be informed about the quality, quantity, potency, purity, standard and price of goods or services so as to protect the consumer against unfair trade practices
- Right to be assured, wherever possible, access to a variety of goods and services at competitive prices
- Right to be heard and to be assured that consumers' interests will receive due consideration at appropriate forums
- Right to seek redressal against unfair trade practices and unscrupulous exploitation of consumers
- Right to consumer education.