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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

Department of Power and Non-conventional Energy Sources

New Secretariat Buildings, 7th Floor, Block 'A'

1, Kiron Shankar Roy Road, Kolkata-700 001.

NOTIFICATION

No. 110-PO/O/III/3R-10/2004.

Dated, Kolkata, the 20th March, 2006

In exercise of the power conferred by clause (g) of sub-section (2) of section 180 of the Electricity Act, 2003 (36 of 2003) the Governor is pleased hereby to make the following rules:-

Rules

1. Short title and commencement.- (1) These rules may be called the West Bengal Electricity Regulatory Commission (Manner of application of Fund) Rules, 2006.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

(a) "Act" means the Electricity Act, 2003 (36 of 2003);

(b) "Chairperson" means the Chairperson of the State Commission;

(c) "State Commission" means the West Bengal Electricity Regulatory Commission constituted under sub-section (1) of section 82 of the Act;

(d) "Financial Year" means a period not exceeding twelve english calendar months commencing on the 1st day of April of a year and ending on the 31st day of March of the following year;

(e) "Fund" means the Fund constituted under section 103 of the Act;

(f) "Member" means Member of the State Commission and includes the Chairperson;

(g) "State Government" means the Government of West Bengal;

(h) "Secretary" means the Secretary of the State Commission;

(i) "section" means a section of the Act;

(2) Words and expressions used and not defined in these rules but defined in the Act shall have the same meanings as respectively assigned to them in the Act.

3. Application of Fund.- The State Commission shall meet expenses required in connection with the discharge of its function under section 86 and also for meeting the expenses on objects and the purposes authorised by the Act in accordance with the Budget for the Financial year prepared and submitted by the Commission under rule 4 of the West Bengal Electricity Regulatory Commission (Appointment of Chairperson & Members, Budget and Annual Report) Rules, 2003.

4. Operation of the fund.- (1) The State Commission shall after taking a decision at the meeting of members, open bank account in the State Bank of India and /or in one or more nationalised bank.

(2) The State Commission shall make available the specimen signatures of two of its officers to be the authorised signatories to the nominated bank for their information and record.

(3) All funds received shall be paid into the State Commission's account in the bank and shall not be withdrawn except on presentation of a cheque signed by the officers as authorised by the State Commission.

(4) The Officers who will be drawing the Fund from the bank shall be responsible for monitoring the transactions of receipts and payments on behalf of the State Commission.

(5) The officers referred to in sub-rule (4) shall also be responsible to ensure that the amount of the cheques/demand drafts deposited in the accredited banks have been credited in time in the account of the State Commission and shall also reconcile the receipts and payments accounts with such bank.

5. Delegation of Power.- The State Commission shall lay down detailed procedure for sanction of various expenditure and delegation of power among the State Commission, Chairperson and Secretary.

6. Audit.- (1) The accounts of the State Commission shall be sent to Comptroller and Auditor-General of India, or any other person appointed by him, within three months of the date of closing of each financial year. Any expenditure incurred in connection with such audit shall be payable by the State Commission to the Comptroller and Auditor-General of India.

(2) The accounts of the State Commission as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with audit report shall be forwarded annually to the State Government immediately after certification by Comptroller and Auditor-General of India, by the State Commission to enable the state Government to lay the Audit Report before the West Bengal Legislative Assembly.

(3) The Comptroller and Auditor-General or any other person appointed by him in this connection for the audit of the accounts of the State Commission shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of Government accounts and in particular shall have the right to demand production of books, accounts, connected vouchers, and other documents and papers and to inspect any of the offices of the State Commission.

7. Closure of Fund.- (1) The Fund shall remain operational so long as the relevant provisions of the Act remain in force.

By order of the Governor,

Sunil Mitra

*Principal Secretary to the Govt. of
West Bengal,*