

## PAPER-1

Session: 10/2024

(WORKS ACCOUNTS) (MODEL SOLUTION)

Time Allowed: Three Hours

Maximum Marks: 100

Note:-

1. Attempt all the questions and part of a question may be attempted continuously at one place.
2. Rough work should be done on the space provided for in the answer sheet at page-2.
3. Missing data, if any, be assumed. However the same must be indicated specifically in the answer.
4. Support your answer with relevant rules/regulations.
5. As per Dy. Secy./Services-II memo no. 11424/54/Exam-170 dated 16-09-2009, text books printed by the Punjab State Electricity Board & Punjab Govt. as per prescribed syllabus are only allowed in this examination. The extract/help books though printed by the PSEB are not permissible in the examination. In the case of non-availability of text books printed by PSEB & Punjab Govt., the Photostat copies of these books will be allowed in the examination.

1. (A)
- I. Old machinery purchased by an PSPCL office for Rs. 20,000/-. Expenditure incurred on machinery for putting the same in use Rs. 3,000/-. Concerned office treated the whole amount of Rs. 23,000/- as capital expenditure.

Comment on the action of the office.

(2)

**Solution:-**

The action of concerned office is correct.

As per Basic Accounting Principles and Policies 2.23 any expenditure on repairs or rehabilitation of an asset purchased (whether second hand or new) incurred before commissioning the asset for putting the asset in usable condition' shall be treated as a cost of that capital asset.

- II. Write brief note on retrospective sanctions.

(3)

**Solution:- As per manual of Capital Expenditure & Fixed Assets 3.27:-**

- (1) All authorities which are competent to sanction revision of pay or the grant of concessions to Board employees should bear in mind that retrospective effect should not be given to financial sanctions, except in exceptional circumstances, without the special approval of competent authority.
- (2) In the absence of special reasons to the contrary, concessions regarding rates of pay for any class of Board employees should take effect from the first of March and not from same date in the middle of a financial year.



III. Can revenue of the PSPCL be utilized for the benefit of a particular person? Comment on the same.

(3)

**Solution:- As per manual of Capital Expenditure & Fixed Assets 1.1 (5):-**

Yes. Revenue of the PSPCL can be utilized for the benefit of a particular person after fulfilling following conditions.

- (a) the amount of expenditure involved is insignificant, or
- (b) a claim for the amount could be enforced in a court of law, or
- (c) the expenditure is in pursuance of a recognized policy or custom.

iv. Provide form titles for the following forms used for various purposes: -

(0.5 X 4= 2)

**Solution:-**

- (a) BA-2      (Bank Statement –MRIBS)
- (b) TRW-4      (Transformer for Repair Register)
- (c) MAT-34      (Store Return Warrant- Security Staff Material)
- (d) ME-4      (Meter under Repair register)

1 (B) Whether the following statements are true or false: -

(1 X 10= 10)

**Solution:-**

(i)	The officer in charge of an independent sub-division is treated as a Divisional officer.	TRUE
(ii)	Sanctioning Authority can authorize a Divisional Accountant to sign an order sanctioning minor expenditure for the office under his control.	FALSE
(iii)	A superintending Engineer employed on a special duty cannot act as a direction officer for a sub division he/she has visited.	TRUE
(iv)	Imprest/Temporary advance should also be treated as cash balance.	FALSE
(v)	The Divisional Accountant being a senior member of office establishment of the division office, enjoy the same powers that are available to sub divisional officer as per Capital Expenditure & Fixed Asset manual.	FALSE
(vi)	There is no need to enter amount of earnest money in cash book, received and returned to contractor on the same day, if stamped receipt signature of contractor are taken in register of tenders.	TRUE
(vii)	Capital Expenditure & Fixed Asset manual also guide regarding custody of cash and payment by Cheques.	TRUE
(viii)	Repairs of an asset and Maintenance of an asset are two different terms.	TRUE
(ix)	All employee cost in respect of construction units shall be partially charged as cost of capital.	FALSE
(x)	Form CE-23 A is used for running account bill for lump sum contracts.	TRUE



**Engineering Officer Departmental Accounts Examination**

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2. Write short note on accounting treatment of followings as per Commercial Accounting System Vol.-I Part-II. (2 X 10 =20)

**Solution:-**

- (i) **Capitalization of Income:- as per Commercial Accounting System Vol.-I Part-II clause 2.15**

No income shall be capitalized and reduced from the cost of any asset. Even in cases where the income is identifiable to one or more specific assets, no capitalization of such income shall be done. The policy is, however, subject to a different treatment prescribed for revenue during trial stage.

- (ii) **Treatment of Loss/Gain relating to investments :- as per Commercial Accounting System Vol.-I Part-II clause 2.121**

Gain on sale of investments shall be credited to the net Revenue and Appropriation Account. Similarly if any Redemption premium is received on maturity of securities, the same shall also be credited to Net Revenue and Appropriation Account. Loss on sale of investments shall be debited to Net Revenue and Appropriation Account. In case of investments against a Fund, the credit for the gain or debit for the loss shall not be given to the Revenue Account but to the respective Fund Account itself.

- (iii) **Doubtful dues from consumers :- as per Commercial Accounting System Vol.-I Part-II clause 4.2**

A fixed percentage of dues from consumers (except for a slight variation in the case of large consumers discussed later) shall be maintained as a provision for meeting debts which turn bad. This will eliminate the need for case-wise investigation at the time of creating a provision. Such investigation can be conducted independently and in depth at the time of actually writing off a debt. A detailed study should be conducted periodically to ascertain the appropriate percentage for each Board and to update the percentage so determined. One exception to the above rule is the case of high tension/large supply consumers. In such cases, individual bad debts can sometimes be large enough to affect any overall percentage. Doubtfulness of balance due from such consumers should be reviewed case-wise and if the doubtful amount exceeds the fixed percentage, the amount of such excess should be additionally provided for. However, if the doubtful amount so determined is less than the fixed percentage, the fixed percentage should be nevertheless provided as a measure of conservatism.

- (iv) **Timing of accounting of revenue :- as per Commercial Accounting System Vol.-I Part-II clause 2.128**

Revenue from sale of power shall be accounted for on an accrual basis. The accounting for revenue shall thus be totally delinked from the timing and the extent of actual collection of revenue from consumers. Where the sale of energy prior to the end of a year has not been billed, a provision for such unbilled revenue shall be made at the year-end so as to treat the amount as revenue in the year of supply of



power.

**(v) Interest on advances to Suppliers/Contractors :- as per Commercial Accounting System Vol.-I Part-II clause 1.41**

Interest receivable by the Board on advances to suppliers and contractors for capital supply/works shall not be deducted from the cost of the assets purchased or constructed but shall be credited to Revenue Account as an income for the year in which the interest income accrued.

**(vi) Small and Low value items :- as per Commercial Accounting System Vol.-I Part-II clause 1.17**

For the purpose of project cost estimation, for reporting of total project cost, or for deciding competent authority for project approval and execution, the cost of all such small and low value items shall be included in the amount of cost of the project and be treated in the same manner as large value assets which are to be capitalized. Similarly the controls regarding records, custody, numbering and verification of such assets shall remain the same as is presently exercised over those assets.

**(vii) Inferior grade of coal :- as per Commercial Accounting System Vol.-I Part-II clause 2.12**

In the cases where a claim is preferred by the Board on the collieries for reimbursement of the loss on account of receipts of inferior grade of coal, a provision shall be made at the year end to cover the loss expected to arise from the refusal by the collieries of the claims made on them. Such a provision may be of an amount equal to a part whole of the claims remaining unsettled at the year end.

The quantum of provision shall be in accordance with the provisions of a formal agreement between the corporation and the collieries which should govern the sampling techniques and basis of computation of amount payable by either party on grade differences

**(viii) Assets of Common retirement date :- as per Commercial Accounting System Vol.-I Part-II clause 2.64**

Assets which are of use only collectively in a group and an individual asset in that group is of no use in isolation after the other assets of the group are retired/scrapped, are defined as 'Assets of Common Retirement Date'. The 'Period of estimated useful life' adopted for the purpose of charging depreciation shall be 'common' for all the assets in group of 'Assets of Common Retirement Date'.

**(ix) Piecemeal Rebuilding :- as per Commercial Accounting System Vol.-I Part-II clause 2.31**

An asset may be rebuilt by replacement of its components over a period of time instead of at one time. The criteria fixed for 'minor' and major replacement shall in such cases be applied to the aggregate of expenditures on replacement in an asset and accounted for accordingly.



**(x) Foreign Currency Transactions :- as per Commercial Accounting System Vol.-I Part-II clause 2.122-24**

When a foreign currency transaction is being first recorded in a Board's books of accounts, the assets, liabilities, income or expenses arising from the foreign currency transaction shall be translated at the official exchange rate in force on the transaction date.

All amounts owed to the Board or owed by the Board in foreign currency outstanding at the balance sheet date (including liability in relation to acquisition of fixed assets) shall be translated at the official exchange rate in force as on the balance sheet date. If the amount derived on such translation is different from the amount at which the receivable or liability is appearing in the books of account, the difference shall be recorded in the books as under:

1. Increase in the amount of receivable or decrease in the amount of the liability shall be treated as a gain and be credited to Exchange Variance Reserve.

2. Decrease in the amount of receivable or increase in the amount of liability shall be treated as a loss and shall be debited to Exchange Variance Reserve. If as a result of such debit, the net balance in reserve account is a debit balance, the amount of debit balance shall be charged to revenue for the year as 'Loss on Exchange Rate Variation'.

Gain or loss arising on account of difference between actual amount received/ paid and the amount at which the item is appearing in books shall also be treated in the same manner as above.

Where any revaluation or devaluation of rupee vis-a-vis the currency in which the liability is to be discharged is more than 10% at one time, the same shall not be treated in accordance with the above-mentioned policy. The policy relating to treatment of such situation shall be as follows:

1. The increase or decrease in the amount of foreign currency liability shall be accounted for as an increase or decrease in the cost of the assets financed by the liability.

2. The depreciation for the past years shall also be reworked for the assets where the conditions laid down in paragraph 2.65 for retrospective reworking of depreciation are fulfilled.



**Engineering Officer Departmental Accounts Examination**

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3. (A) Write duties of in-charge of a sub-division with respect to handling of cash in hand and cash at bank as mentioned in cash and bank manual. (5)

<b>Solution:</b> As per cash and bank manual, duties of Officer-in-charge of a sub-division with respect to handling of cash in hand and cash at bank are mainly but not limited to are as below:-	
Particular	Duties
Collection of Non Energy Receipts	Approve the CRV after checking the same with supporting documents and pass it on to the official handling cash.
Deposit of Collection into Bank	-Check and attest the entries in CB and Remittance Register with the pay-in- slips, and return to official handling Cash. -Follow up with Bank to get receipted copies of pay-in-slips if not collected earlier.
Dishonor of Cheques	-Approve Negative Cash Receipt Voucher on the basis of supported documents. -Attest the entries of CRV and its contra entry in the Cash Book.
Cash Payments	Approve the Cash payment Voucher after checking and return it to the concerned Section that shall forward it to the Official Handling Cash for making payment.
Daily closing of cash Book	Carry out physical verification of cash in hand and verify with closing balance. if shortage of cash is detected, get a Cash payment Voucher prepared immediately. Approve the Cash payment Voucher and get it entered by official handling in the cash payment column, debiting the account of concerned employee. If excess of cash is detected get a Cash Receipt Voucher prepared immediately, approve the same and get it entered by official handling cash in the cash receipt column, crediting 'Other income account'.
Custody of Keys of Cash Chest	The duplicate keys shall be deposited with the bank in a small box duly sealed by officer incharge. Ensure that the fact should be entered in the Duplicate Key Register.
Reconciliation of Collection Bank by depositing offices	Review the B.R.S. and sign for Submission to Accounting Unit.
Visiting the Bank Branch	Visit the Bank Branch at least once in a week on every Monday (or on the next working day, if Monday happens to be holiday), to ensure that entire balance in the Bank Branch has been transferred.



### 3. (B) Write short note on Imprest.

**Solution:-** As per cash and bank manual

1. An imprest is a standing advance of a fixed sum of money given to an individual to enable him to make certain classes of disbursements which may be entrusted to his charge by the Divisional Officer or sub Divisional Officer and should invariably be discontinued when the necessity of them has passed away. ~~The amount of an imprest.~~ Before granting an imprest, it would be ascertained whether the official concerned has actually lodged the necessary security deposit with Board.
2. Subject to the following rules which must be carefully attended to, imprest may be given to permanent subordinates only but in cases of emergency and at the direction of Divisional Officers, there is no objection of issuing imprest to temporary subordinates:
  - i) Imprest should only be given when absolutely necessary and the amount should be kept as low as possible to minimize the risk of loss of the Board's money.
  - ii) Imprest may only be given with the express sanction of the Executive Engineer, and then only to employees of whose character the Sub Divisional Officer has had opportunity of forming a favorable opinion.
  - iii) In the case of loss or defalcation, the Executive Engineer will be held responsible that all requisite precautions have been taken.
3. The Storekeepers and Assistant Storekeepers employed in the Divisional and sub Divisional Store Depots of the Board may be granted imprest for making cash payments of railway freight charges only on stores materials etc. subject to the conditions aforesaid.
4. The imprest-holder is responsible for the safe custody of the imprest money and he must at all times be ready to produce the total amount of the imprest in vouchers or in cash.
5. The superintending Engineer when on inspection would satisfy himself that all the above rules are strictly carried out.

### 3. (C) Write Account codes for the Following Account Heads:-

(1 X 10=10)

**Solution:-**

	Account code
(i) Wheeling Charges Payable?	70.4
(ii) Net Salary Payable	44.310
(iii) Receipt on account of damaged meters	62.940
(iv) Cost of water	71.5
(v) Public lighting maintenance charges	61.903
(vi) Amount of revised pay scale kept as special deposit	57.130
(vii) Capital Subsidy/Grant Receivable	28.610
(viii) Loan from banks against fixed deposit	50.301
(ix) Coal related gains of prior period	65.110
(x) Legal charges	76.121



**Engineering Officer Departmental Accounts Examination**

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4. A PSPCL office floated an open tender for 10,000 no. 10 KVA transformers. Following bidders applied for the tender:-

Name of Bidder	Quantity offered (No.)	All inclusive Price offered (Per pole)	Remarks
A	4000	72500	Also applied 1000 quantity under order preference. This bidder is a new firm.
B	4000	74000	
C	4000	76000	
D	5000	73000	
E	4000	74500	
F	5000	75500	
G	7000	80000	
H	4000	77500	Applied 1000 quantity under order preference

- (i) Which authority is competent to procure the transformer in above case? (1)

**Solution:** As per Purchase Regulation Authority competent to procure the transformer in above case is WTDs.

- (ii) Can order be placed on bidders other than lowest price bidder? If yes, under which circumstances? (2)

**Solution:- As per Purchase Regulation**

Yes, Order can be placed in order preference and for bidders in zone of consideration i.e. firm D,B,E.  
Only if the other bidders agree to supply the material at L-1 rate i.e Rs. 72,500/-.

- (iii) Is it compulsory for bidder 'H' to provide the transformer at lowest price? (1)

**Solution:- As per Purchase Regulation**

Yes, it compulsory for bidder 'H' to provide the transformer at lowest price as the firm has offered 1000 quantity in order preference.

- (iv) Prepare comparative statements from the above mentioned data and mention lowest price. (8)

**Solution:**

COMPARATIVE CUM MERIT STATEMENT				
ITEM	10 KVA transformer	QUANTITY	10000	no.
As per Purchase Regulation for this case two separate comparative statements shall be prepared.				
SEPARATE COMPARATIVE CUM MERIT STATEMENT FOR ORDER PREFERENCE BIDDERS				



Sr. No.	Name of Firm (M/s)	Status of Firm	Quoted Quantity (in Nos. )	FOR Destination all-inclusive quoted price (Rs/Per No.)	De-escalated RATE by 15 percent (Rs/Per No.)	Equated Price (Rs/Per No.)
A	B	C	D	E	F	G
OP-1	A	NEW	1000	72500.00	63043.48	72500.00
OP-2	H	OLD	1000	77500.00	67391.30	77500.00

**ORIGINAL COMPARATIVE CUM MERIT STATEMENT FOR ALL ELIGIBLE BIDDERS**

Sr. No.	Name of Firm (M/s)	Status of Firm	Quoted Quantity (in Nos.)	FOR Destination all-inclusive quoted price (Rs/Per No.)	Equated Price (Rs/Per No.)
A	B	C	D	E	F
L-1	A	NEW	4000*	72500.00	72500.00
L-2	D	Old	5000	73000.00	73000.00
L-3	B	Old	4000	74000.00	74000.00
L-4	E	Old	4000	74500.00	74500.00
L-5	F	Old	5000	75500.00	75500.00
L-6	C	Old	4000	76000.00	76000.00
L-7	H	Old	4000*	77500.00	77500.00

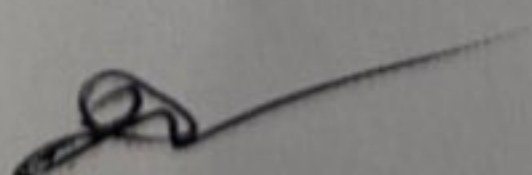
\* Also includes quantity offered under order preference (For L-1 & L-7).

**Note-1:-** The Firm G being highest bidder is not considered in comparative as per memo no. 1148/1181 dated 12.05.2021.

**Note-2:-** Firm A being lowest bidder at their own quoted rates and applied for order preference has been taken in both merit list as per purchase regulation clause no. 28 (Schedule-E).

- (v) Competent authority decided to procure balance transformers from all the bidders falling within zone of consideration equally after giving offer to lowest price bidder & order preference bidders for their eligible quantities.

Assuming that all the bidders as per merit accepted the offered quantities; prepare a chart of bidders with quantities ordered from each bidder and price at which transformer ordered. (8)





**Solution:- As per Purchase Regulation, Chart for ordered quantities:-**

Sr. No.	Name of Firm	Quantity ordered	Order Price (Per transformer)	Remarks
1.	A	1000	72,500	Under Order Preference
2.	A	2000	72,500	Maximum up to 30% of approved quantity (i.e. 30% of 10,000=3,000)
3.	D	2333	72,500	L-2
4.	B	2333	72,500	L-3
5.	E	2334	72,500	L-4

**Note:-** 2334 quantity, if written against any of D,B, or E may please be considered as correct, to make total quantity as 7,000/-





**Engineering Officer Departmental Accounts Examination**

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5. (A) Fill in the blanks: -

(1 X 10= 10)

<b>Solution:- As per Purchase Regulation</b>	<b>Solution</b>
i) For the cases decided by the Purchase Committee (General) the competency to blacklist the firm lies with WTDs.	<b>WTDs</b>
ii) Amendments to purchase orders/contracts originally accepted by Board of Directors not involving additional financial liability or variations in characteristics and quality laid down in the specifications/Purchase orders shall be made with the approval of Director Incharge.	<b>Director Incharge</b>
iii) Security deposit for faithful execution of the purchase order/Contract of value Rs. 85,550/- shall be NIL.	<b>NIL</b>
iv) Orders up to 30% of total approved quantity can be placed amongst new firms.	<b>New Firms</b>
v) For all items valued at Rs. 5 Lacs or above and not borne on PSPCL rate contract, tenders shall be invited through publicity.	<b>5 Lacs or above</b>
vi) Items valuing up to Rs.10000/-(each) may be purchased against cash purchases after conducting oral enquiries in the market, subject to annual limits as specified in relevant clauses of DoP.	<b>cash purchases</b>
vii) A certificate of Permanent EMD is issued by the Nodal Authority i.e. AO(CPC/MM), PSPCL.	<b>AO (CPC/MM), PSPCL.</b>
viii) The amount of EMD for tender valuing Rs. 10 Lac for 25% of quantity offered shall be Rs. 10,000/-	<b>Rs.10,000/-</b>
ix) In case the competent authority for procurement happens to be WTDs, then the power to decide technical and commercial acceptability/ rejection of Tenders would be exercised by concerned CPC/PPC/Purchase Committee (General).	<b>Concerned CPC/PPC/Purchase Committee (General)</b>
x) If at any point of time, any query relating to the interpretation of Purchase Regulations arises, it shall be referred to Board of Directors.	<b>Board of Directors</b>



## **Solution for Question no. 5 (B)**

As per Purchase regulation 28 as amended vide memo no. 292/325 dated 05-02-2020.

### **ORDER PREFERENCE**

PSPCL shall allow an order preference as per the procedure laid down as under to such bidders whose works are situated within the State of Punjab:-

- a) The rate of Punjab based firms shall be de-escalated by 15% for all the units (i.e.  $100 \times \text{Quoted Rates} / 115$ ). For these firms quantity up to **50%** of the total ordered quantity may be reserved provided their de-escalated rates fall below the lowest rates considered for the placement of purchase orders/ contract. For the purpose of allocation of quantity against Order Preference, the merit position of the Punjab based eligible firms shall be prepared separately. However, where the Punjab based firms qualify amongst the lowest bidders on their own quoted rates, they shall also form part of the original merit list without order preference for the purpose of allocation of quantity.
- b) Purchase order on the Punjab firm claiming order preference & found eligible as per clause (a) above would be placed on the lowest rates (L-1) considered for the placement of purchase orders/ contract
- c) The Punjab based firms claiming order preference shall be required to furnish an undertaking in prescribed form (Annexure-II) on a non-judicial stamp papers of appropriate value duly notarized to the effect that they shall execute the order if placed on them under „Order Preference“ as per the Tender specification. Such undertaking shall be submitted by the Punjab based firms latest by 5:00 PM on the day of opening of price bid and duly acknowledged by the concerned office.
- d) In case no such undertaking is furnished by the Punjab based firms, who are otherwise eligible for claiming „Order Preference“ as per the Tender specification, their Tender shall not be considered for placement of any order under Order Preference. In the event of refusal by the Punjab based firms to execute the purchase order/contract at their quoted rates or offers made under Order Preference as per „a“ and „b“ above as the case may after furnishing the above undertaking as per Annexure II their earnest money shall be forfeited apart from initiating further administrative action, such as suspending business dealings blacklisting etc.





Departmental Examination for Engineer Officers

Session 11/2024

Paper 2<sup>nd</sup> Service and Regulations

Answers

**A1a)** As per sr no 135 of DOP to sanction payment of compensation for damages caused to crops and any other property in exercising right of placing the poles etc.

i Sr Xens/R. Es

ii Full powers

iii Procedure: For the assessment of compensation of damage caused to crops the following procedure shall be adopted :-

\*Average yield in quintals of various crops per acre for irrigated lands and non-irrigated lands worked out on the basis of schedule B of Power Security Land Tenure Rule 1956, as per annexure of Board's office order No.17/GB/A-732 dated 20-04-72 be adopted subject to the following conditions:

A. 10% deduction shall be made from compensation payable in the case of crops ready to be harvested due to urgency of PSPCL's work (except crops like sugarcane, potatoes and other hardy crops)

B. Assessment of compensation for sugarcane, potatoes and other hardy crops shall be made by the field officers themselves.

C. The area of crops that are sought to be compensated shall be assessed by an officer not below the rank of AE/AEE.

\*The assessment of damages caused to the property other than crops be assessed be assessed by Sr XEN in consultation with Civil Authority.

1(b) As per delegation of power, head of the department may delegate financial powers entrusted with them to their subordinate officers as and when necessary but the subordinate officers cannot redelegate their powers to any other officer.

So, this case, the action of CAO/HQ is in order but the action of Dy CAO is not in order.



1c) The delegation of Powers has been drawn up keeping in view the following criteria:-

- i) The delegation of Powers shall effectively contribute to the smooth, expeditious and efficient realization of Company's laid down goals and targets within policy framework set for it.
- ii) The delegation of Powers shall effectively utilize the organisational structure for realisation of the purpose set out in (i) above.
- iii) The delegation of Powers shall commensurate with the responsibilities and status of the officers to whom the delegation of Powers has been accorded.
- iv) The delegates shall be accountable for their decisions under the delegation of Powers.
- v) The delegation of Powers shall be subject to such controls/instructions as are conveyed from time to time to the delegates in general or in particular.
- vi) As the delegation of powers is meant for smooth execution of the work, and expeditious realisation of Company goals, any constraint or impediment in this direction shall promptly be brought up by the concerned and reviewed by competent authority to provide remedy of same.
- vii) Any interpretation placed in The delegation of Powers shall take into account the intent, purpose and concept behind the delegation viz to execute the work in a smooth ( i.e not causing any disturbance or dislocation in the course of execution), effective (i.e cost effective, being the best possible alternative at least possible cost) and expeditious( i.e ensure timely and quickest possible realisation of objective without any hinderance or impediment).
- viii) The delegation of Powers is also based on the concept of centralised policy making and decentralised execution.
- ix) The financial powers shall always be exercised with due observance of canons of financial propriety, which are enumerated separately. Care must be taken to ensure that awards are not split only for the purpose of bringing the same within the powers of a particular officer.



**A2a)** Minimum service 10 years and maximum service required for full pension is 25 years.

**2b)** PSPCL's Finance Circular 24/2024 dated 11.7.2024 is regarding grant of notional annual increment after retirement. Its main features are as under :-

- i) It has allowed the release of benefit of one notional annual increment to all the pensioners who have completed 12 months of service on the date of their retirement for the purpose of re-fixation of their last drawn pay for the purpose of computing their pensionary benefits.
- ii) Pensionary benefits shall be payable to the petitioners only from the date of filing of their respective writ petitions.
- iii) The financial benefits/Arrears in cases of the pensioners (non-petitioners) shall be payable only from the date of issuance of these instructions i.e. 11.7.2024

**2c)** Qualifying service 25 years 1 month 10 days

Basic <sup>Pay</sup> pension as on 1.10.2023 = 1,00,000/-

DNI 1.10.24 So notional increment 3000/-

Basic pay after granting notional increment =  $100000 + 3000 = 103000/-$

Pension =  $103000/2 = 51500$

Gratuity =  $103000 + 38\% \text{ of } 103000 * 50/4 = 1776750/-$

10% ,20%,30%,33%,40% of pension can be commuted (**any of these can be assumed by candidate**)

Commutation if 10% commuted =  $10\% \text{ of } 51500 * 12 * 8.371 = 5,17,328/-$

Commutation if 20% commuted =  $20\% \text{ of } 51500 * 12 * 8.371 = 10,34,656/-$

Commutation if 30% commuted =  $30\% \text{ of } 51500 * 12 * 8.371 = 15,51,983/-$

Commutation if 33% commuted =  $33\% \text{ of } 51500 * 12 * 8.371 = 17,07,182/-$

Commutation if 40% commuted =  $40\% \text{ of } 51500 * 12 * 8.371 = 20,69,311/-$

**2d)** As per Punjab CSR Vol ii (Rule 6.17), when a government employee is survived by more than one widow, the pension will be paid to them in equal shares. On death of a widow her share of the pension will become payable to

her eligible minor child. if at the time of her death a widow leaves no eligible minor child, the payment of her share of the pension will cease.



**A3(a)** As per Reg 9.1 of MSR Vol.1 part-1. joining time may be granted to a board employee to enable him to

- i) To join a new post either at the same or a new station without availing himself of any leave on relinquishing charge of his old post
- ii) To join a new post in a new station or return from :
  - a) Earned leave not exceeding 180 days in respect of Board subject to leave regulations
  - b) Leave other than Earned leave when he has not sufficient notice of his appointment of new post.
- iii) a) To proceed on transfer on an expiry of leave from a specified station to join in a place in a remote locality which is not easy to access.

b) To proceed on relinquishing charges of a post on transfer or leave, in a remote locality which is not easy of access to a specified station.

**A3b)** The grounds on which orders of punishment can be revised by the competent authority are following :-

- a) If the appellate authority is one other than PSPCL (earlier Board)
- b) Only on the grounds of material irregularity in the proceedings of the enquiring or appellate authority or on the discovery of new and important matter of evidence which, after exercise of diligence was not within the knowledge of the petitioner , or could not be produced by him ,when the orders were made against him, or on account of some mistake or errors apparent on the face of the record.

Provided that PSPCL(earlier Board) may, at any time, revise any order passed by it in exercise of its appellate powers under these regulations.

**A3 c.** As per Employees Conduct Regulations:-

- i) **Theft of energy by a board employee** (Regulation no 20A) :- Theft of energy is an offence under the law. If any board employee is detected doing so and the charge of theft of energy is successfully established against him. the minimum punishment in that case shall be dismissal from service



**ii) sexual harassment of working women(Regulation no 22A) :-** 1)No Board employee shall indulge in any act of sexual harassment of any women at her work place .

2)Every Board Employee who is in charge of a work place shall take appropriate steps to prevent sexual harassment to any women at such work place.

Explanation :- a) Physical contact and advantage

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,

**iii) demonstrations, strikes and intimidations (Regulation no 8):-** No employee shall

a) engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India the security of the State, friendly relations with Foreign States, public order, decency or morality or which involves contempt of court, defamation or incitement to an offence; or

b) resort to or in any way abet any form of strike in connection with any matter pertaining to his service or the service of any other Board employee

c) assault threaten, intimidate, coerce, abuse or interfere with the work of the other employees of the Board

d) Surround, 'Gherao' or confine any officer or any other employee of the Board in order to make him yield to the demands.

**iv) Unauthorised Communication of Information (Regulation no 12) :-** No Board employee shall, except in accordance with any general or special order of the Board or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or information to any Board Employee or any other person to whom he is not authorised to communicate such document or information.

**v) Canvassing of non-official or other influence(Regulation no 21) :-**No Board employee shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Board.



**A4a)** Where both food and lodging are given free to the trainee by the Board, the daily allowance shall be reduced to one fourth.

**4b)** A govt employee transferred from one station to another does not get full transfer TA in following circumstances:-

- i) When transfer was on his own request (rule 2.57 of CSR Vol-iii)
- ii) When a Govt employee takes leave exceeding 120 days while in transit from one post to another
- iii) When a family of a Govt employee precedes him more than one month or follow him after six months of his transfer (rule 2.59(b)(iii) of CSR Vol-III)
- iv) When a Govt employee is posted to a new station on return from leave exceeding six months (rule 2.67 of CSR Vol-III)
- v) When a Govt employee fails to submit TA bill within one year when it becomes due (rule 2.110 of CSR Vol-III)

**4c)** An employee placed under suspension will be allowed Travelling Allowance as on tour if he is required by the competent authority to travel a place other than the place of his normal duty before suspension. Travelling allowance claim of such an employee will be regulated with the reference to the pay drawn by him immediately before suspension.

An employee who is placed under suspension and his headquarters are shifted to some other place he will be entitled to Travelling allowance as on transfer for himself and his family.

**4d)** In criminal and civil cases in which Board /Govt. is a party and they attend the court at the instance of Board

The Travelling allowance and daily allowance if claimed will be paid by the Board. The employee, however, shall have to deposit the amount received by him from the court in the form of diet money etc before he becomes entitled to TA/DA.

The period for which the employee is required to attend the court will be treated as duty. In certain cases, the employees do not receive diet money, and get the certificate that they have not been paid diet money from the court. In such cases the employees concerned shall not be entitled to get TA/DA until they deposit TA and diet money which they must get from the court.



4e) In the following cases, PSPCL employees are exempted from producing medical certificate of health:-

- i) A person who is already in permanent or quasi permanent employ of the Board/Government and has already undergone a medical examination by a standard and by a medical authority which are recognised by the Appointing authority as equivalent to those prescribed for the new appointment for which he is recruited /selected.
- ii) A person who is already in permanent or quasi permanent employ in the same line, and being eligible for the promotion to the against a promotion quota of vacancies, is actually so promoted.
- iii) A candidate required to a Gazetted post from a non-gazetted post should not be required to undergo medical examination, if he was medically examined and declared to be fit on appointment to the Board/Government

4f)As Per Reg 8.40 of MSR Vol.1 part-1 ,a corporation employee who remains absent after the end of leave is entitled to no leave salary for the period of such absence and that period will be debited against his leave account as though it were leave on half pay unless his leave is extended by the competent authority .Wilful absence from duty after the expiry of leave may be treated as misbehaviour for the purpose of Regulation 3.16 .If the competent authority is satisfied that the employee could not join his duty to reasons beyond his control ,then he can sanction this period as leave of kind due.



A5 a) The major difference between Tier 1 and Tier 2 of NPS are :-

Eligibility: Any Indian citizen between 18 and 65 years of age can open the Tier 1 account, where the applicant will be given a Permanent Retirement Account Number (PRAN). On the other hand, to be eligible for NPS Tier 2 account, one must be a member of NPS Tier 1.

Lock-in Period : In case of NPS Tier 1, this period lasts till the subscriber is 60 years old. The Tier 2 account does not have any lock-in period.

Contributions: The minimum contribution to open a Tier 1 account is 500 and 1000 for a Tier 2 account.

Tax benefit on contributions: For NPS Tier 1, a tax deduction of up to 1.5 lakh is available under sec 80CCD and 50000 under 80CCD(1B). However, such facilities are not available in the case of Tier 2 accounts.

5b) To,

All HOD's under PSPCL

Memo No:123

Dated : 24.10.24

**Sub :- Leaving of Head Quarters without obtaining prior permission of the competent authority**

According to Regulation 2.53 of the PSEB MSR 1972, Vol. I, Part-I, 'sphere of duty of a Board employee' is the local area outside which he cannot travel without special orders of the competent authority. In terms of para-5 of Appendix- 8 of PSEB MSR, 1975, vol-I .part -II, no board employee can leave his head-quarters, during gazetted holidays except with the permission of his immediate departmental superior, who must undertake the responsibility of granting such permission.

Necessary instructions in this regard were also issued in the past, to bring to the notice of all concerned for strict compliance. However, it has been brought to the notice of the higher authorities that these instructions are not being followed, in its true spirit as many of the officers/officials do not reside at head-quarters and leave their station of posting without permission from the competent authority. The management has taken a serious notice of this aspect and has desired that the instructions in this regard may be reiterated. Any dereliction on this account, would in future be viewed seriously.



Accordingly, in order to curb this tendency on the part of such officers/officials, it has been decided to bring to the notice of all concerned not to leave their head-quarters without the permission of the competent authority. In case anybody is found leaving the head-quarters without permission of his superior authority, a serious view/action shall be taken against such delinquent officers/official.

The above be got noted from all employees for strict compliance.

Company Secretary

PSPCL

5c) **Minor penalties** :-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.

**Major penalties:-** i) withholding of increments of pay with cumulative effect or reduction to a lower stage in the time-scale of pay for a specified period, with further directions as to whether or not the employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect postponing the future increments of his pay,

ii) reduction to a lower time-scale of pay, grade, post of service, which shall ordinarily be a bar to the promotion of employee to the time-scale of pay, grade, post of service, from which he was reduced, with or without further directions regarding conditions of restoration to the grade or post or service from which the employee was reduced and his seniority and pay on such restorations to that grade, post or service.

iii) compulsory retirement

iv) removal from service which shall not be a disqualification for future employment under the Board.



- vi) Dismissal from service which shall ordinarily be a disqualification for future employment under the Board.

5d) As per PSPCL Provident fund regulations under clause 25 of the regulation,

A subscriber to this fund shall be allowed by the competent authority to make final withdrawal from the fund for purchasing a computer system/laptop along with printer and other related accessories, subject to the following terms and conditions namely :-

1. The amount of the withdrawal shall be limited to one-half of the amount outstanding to the credit of the subscriber in the fund or the actual price of the computer system/laptop, whichever is the least.
2. Final withdrawal shall be sanctioned only after the receipt of Performa invoice.
3. The subscriber has put in five years service.
4. The employee who will get computer advance from G.P. Fund , shall not be eligible for any other advance from corporation for this purpose.
5. Sanctioning authority shall ensure that after getting advance the employee has actually purchased the computer.
6. The employee who will get computer advance shall not refuse computer work as and when required by the corporation to do.

Note: second and third advance shall be granted after five years have passed since the grant of first and second advance subsequently.



Q.1 (i) As per PSPCL PR Circular No. 01 /2024 Dated 15.05.2024 the committee for grant of Continuous Process Status to industries is hereby re-constituted as under:

- |   |            |
|---|------------|
| 1. CE/ PP&R, PSPCL, Patiala   | (Chairman) |
| 2. CE/Distribution (Concerned)  | (Member)   |
| 3. Dr. Harish Anand<br>Strategic Planning-Vardhman<br>Textiles Limited Ludhiana | (Member)   |

(ii) As per ESIM 2018 regulation 3.2.3 (h) (i) The CE/EIC (Commercial) will decide the Date of Feasibility Clearance Committee (FCC) Meeting and generate agenda for circulation to the members of the FCC through online process.

(iii) As per ESIM 2018 regulation 3.2.5 (2) To accord feasibility clearance for release of electric connection to the New Investment Proposals covered under the Package of Fiscal Incentives as per Industrial Policy of Govt. of Punjab, as per following procedure:

- a. Receipt of application along with proposed commissioning schedule by applicant.
- b. Verification of documents.
- c. Clearances from other departments i.e. C.E.I., PUDA, Forest etc. shall be arranged by officers deputed by respective departments in the Bureau itself.
- d. Getting site examination and necessary assessment for the expenditure involved in release of connection from the concerned field office.
- e. Feasibility Clearance shall be given from the nearest 33/66/ 132/220 kV Substation after carrying out a detailed study of service line to be erected, loading conditions of feeding sub-station/mother sub-station and backup/common line up to feeding Sub-station including bay, if any.
- f. On the spot signing of A&A form (Application-cum-Agreement form), sanctioning of load and receipt of charges on account of assessment i.e. security (consumption), meter security, security (works), CEI fee etc. for various electrical installations.
- g. Over-riding priority shall be given to such consumers.

(Marks: 5+5+10=20)



**MODEL SOLUTION OF EO – SESSION 10/2024 PAPER - III (REVENUE ACCOUNTS)**

- Q. 2 (i) As per ESIM 2018 regulation 88.2.1. The billing advices/ job orders for consumers above 20kW being high revenue and less in numbers shall be entered by RA of the concerned Sub-division and then shall be checked and verified by AE/AEE of concerned sub-division. The advices/job orders then shall be sent to the respective zonal CBC by AE/AEE of concerned sub-division online for billing purpose. Hence verification by RA is wrong.
- (ii) As per ESIM 2018 regulation 88.2.7 New connection (where network augmentation is required)
- Apply in Suvidha centre and processing of application as per ESIM.
  - SCO created by Suvidha centre.
  - SCO sent to JE/GSC of Op. Sub- Divn. for installation of meter.
  - JE reported to Suvidha centre that network augmentation is required for release of connection.
  - Suvidha centre sends the case to AEE technical.
  - AEE/Technical will comply the SCO and send back to Suvidha centre.
  - JE/GSC shall install meter & enter the meter particulars, date of connection etc.
  - SCO after compliance and duly checked by RA/AEE/Op. should sent to zonal CBC for billing purpose.
  - Checked in SAP by UDC/CBC and cleared by AEE/CBC.
- (iii) As per SOP Chapter 16 (3) (e) the following certificate in the Abstract Ledger of Billing Ledgers (SOP 15) "Certified that the totals of sundry charges in the Abstract Ledger tally with the totals of abstract of Sundry Charges (SOP 14). Totals of sundry allowances tally with the totals of allowances as per abstract of sundry allowances (SOP 14) & Sundry Allowances Adjustment Register (Form SOP 6 A) Sign the Certificate and put up to RA".

(Marks: 5+8+7=20)



# MODEL SOLUTION OF EO – SESSION 10/2024 PAPER - III (REVENUE ACCOUNTS)

Q. 3 (i)	Sanctioned Load	=	5.58 KW
	Old Reading on dated 25.7.2024	=	28472
	New Reading on dated 23.9.2024	=	29297
	Units Consumed	=	825 Units
	Bill days	=	60 Days
	BE Concessional Units 155x2	=	310 Units
	Units Billed	=	515 Units

(A) Energy Charges:				Without Concession		
Slab	Rate	Units	Amount	Rate	Units	Amount
0 – 100 kwh	4.54	200	908	4.54	200	908
100 – 300 kwh	6.76	315	2130	6.76	400	2704
Above 300				7.75	225	1744
<b>Total E.C.</b>			<b>3038</b>			<b>5356</b>

(B) Fixed Charges :	
Sanction Load	5.58 KW
80% of Load in KW	= 4.464
Rate per kwh/month	= 75
Billing days	= 60
<b>Fixed Charges</b>	<b>= 659</b>
(4.464x75x60x12/366)	

(C) Taxes/Duty/Cess	
1. Rental	= 47
2. Electricity Duty	= 665 (5356+659-900)*13%
3. Municipal Tax	= 102 (5356+659-900)*02%
4. IDF	= 256 (5356+659-900)*05%
5. Cow Cess	= 17 (825*.02)
<b>Total Taxes</b>	<b>= 1087</b>

(D) Subsidy : withdrawn on dt. 5.9.2024 vide CC NO. 26/2024	
60 Days	= 825 units
42 Days	= 557 units
Concessional Units	= 217 Units
Net Units for Subsidy	= 340 Units (557-217=340)
<b>Subsidy amount 340x2.5</b>	<b>= Rs. 900</b>

**Total Payable Amount (A+B+C-D)= (3038+659+1087-900)= 3884**  
**Rounded off to Rs. 3880**  
**Due Date : 08.10.2024 Cash/Online 04.10.2024 DD/Cheque**  
**Amount payable within one month of the due data : Rs. 3938**



**MODEL SOLUTION OF EO – SESSION 10/2024 PAPER - III (REVENUE ACCOUNTS)**

- 3 (ii) As per ESC reg. no. 37.1.7 Suspected case of Theft of Electricity:
- (a) In case where a consumer is suspected to have indulged/indulging in theft of electricity by tampering with the meter/metering equipment and/or its seals or otherwise then such equipment shall be sealed by the Authorized Officer so as to keep it in 'as found condition'. However, the supply of such consumer shall continue with the new PSERC (Electricity Supply Code & Related Matters) Regulations, 2014 Upto 7th Amendment Page 84 meter. The consumer or his representative shall also be permitted to affix his seal at that time.
  - (b) In all cases of suspected theft of electricity falling under Regulation 37.1.7 (a), the Authorized Officer shall, after giving the consumer/person an opportunity of being heard, determine within seven (7) days whether or not there is sufficient evidence to conclude that a case of theft of electricity is prima facie established as per Section 135 of the Act.
  - (c) In case of suspected theft of electricity by tampering with meter/metering equipment or its seals or otherwise, detected as per Regulation 37.1.7 (a) is not established, the Authorized Officer shall record reasons thereof after which all further proceedings shall be dropped and the consumer/person informed accordingly.
  - (d) In the event a suspected case of theft of electricity by tampering with meter/metering equipment or its seals or otherwise is prima facie established as per Section 135 of the Act, then further action shall be immediately initiated in accordance with Regulation 37.2.

(Marks: 10+10=20)



## MODEL SOLUTION OF EO – SESSION 10/2024 PAPER - III (REVENUE ACCOUNTS)

Q. 4 (i) As per ESIM instruction no. 88.1 The Following are the control and responsibilities of various Billing/ revenue activities for billing up to 20 KW are as follows:

Various activities to be performed	Authorisation
a. Change of Tariff from DS to NRS	Entered in SAP by ARA/RA/RS and NRS to DS authorized by AE/AEE
b. Board Employee Concession	Entered in SAP by UDC Revenue and authorized by ARA/RA/RS
c. Pb. Govt. connection code	Entered in SAP by UDC revenue and authorized by ARA/RA/RS
d. Type of NRS consumer	Entered in SAP by UDC revenue and authorized by ARA/RA/RS
e. Schedule Caste/BPL concession	Entered in SAP by RA and authorized by AE/AEE
f. Change of MRU	Entered in SAP by UDC revenue and authorized by ARA/RA/RS

(ii) As per ESIM instruction no. 82.2 the action of the SE/DS is wrong because SE/DS can only extend maximum period of Extension up to 7 days on one occasion in the event of unforeseen circumstances beyond the control of the consumers e.g. floods, strike by PSPCL's employees, curfew etc.

(iii) Where the sale of power prior to period of year end as on 31<sup>st</sup>. March is not billed a reversible provision is created on account of such unbilled revenue in annual accounts. Every year on 31<sup>st</sup>. March last date of meter reading against each billing ledger for each category of consumer is noted down by UDC Revenue of Op. Sub Division. Number of Days falling after the meter reading date till 31<sup>st</sup>. March, are calculated. Unbilled Revenue and units are calculated by multiplying number of unbilled days with units and revenue assessed of immediately proceeding cycle. In case where meter reading of a billing cycle falls in month of March (for which Bills are not issued in the month of March) the entire period of billing cycle plus the period between the last date of meter reading and 31<sup>st</sup>. march is taken for working out unbilled revenue and units.

(Marks : 10+5+5=20)



- 5 A (i) "Connected load" means the sum of the manufacturer's rated capacities of all the energy consuming devices in a consumer's premises connected with Distribution Licensee's (PSPCL's) service line and determined as per procedure laid down in these Regulations. This shall not include the standby or spare energy consuming apparatus installed through a changeover-switch;
- (ii) "Monthly Average Power Factor" means the ratio of watt hours to the volt ampere hours drawn during a billing month;
- (iii) "Demand Charge" shall mean the amount chargeable per month in respect of PSPCL's readiness to serve the consumer irrespective whether the consumer consumes any energy or not, and is based upon either connected load or the maximum demand or contract demand as the case may be and as prescribed in the relevant Schedules of Tariff.
- (iv) "Energy charges" means the charges for quantity of electricity actually supplied to the consumer in terms of kWh/kVAh in any billing period as approved by the Commission in the Tariff Order for the relevant year ;
- (v) "Load Factor" means the ratio of average demand in a billing month in kilowatts to the connected load in kilowatts;

(B) Change in Timelines for Release of connection.

**As per Commercial Circular 20/2024 dated 1.7.2024 :-** As per Supply Code-2014, Regulation 8.1 (a), Connection to consumer where no augmentation is required is to be released within 7 working days for DS/NRS category consumers and 15 working days for other than DS/NRS consumers. However now Ministry of Power vide Notification dated 22.02.2024 has amended the Electricity (Rights of Consumers) Rules, 2020 and has issued following rules: -

"The Commission shall specify the maximum time period, after submission of application complete in all respects, not exceeding three days in metropolitan areas, seven days in other municipal areas and fifteen days in rural areas, within which the distribution licensee shall provide new connection or modify an existing connection:

Provided that for rural areas of States and Union Territories having hilly terrain, the maximum time period for new connection or modification of an existing connection, after submission of application, 2, shall not exceed thirty days:

Provided further that where such supply requires extension of distribution mains, or commissioning of new substations, the distribution licensee shall supply the electricity to such premises immediately after such extension or commissioning within a period not exceeding ninety days."

(Marks : 5X2+10=20)



- 5 (B) As per Commercial Circular 20/2024 dated 1.7.2024 :- As per Supply Code-2014, Regulation 8.1 (a), Connection to consumer where no augmentation is required is to be released within 7 working days for DS/NRS category consumers and 15 working days for other than DS/NRS consumers. However now Ministry of Power vide Notification dated 22.02.2024 has amended the Electricity (Rights of Consumers) Rules, 2020 and has issued following rules: -

"The Commission shall specify the maximum time period, after submission of application complete in all respects, not exceeding three days in metropolitan areas, seven days in other municipal areas and fifteen days in rural areas, within which the distribution licensee shall provide new connection or modify an existing connection:

Provided that for rural areas of States and Union Territories having hilly terrain, the ' maximum time period for new connection or modification of an existing connection, after submission of application, 2, shall not exceed thirty days:

Provided further that where such supply requires extension of distribution mains, or commissioning of new substations, the distribution licensee shall supply the electricity to such premises immediately after such extension or commissioning within a period not exceeding ninety days."

The revision of the Supply Code-2014, in view of above Rule is under process and till the relevant Regulations of Supply Code are amended by the PSERC, PSPCL has decided that the amended Rules will be adhered from the date of issuance of this Circular.

As such. PSPCL shall provide supply of electricity to the consumers/applicant within three (3) days in cities of Ludhiana. Jalandhar and Amritsar, seven (7) days in other municipal areas and fifteen (15) days in rural areas from the date of submission of application, complete in all respects, where no extension/augmentation of distribution mains i.e. LT/HT line or commissioning of distribution sub-station is required.

(Marks : 5X2+10=20)



**Session-10/2024 – Engineer Officers**  
**Paper-IV (Acts, Rules and Labour Laws) - Model Solution**

**Answer 1.**

**Answer 1(a)**

(1) Subject to the provisions of section 21 of Air (Prevention and Control of Pollution) Act, 1961, no person shall, without the previous consent of the State Board, establish or operate any industrial plant in an air pollution control area: Provided that a person operating any industrial plant in any air pollution control area immediately before the commencement of section 9 of the Air (Prevention and Control of Pollution) Amendment Act, 1987, for which no consent was necessary prior to such commencement, may continue to do so for a period of three months from such commencement or, if he has made an application for such consent within the said period of three months, till the disposal of such application.]

(2) An application for consent of the State Board under sub-section (1) shall be accompanied by such fees as may be prescribed and shall be made in the prescribed form and shall contain the particulars of the industrial plant and such other particulars as may be prescribed: Provided that where any person, immediately before the declaration of any area as an air pollution control area, operates in such area any industrial plant, such person shall make the application under this sub-section within such period (being not less than three months from the date of such declaration) as may be prescribed and where such person makes such application, he shall be deemed to be operating such industrial plant with the consent of the State Board until the consent applied for has been refused.

(3) The State Board may make such inquiry as it may deem fit in respect of the application for consent referred to in sub-section (1) and in making any such inquiry, shall follow such procedure as may be prescribed.

(4) Within a period of four months after the receipt of the application for consent referred to in sub-section (1), the State Board shall, by order in writing, and for reasons to be recorded in the order, grant the consent applied for subject to such conditions and for such period as may be specified in the order, or refuse such consent.

Provided that it shall be open to the State Board to cancel such consent before the expiry of the period for which it is granted or refuse further consent after such expiry if the conditions subject to which such consent has been granted are not fulfilled.

Provided further that before cancelling a consent or refusing a further consent under the first provision, a reasonable opportunity of being heard shall be given to the person concerned.

(5) Every person to whom consent has been granted by the State Board under sub-section (4), shall comply with the following conditions, namely:— (i) the control equipment of such specifications as the State Board may approve in this behalf shall be installed and operated in the premises where the industry is carried on or proposed to be carried on; (ii) the existing control equipment, if any, shall be altered or replaced in accordance with the directions of the



State Board; (iii) the control equipment referred to in clause (i) or clause (ii) shall be kept at all times in good running condition; (iv) chimney, wherever necessary, of such specifications as the State Board may approve in this behalf shall be erected or re-erected in such premises; and (v) such other conditions as the State Board, may specify in this behalf; and (vi) the conditions referred to in clauses (i), (ii) and (iv) shall be complied with within such period as the State Board may specify in this behalf.

(6) If due to any technological improvement or otherwise the State Board is of opinion that all or any of the conditions referred to in sub-section (5) require or requires variation (including the change of any control equipment, either in whole or in part), the State Board shall, after giving the person to whom consent has been granted an opportunity of being heard, vary all or any of such conditions and thereupon such person shall be bound to comply with the conditions as so varied.

(7) Where a person to whom consent has been granted by the State Board under sub-section (4) transfers his interest in the industry to any other person, such consent shall be deemed to have been granted to such other person and he shall be bound to comply with all the conditions subject to which it was granted as if the consent was granted to him originally.

#### **Answer 1(b)**

“Employee” means any person who is employed for wages in any kind of work, manual or otherwise, in or in connection with the work of an establishment, and who gets his wages directly or indirectly from the employer, and includes any person— (i) employed by or through a contractor in or in connection with the work of the establishment; (ii) engaged as an apprentice, not being an apprentice engaged under the Apprentices Act, 1961, or under the standing orders of the establishment.



## Answer 2.

Ans 2(a)

### **Employers Liability for Compensation:**

- **Section 3 of the Employees Compensation Act of 1923 establishes the employer's obligation to provide compensation for an employee. According to this clause, there are five requirements that must be fulfilled before an employer is obligated to give an employee compensation. They are as follows:**
  1. **If a personal injury has been sustained by an employee:** If an employee suffers personal harm (whether physical or psychological) due to an accident while performing employment duties for an entity, the employer is responsible for making compensation. Under the Act, personal injury is not defined. An injury to someone's personal property is not considered a personal injury. This Act defines personal injury to encompass occupational illnesses as well.
  2. **If such a personal injury has been inflicted as a result of an accident:** An employee must provide proof that their personal injuries came about as a result of an accident while doing essential tasks if they want to obtain compensation from their employer. Additionally, the Act does not define the term "accident." In everyday language, an accident can be defined as a sudden occurrence that causes harm to someone. It is impossible to forecast an accident in such a way that anyone could protect themselves against harm or injury of any kind. An employee cannot foresee any accident that led to his injury, either. As a result, an employer has a duty to provide an employee with compensation in the event of such an accident.
  3. **If such an accident has arisen out of and in the course of employment:** Proving that the injury occurred either during or outside of the scope of employment is the primary prerequisite for receiving compensation from an employer. In this case, it is the employee's responsibility alone—not the employer's—to prove that the harm resulted from or occurred in the course of employment.
    - **Arising out of employment:** When something is said to "arise out of employment," it refers to occurrences when there is a connection between the working conditions and the injury that results from them. In other words, the injury and the work that the deceased was performing must be related. Only that work must have caused the accident. Additionally, you should convince the court that if the injured party hadn't been performing that work, he wouldn't suffer any harm. The employee will be given the opportunity to request compensation from the employer if both requirements are met, according to the court.
    - **In the course of employment:** The employee must prove that the labour was performed at the same time and location as the employment in order for the employer to be held responsible for paying compensation. In other words, the employee must demonstrate that the task was completed both at the employer's location and within the employee's regular working hours. Additionally, the employee must demonstrate that he performed his tasks in the employer's best



interests.

4. **If such an injury resulted in permanent or partial disablement of an employee for a period exceeding three days:** The employer is responsible for providing compensation to such an employee if an accident-related injury results in his permanent or partial disability for a length of time longer than three days. Under the Act, a permanent or partial disability has been defined. A partial disability may be both temporary and ongoing. When a disability is permanent, it lowers the employee's ability to earn in any job that he was actively engaged in at the time of the accident. When a disability is temporary, it lowers the employee's ability to earn in any job that he was potentially capable of when the accident occurred.
5. **If such an accident resulted in the death of an employee:** The final prerequisite for the employee's heirs to be eligible for compensation is to show that the accident caused the employee's death. The employee's heirs are entitled to compensation if it can be demonstrated in court that the death was brought on by an accident that happened during or as a result of employment.

#### **Exceptions:**

- **Under the following circumstances, an employer is exempt from responsibility for providing workers' compensation:**
  1. In the event of any injury which does not render the workers completely or partially disabled for a length of time beyond three days.
  2. In the event that any damage sustained in an accident that is directly due to one of the following, but does not result in death or total permanent disability:
    - the worker intentionally disobeying an order expressly provided, or to a regulation formulated to ensure the safety of workers,
    - the worker present at the time thereof while under the influence of alcohol or drugs,
    - the intentional removal or disrespect by a worker of any safety guard or other equipment that was provided to ensure workers' safety.



**Ans 2(b)**

**Section 5 of The Workmen's Compensation Act, 1923 – Method of Calculating Wages**

In this Act and for the purposes thereof the expression "monthly wages" means the amount of wages deemed to be payable for a month's service (whether the wages are payable by the month or by whatever other period or at piece rates), and calculated as follows:—

- (a) where the *employee* has, during a continuous period of not less than twelve months immediately preceding the accident, been in the service of the employer who is liable to pay compensation, the monthly wages of the *employee* shall be one-twelfth of the total wages which have fallen due for payment to him by the employer in the last twelve months of that period;
- (b) where the whole of the continuous period of service immediately preceding the accident during which the *employee* was in the service of the employer who is liable to pay the compensation was less than one month, the monthly wages of the *employee* shall be the average monthly amount which, during the twelve months immediately preceding the accident, was being earned by the *employee* employed on the same work by the same employer, or, if there was no *employee* so employed, by an *employee* employed on similar work in the same locality;
- (c) in other cases [including cases in which it is not possible for want of necessary information to calculate the monthly wages under clause (b)], the monthly wages shall be thirty times the total wages earned in respect of the last continuous period of service immediately preceding the accident from the employer who is liable to pay compensation, divided by the number of days comprising such period.

*Explanation:* A period of service shall, for the purposes of this section be deemed to be continuous which has not been interrupted by a period of absence from work exceeding fourteen days.

**Ans 2(c)**

**Electricity Act, 2003**

An Act to consolidate the laws relating to generation, transmission, distribution, trading and use of electricity by taking the following measures:

- Taking conducive measures to develop electricity industry· An Act to consolidate the laws relating to generation, transmission, distribution, trading and use of electricity by taking the following measures.
- Supply of electricity to all users· -Protecting consumer Interest·
- Rationalization of electric tariff·
- Transparency in policies regarding subsidies·
- Promotion of efficient & environmentally policies constituted by Central Electricity Authority (CEA), Regulatory commissions & establishment of Appellate tribunal.



### **Answer 3.**

#### **Ans 3(a)**

##### **State Air Laboratory**

(1) The State Government may, by notification in the Official Gazette,—

(a) establish one or more State Air Laboratories; or

(b) specify one or more laboratories or institutes as State Air Laboratories to carry out the functions entrusted to the State Air Laboratory under The Air (Prevention and Control of Pollution) Act, 1981.

(2) The State Government may, after consultation with the State Board, make rules prescribing—

(a) the functions of the State Air Laboratory;

(b) the procedure for the submission to the said Laboratory of samples of air or emission for analysis or tests, the form of the Laboratory's report thereon and the fees payable in respect of such report; (c) such other matters as may be necessary or expedient to enable that Laboratory to carry out its functions.

#### **Ans 3(b)**

In terms of the Electricity Act, 2003 and as per the salutary observations by Justice Santosh Hegde in West Bengal Electricity Regulatory Commission v. CESC Ltd (2002) regarding multi-disciplinary expert appellate body, the Appellate Tribunal for Electricity was constituted in the year 2005 to hear appeals against the orders of the adjudicating officer or the Central and State Electricity Regulatory Commissions under the Electricity Act, 2003. The second appeal lies before the Hon'ble Supreme Court on substantial questions of law only. In 2007, the APTEL was designated as the Appellate Tribunal to hear the appeals against the orders of Petroleum and Natural Gas Regulatory Board. Besides regular appellate power, APTEL has a superintending role over regulators in terms of Section 121 of the Electricity Act, 2003 to issue orders, instructions or directions as it may deem fit, to any State or Central Electricity Regulatory Commission for performance of its statutory functions under the Electricity Act, 2003.

The APTEL comprises a Chairperson who has been a Judge of the Supreme Court or Chief Justice of a High Court, one Judicial Member who has been or qualified to be a judge of High Court, two Technical Members who are electricity sector experts and one Technical Member who is an expert from petroleum and natural gas sector. Each bench has at least one Judicial and one Technical Member – creating a very effective combination of legal and industry (technical/financial) expertise. This has been an important factor responsible for effective and expeditious disposal of appeals within the stipulated time frame.



**Ans 3(c)**

"Competent Authority" means—

- (i) the Speaker in the case of the House of the People or the Legislative Assembly of a State or a Union territory having such Assembly and the Chairman in the case of the Council of States or Legislative Council of a State;
- (ii) the Chief Justice of India in the case of the Supreme Court;
- (iii) the Chief Justice of the High Court in the case of a High Court;
- (iv) the President or the Governor, as the case may be, in the case of other authorities established or constituted by or under the Constitution;
- (v) the administrator appointed under article 239 of the Constitution.

**Ans 3(d)**

Section 2(d) of the Consumer Protection Act says that 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;

*Explanation.*—For the purposes of the sub-clause (i), “commercial purpose” does not include use by a consumer of goods bought and used by him exclusively for the purpose of earning his livelihood, by means of self-employment.



## **Answer 4.**

**Ans 4(a)**

### **Health Measures and Safety Provisions as per Factories Act, 1948**

#### **Section 11: Cleanliness in Every Factory**

Under Section 11, every factory need to keep itself clean and free from effluvia arising from any drain, privy or other nuisance, and in particular-

- Accumulation of dirt and refuse should be removed daily by any effective method from the floors of workrooms and from staircases and passages and disposed of in a suitable and efficient manner.
- In case the floor is subject to become wet during the working time, then they should take proper drainage process or steps.
- Clean the worker's floor every week with proper disinfectant or any other effective method of cleaning.
- Paint or repaint walls, ceilings, and staircases of the factory once in every 5 years.
- Repaint the walls once in every 3 years in case of washable water paints.
- Paint and varnish all doors and window-frames and other wooden or metallic framework and shutters at least once in a period of 5 years.

#### **Section 12: Disposal of Effluents and Wastes**

Under this section following things should be considered:

- (a) It is necessary for the factories to arrange proper and effective waste treatment and its disposal.
- (b) The State Government may make rules prescribing the arrangements for the disposal and treatment of waste and effluents.

#### **Section 13: Ventilation and Temperature**

This section states:

- Effective and suitable provisions should be made in every factory for securing and maintaining in every workroom proper ventilation by circulation of fresh air. It also involves providing an adequate temperature at the workplace. For this, they should select the material of the walls accordingly.
- The State Government may prescribe a standard of adequate ventilation and reasonable temperature for any factory or class or description of factories.



- Lastly, if it appears to the Chief Inspector that excessively high temperature in any factory can be reduced by the adoption of suitable measures, he can order them to use such a method.

#### **Section 14: Dust and Fume**

This section states that:

- If dust and fume release in the manufacturing process of a factory then they should take effective measures to prevent its inhalation and accumulation in the workplace. For this, they should use proper exhaust appliances in the workplace.
- In any factory, no stationary internal combustion engine shall be operated unless the exhaust is conducted into the open air.

#### **Section 15: Artificial Humidification**

1. In respect of all factories in which the humidity of the air artificially increases, the State Government may make rules,-

- Firstly, prescribing standards of humidification;
- Secondly, regulating the methods used for artificially increasing the humidity of the air;
- directing tests for determining the humidity of the air for correct carrying out and recording.
- Lastly, prescribing methods for securing adequate ventilation and cooling of the air in the workrooms.

2. In any factory in which the humidity of the air artificially increases, they should purify the water (drinking water) before the supply.

#### **Section 16: Overcrowding**

This section states:

- Firstly, no room in any factory shall be overcrowded to an extent injurious to the health of the workers employed therein.
- Secondly, a factory built after the commencement of this Act at least 14.2 cubic meters of space for every worker employed therein, and for the purposes of this subsection, no account shall be taken of any space which is more than 4.2 meters above the level of the floor of the room.
- If the Chief Inspector by order in writing, may or may not post a notice specifying the maximum number of workers who may be employed in the room.

#### **Section 17: Lighting**



This section states:

Firstly, There should be proper lighting in all the places of the factory from where the workers of the factory pass.

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;
- the formation of shadows to such an extent as to cause eye-strain or the risk of accident to any worker.

### **Section 18: Drinking Water**

This section states that in every factory, there should be proper arrangements for a sufficient supply of wholesome drinking water and shall be legibly marked as "drinking water".

### **Section 19: Latrines and Urinals**

This section states that every factory should make arrangements of latrine and urinals for the employees and the rules are laid down by the State Government in this behalf.

### **Section 20: Spittoons**

There should be a sufficient number of spittoons in the factories for the employees and they should be in clean and hygienic condition according to this law



**Ans 4(b)**

**Section 21 of The Micro, Small and Medium Enterprises Development Act, 2006**

(1) The Micro and Small Enterprise Facilitation Council shall consist of not less than three but not more than five members to be appointed from amongst the following categories, namely:

- (i) Director of Industries, by whatever name called, or any other officer not below the rank of such Director, in the Department of the State Government having administrative control of the small scale industries or, as the case may be, micro, small and medium enterprises; and
- (ii) one or more office-bearers or representatives of associations of micro or small industry or enterprises in the State; and
- (iii) one or more representatives of banks and financial institutions lending to micro or small enterprises; or
- (iv) one or more persons having special knowledge in the field of industry, finance, law, trade or commerce.

(2) The person appointed under clause (i) of sub-section (1) shall be the chairperson of the Micro and Small Enterprises Facilitation Council.

(3) The composition of the Micro and Small Enterprises Facilitation Council, the manner of filling vacancies of its members and the procedure to be followed in the discharge of their functions by the members shall be such as may be prescribed by the State Government.



**Answer 5.**

**Ans 5(a)** The Board set up under Micro Small and Medium Enterprises Act, shall, subject to the general directions of the Central Government, perform all or any of the following functions, namely:—

- (a) examine the factors affecting the promotion and development of micro, small and medium enterprises and review the policies and programmes of the Central Government in regard to facilitating the promotion and development and enhancing the competitiveness of such enterprises and the impact thereof on such enterprises;
- (b) make recommendations on matters referred to in clause (a) or on any other matter referred to it by the Central Government which, in the opinion of that Government, is necessary or expedient for facilitating the promotion and development and enhancing the competitiveness of the micro, small and medium enterprises; and
- (c) advise the Central Government on the use of the Fund or Funds constituted under section 12.

**Ans 5(b)**

"Deficiency" means any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance which is required to be maintained by or under any law for the time being in force or has been undertaken to be performed by a person in pursuance of a contract or otherwise in relation to any service and includes--

- 
- (i) any act of negligence or omission or commission by such person which causes loss or injury to the consumer; and
- 
- (ii) deliberate withholding of relevant information by such person to the consumer.



**Ans 5(c)**

Section 11 of the RTI Act, 2005 states that:

(1) Where a Central Public Information Officer or a State Public Information Officer, as the case may be, intends to disclose any information or record, or part thereof on a request made under this Act, which relates to or has been supplied by a third party and has been treated as confidential by that third party, the Central Public Information Officer or State Public Information Officer, as the case may be, shall, within five days from the receipt of the request, give a written notice to such third party of the request and of the fact that the Central Public Information Officer or State Public Information Officer, as the case may be, intends to disclose the information or record, or part thereof, and invite the third party to make a submission in writing or orally, regarding whether the information should be disclosed, and such submission of the third party shall be kept in view while taking a decision about disclosure of information: Provided that except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interests of such third party.

(2) Where a notice is served by the Central Public Information Officer or State Public Information Officer, as the case may be, under sub-section (1) to a third party in respect of any information or record or part thereof, the third party shall, within ten days from the date of receipt of such notice, be given the opportunity to make representation against the proposed disclosure.

(3) Notwithstanding anything contained in section 7, the Central Public Information Officer or State Public Information Officer, as the case may be, shall, within forty days after receipt of the request under section 6, if the third party has been given an opportunity to make representation under sub-section (2), make a decision as to whether or not to disclose the information or record or part thereof and give in writing the notice of his decision to the third party.

(4) A notice given under sub-section (3) shall include a statement that the third party to whom the notice is given is entitled to prefer an appeal under section 19 against the decision.



**Ans 5(d)**

The objects of the Central Council shall be to promote and protect the rights of the consumers such as,

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