

Question No 1

Deposit works and contributory works

PSPCL may be executing construction works on behalf of consumers, government departments, local bodies etc. These works are funded by the respective agency or person on whose behalf the works are executed.

These works are of two kinds- first which will remain the property of the agency or person for whom the work is undertaken and secondly the works which will become property of the corporation and will be maintained by the corporation. The first type of works are called Deposit Works and the second type of works are contributory works.

Accounting Procedure

The deposit made by the party towards deposit/contribution works should be credited to account code 47.305 & 47.309 –Receipts for deposit works and Receipts for contribution works respectively.

The account of deposit/ contribution works shall be maintained in the following manner-

Deposit works

Cost of materials drawn/purchased, labour charges, salary of employee specifically deployed for the work and other expenses shall be booked to Account Code 47.305. The preliminary and survey work, where done by the existing regular staff, will be adjusted similarly.

The departmental charges @27.5% shall be charges every month on the total cost of work by debit to Account Code 47.305 per contra credit to Account code 62.930 other incomes.

Contribution Work

Cost of materials drawn/purchase will be booked to Group head 14 Capital works in progress Accounts. Labour charges, salary of employee specifically deployed for the work and other expenses shall be booked to group head 75 employees cost/ 76 Administration & General Expenses in the first instance and allocated to Group head 14 Capital works in progress Accounts at the end of the month per contra credit to Account Code 75.9 and 76.9

In case the contribution work is carried out by the existing regular staff, the cost of labour should be worked out as per approved norms/schedule of labour rates on the basis of quantities of various items of work actually executed and amount so arrived should be debited to Group head 14 Capital works in progress accounts per contra credit to Account code 62.930 other income. The preliminary and survey work, where done by the existing regular staff, will be adjusted similarly.

The departmental charges @16% shall be charges every month on the total cost of work by debit to group account 14 capital works in progress accounts per contra credit to account code 62.930 other incomes.

On completion of work the amount booked under group head 14 shall be transferred to group head Fixed Assets. The amount of receipt under shall be transferred to account code 55.1 Consumer contribution towards cost of capital assets.

Question No 2

(a) The following transactions are recorded in adjustment columns of cash book:-

i Recoveries from salaries from employees on account of GPF, contribution to NPS, amount payable to outside parties, if not paid on the same day, and other recoveries.

ii Recoveries from bills of suppliers/contractors on account of security deposit, advances already given, payments made on their behalf etc.

iii Adjustment of imprest/temporary advance given to employees.

iv Any other transactions which do not involve actual cash/bank transactions but is effected through cash receipt/payment vouchers.

(b) Temporary Advance shall be allowed only against passed vouchers (where cash payments are permitted) and for payments to the Railway Authorities against RR.

© The amount/charges deposited by a prospective consumers are classified as under

i Security deposit with application Security from Consumers 48.100

Advance consumption deposit from consumers 48.120

ii Amount deposited in compliance with demand notice -Service connection charges -Consumers' contribution towards cost of capital assets -55.1

(d) Transportation charges are recoverable from contractor and is classified to Account Code 28.810 Expenses recoverable from suppliers/contractors.

(e) Account code Account head

i 61.246 Sale of power Large supply Rebate during off peak hours

ii 61.254 Sale of power Agriculture Voltage S/C

iii 28.622 Subsidy receivable from Govt. of Punjab on account of free electricity supply to A.P. Consumers

Question No 3

(a) SRs and I.U.T Bills Control Register

This register is maintained in Form IUT-9 A in the sub division. The purpose of this register is to control Store Requisitions received along-with Inter Unit Transfer bill. Entry is recorded Store Requisition wise with linking the same to Initial Works (Accounts) Register/Material Estimate Control Register page no. The register is maintained workwise indicating sanctioned estimate no and estimated cost of material. Indirectly material cost in the work estimate is compared with the actual drawl of material.

(b) For cash receipts and recoveries made on behalf of other accounting units the amount is classified as 46.941 credit awaiting IUT bills in the cash book. U-cheque is issued to the concerned accounting units immediately and entered in the U-cheque cash book by debit to the code 46.941.

©

(i) When a corporation vehicle is used partly for official and partly for private purpose, charges for private use are payable by the private party as fixed by the officer in-charge of the vehicle.

ii Old parts including tyres and tubes removed and replaced should be entered in the Lorry Maintenance Register and returned to stores through store return warrant.

iii J.E. after receiving the sales bills may apply any appropriate check that he may deem fit to satisfy himself, such as by dipping a rod in the petrol tank or by checking the petrol gauge, and then make an entry in the measurement book.

iv Interest charges, supervision charges @10% on store issue and departmental charges @27.5% are considered for working out per KM rate for private use of vehicle and not for official purpose.

Question No 4

(a) Rejection of Tenders

The following type of tenders shall be rejected:-

- (i) Tenders from firms/contractors who are blacklisted or with whom business dealings are suspended
- (ii) Tenders submitted by firms who did not purchase a set of tendering documents/specifications as required.
- (iii) Tenders submitted by a person in service under the Govt/PSPCL/PSTCL or local bodies/authority
- (iv) Tenders not accompanied by the required amount of Earnst Money
- (v) Tenders received telegraphically/through fax/through telax

Re-invitation of tenders

Tenders may be re-invited after approval of the next higher authority to the authority competent to accept the Tenders in event of:-

- (i) Inadequacy of number of tenders
- (ii) Unsuitability of offers
- (iii) Any subsequent change necessitated in technical specification
- (iv) Any other compelling reasons to be recorded in writing

(b)

Contract

Contract means the documents forming the tender, acceptance thereof and the formal agreement executed between the corporation and the contractor, together with documents referred to therein.

Contract price

Contract price shall mean either the lumpsum amount named in contract or total of all payments estimated as per Unit Prices & Quantities set-forthin the contract/work order which are to be paid to the Contractor for the work to be done under the contract/work order.

Contract Period

Shall mran the period during which the work shall be executed as agreed between Vendor/Contractor/Fabricator and Owner/Purchaser in the Contract including extensions, if any, granted by the competent authority.

Date of Contract

Means the calendar date on which the owner/purchaser and vendor/contractor/fabricator have executed/signed the contract. Effective date of contract shall mean the calendar date on which the owner/purchaser have issued to the vendor letter of intent/award.

© Earnst Money and Security Deposit

The tenders are required to submit earnst money as per Works Regulations in form of cash receipt/bank draft along with the tenders. Earnst Money shall be forfeited in case of withdrawl/modification of an offer within the validity period. In case of successful tenders Earnst Money shall be converted as Security Deposit. In case of tenders not accepted the Earnst money shall be refunded within 30 days of the award of order/contract(LOI) to the successful tenders.

Security Deposit

The Earnst money deposited at the time of tender shall be converted into security deposit. The security deposit will be deducted from the running bills at the rate of 5% of the gross value of the work done from time to time after taking into account the EMD converted as Security. On faithful execute of contract in all respect the security deposit shall be refunded after the expiry of warranty/defect liability period as provided in the contract. In the event of default on the part of contractor in the faithful execution, the security deposit shall be forfeited.

Question No 5

(a) Rs. 7.50 lac shall be charged to capital works in progress of the project identified and approved for execution. The remaining amount in case of abandoned projects shall be charged to revenue as infructuous capital expenditure in the year in which the projects are rejected.

(b) Basic Principles of Management

Followings are the basic principles of effective management

I Planning It is the step for achieving a set goal of management. Well thought and effective planning is necessary for successful manager.

li Organisation To organise resources is second major step for effective and result oriented management.

lii Leadership To lead the people towards the set objective results in achievement.

Iv Coordination Efforts of the team need to be effectively coordinated for better management.

V Communication There should effective communication among the various people involved in achieving the goal as lack of the results in wastage of resources.

Delegation of Authority & Responsibility

These need to be defined in clear cut terms and there shall be no overlapping.

© Joint Inspection Report

It is prepared in form TRW-3. On receipt of damaged transformer in the receiving yard J.E receiving yard and J.E. distribution sub-division will prepare this report indicating therein shortages apparently visible, GRN number & date, point out additional shortage inspected in the receiving yard . It is prepared in four copies. Two copies are returned to J.E. distribution s/divn. And remaining two are put up to the SDO. After scrutiny he forward one copy with GRN to the divisional accounts section. The report is completed while receiving the transformer for repair at TRW workshop by SDO workshop and SDO TRY.

(d) Burnt Meter register

Maintained in Form ME-5 it is prepared in the operation sub-division to record movement of consumers' burnt meters. Capacity-wise record is maintained in this register. Reference of MCO with date is recotdded in the register. Separate columns are provided to enter challan no & date for metered returned and accepted by ME s/sivn. Survey report no and date is indicated for meters returned unrepaired and surveyed off.

MODEL SOLUTION TO ENGG.OFFICERS EXAM. SESSION 05/2014
PAPER IIInd (SERVICE RULES AND REGULATIONS)

Ans:1

(i) As per Regulation 14(1) of PSEB Employees Conduct Regulations, 1971, no Board employee shall accept or permit any member of his family or any person acting on his behalf to accept any gift. The 'gift' shall include free transport, boarding lodging or other service or any other pecuniary advantages when provided by the person other than a near relative or personal friend having no official dealings with the PSPCL/PSTCL employee. However, as per Regulation-14 (2) on occasions, such as wedding anniversaries, funerals or religious functions, when the making of a gift is in conformity with the prevailing religious or social practice, a PSPCL/PSTCL employee may accept gift from his near relatives subject to certain specified limits.

Further, as per Regulation-14 (3), on such occasions as are specified in Sub- Reg. (2), a PSPCL/PSTCL employee may accept gift from his personal friends having no official dealing with him, but he shall make a report to the office if the value of any such gift exceeds specified limits.

Regulation-14 (4) further provides that in any other case, an employee shall not accept any gift without the sanction of the office if the value thereof exceeds specified limits. (5)

(ii) As per regulation 13 (1) & (2) of PSEB Employees Punishment and Appeal Regulations, 1971, following is required to be specified in an order directing that disciplinary action against all the employees/officers concerned may be taken in a common proceeding :-

--the authority which may function as the punishing authority for the purpose of such common proceeding;

--the penalties specified in Regulation 5 which such punishing authority shall be competent to impose.

--whether the procedure laid down in Regulation 8 and Regulation 9 or Regulation 10 shall be followed in the proceedings. (5)

(iii) As per regulation 10 (1) of PSEB Employees Punishment and Appeal Regulations, 1971, following procedure shall be followed before imposing minor penalties :-

a) The employee shall be informed in writing of the proposal to take action against him and of the allegations on which it is proposed to be taken. Reasonable opportunity of making such representation as he may wish to make against the proposal shall be given.

b) An enquiry in the manner laid down in sub-regulations (3) to (24) of regulation shall be held in every case in which the punishing authority is of the opinion that such enquiry is necessary.

c) The representation, if any, submitted by the employee under clause (a) and the record of enquiry, if any, held under clause (b) shall be taken into consideration.

d) A finding on each allegation shall be recorded.

As per regulation 10 (2) of PSEB Employees Punishment and Appeal Regulations, 1971, following are the main constituents of the records of proceedings in such cases :-

i) A copy of the intimation to the employee of the proposal to take action against him;

ii) A copy of the statement allegations delivered to him ;

iii) Representation, if any, submitted by the employee;

iv) The evidence produced during the inquiry ;

v) The findings of the punishing authority and also the report of the inquiring authority in case an inquiry has been held.

vi) The orders on the case together with the reasons therefore. (10)

Ans.2

- (i) As per provisions of Regulation 16-A of PSEB, Provident Fund Regulations, 1960 or PSPCL Provident Fund Regulations, 2010, Deposit Linked Insurance Scheme is a scheme according to which, on the death of subscriber in the Fund shall also be entitled to receive the amount standing to the credit of the deceased subscriber in the Fund during a period of thirty six month immediately preceding the date of his death subject to a maximum of ten thousand rupees. (5)
- (ii) As per Regulation 10 (1) of PSEB Provident Fund Regulations, 1960 or PSPCL Provident Fund Regulations, 2010, the amount of subscription shall be fixed by the subscriber himself subject to the following conditions :-
- (a) It shall be expressed in whole rupees
 - (b) It shall be any sums so expressed, not less than 8% (Eight percent) of his emoluments and not more than his total emoluments.
 - (c) If the subscriber fails to fix the amount of subscription, Head of the Office/DDO concerned shall fix the same in accordance with the provisions of clauses (a) and (b) above. (5)
- (iii) Yes, under Note 2 of Regd. 6 of the GPF, a temporary employee who complete one year of his service at the mid of the month, he can subscribe in the G.P. fund from the subsequent month. (5)
- v) Under Reg.14 (1 A) (II) no further refundable advance is admissible/sanction by the Competent Authority from the GP Fund unless earlier advance is full paid. (5)

Ans. 3

- (i) Detailed instructions regarding grant of casual leave have been given in Appendix 8 (referred to in Reg.8.48 of PSEB MSR Vol.I), of PSEB MSR VOL.I Part-II. As per Regulation 1 of this Appendix, all women employees irrespective of their length of service are entitled for 20 days casual leave. The action/decision taken by the controlling officer to deny this benefit to women employees is not in order.

(5)

- (ii) Reg. 2.7 of the MSR Vol.I, Part-I reads as under:

Age: The day on which a Board employee retires or is retired or is discharged or is allowed to resign from service, as the case may be, shall be treated as his last working day. The date of death shall also be treated as a working day. Thus 31.3.2014 the day on which the employee died will be treated as working day. The action/decision taken by the controlling authority is not in order. The action/decision taken by the controlling officer to deny this benefit to women employees is not in order.

(5)

- (III) Under Reg.14 (1) A (II) of PSEB Employees Provident Fund Regulations (as revised vide CAO, GP Fund Section, PSPCL, Patiala Memo.No.1094/1971/GPF Rules, 02.02.2011, "no further advance shall be allowed unless earlier advances are fully paid except wheat advance admissible under clause (iii). The action/decision taken by the controlling officer to deny another advance is in order.

(5)

- (iv) Yes, as per instructions/circulars issued from time to time regarding grant of solatium to the family of the deceased, the amount of solatium in equal share is payable to all the dependents of deceased employee on the production of succession certificate.

(5)

④

Model Solution Eo. Exam Session 5/2014 Paper-II

Ans.4

(i) **Superannuation Pension** : Superannuation pension is granted to a corporation employee entitled or required by rule to retire at particular age. The present age of retirement in the cases of class I, II & III employee is 58 years where as in the cases of class IV employees it is 60 years.

Retiring Pension :- Retiring pension is granted to a Govt. employee who retires or is required to retire under the premature retirement rules. A Govt. employee compulsorily retired as penalty may be granted by the authority competent to impose such penalty pension or gratuity or both at a rate not less than $\frac{2}{3}$ & not more than full compensation pension or gratuity or both admissible to him on the compulsory retirement. (5)

(ii) **Performance Budgeting**: Performance budgeting is a technique for presenting Govt. Operations in terms of functions, programmes, activities and projects. It helps in efficient management of Government Machinery as the financial targets are concretely linked with the physical targets. (5)

(iii) **Probationer** means a Corporation employee employed on probation in or against a substantive post in the Cadre. A corporation employee who holds substantively permanent post in the Cadre is merely appointed on probation to another post is not treated as probationer must have some definite conditions attached to his appointment.

When an employee is appointed substantively to a permanent post in a cadre with certain conditions of probations attached to his appointment to determine his fitness for eventual substantive appointment to that post will be known as on probation. (5)

(iv) Additional quantum of pension is an increased %age amount payable in addition to the basic revised pension to the old pensioners/family pensioner at the following rate :-

	Age	%age of revised basic pension
1	65 to 75	5%
2	75 to 80	10%
3	80 to 85	20%
4	85 to 90	30%
5	90 to 95	40%
6	95 to 100	50%
7	100 year or more	100%

(5)

Model Solution E.O. Exam. Session -5/2014 Paper-II

Ans.5(i) Pay fixation of Mr.Junior Engineer

DNI 1.12.06 29260

Two AGI stopped without future effect vide O/O dated 12.12.06.

1.12.07 29260(30140)

1.12.08 29260(31050)

1.12.09 31050 (31990)

1.12.10 32950

One AGI stopped vide O/O 12.12.06.

(10)

Ans. 5(ii) When an employee is suspended from his duties he is paid subsistence allowance while under suspension. This allowance is called subsistence allowance. It is granted @ 50% of the last pay drawn immediately before suspension.

Various kinds of recovers which can be made from subsistence allowance are as under:-

(a) Compulsory recoveries: such as income Tax, House Rent recovery and any other kind of Taxes etc. These are obligatory recoveries to be made for subsistence allowance.

(b) Optional Recoveries : Optional recoveries can be made only with the consent of officials. These are GPF subscription, GPF advance LIC premium Insurance.

(c) Misc. Recoveries : These recoveries pertains to loans and advances. These recoveries can be postponed with the approval of competent authorities. These are House building advance, conveyance advance etc.

(d) Other Recoveries : Such as excess drawl of pay and allowaqnecs. These recoveries can be made but the total recoveries should not exceed 1/3th of total amount of subsistence.

(10)

Q1(a) Yes, connection can be released in temporary structures. Applicants requiring connection in temporary structures such as wooden stalls, khokhas and Booths etc. shall be required to furnish a certificate from the local authority certifying that the said structure has been authorised by the local authority under its bye- laws. Two time security(Meter) and three times initial security shall be recovered in such cases.

1(b) Yes, connection can be released along the schedule road as per following instructions:-

All categories of applicants (except AP) applying for release of connection on the sides of the scheduled roads shall submit NOC from local authority / PUDA as applicable.

a) No application for release of connection (except AP) shall be registered within a distance not exceeding 100 metres on either side of the road reservation of a bye-pass or a distance not exceeding 30 metres on either side of the road reservation of any scheduled road which falls outside the jurisdiction of Municipal corporation, Class-I Municipalities. Notified Area Committees without obtaining NOC from the competent Authority (PUDA).

b) No application for the release of connection (except AP) shall be registered within a distance of 5 metres on either side of the road reservation of that part of the scheduled road which falls in the area of Municipal Corporation or Class-I Municipalities and 10 metres on either side of the road reservation of that part of the scheduled road which falls in the area of any other municipality/ Notified Area Committee concerned without obtaining NOC from concerned Corporation/Municipality/Notified Area Committee.

c) The distances specified above are to be measured from the outer most boundary limit of the bye-pass/ scheduled road from where the private land starts.

d) Before actual release of connection AE/AEE/XEN (DS) shall check the correctness of distance and requirement of N.O.C. and record certificate to this effect on the application/ test report.

e) NOC within Municipal / Local Bodies Area Limits or beyond the local body area:-

i) For areas of Scheduled Roads, falling within the jurisdiction of Municipal Corporation/Municipal Committees/Notified Area Committees, NOC shall be issued by the concerned corporation/Committee, as the case may be.

Note: The extension in load to the existing industries falling under the limits/jurisdiction of Municipal Committee / Corporation shall be allowed without getting NOC from the concerned Municipal Committee/Corporation. However, after allowing the extension in load, the field office shall send details of enhancement of load to the concerned Municipal Committee/Corporation.

ii) NOC beyond limits of Local Bodies Area:

Competent authority for issue of NOC in respect of areas falling beyond the limits of Municipal Corporations/Municipal Committees/Notified Area Committee, shall be concerned authority of PUDA / GMADA / GLADA or any other authority notified by the State Govt.

1(c) For the installation of telecom equipment and antennas on ground floor or roof tops of residential / non-residential / industrial premises, second connection under NRS category may be allowed subject to the condition that the consumer shall submit consent of the land lord in the form of affidavit for installation of Tower / Telecom equipment, lease deed duly notarized and an undertaking that he shall not indulge in misuse of connection.

1(d) Wherever the release of general connection is held up for want of an energy meter and applicant has complied with the provisions of Demand Notice, the connection to such an applicant who comes forward to provide his own meter may be released in preference to those senior applicants whose cases are also pending for want of meters but who refuse in writing to supply their own meters.

2(a) Competency for sanction of load:

Competency of various officers to sanction loads (whether permanent or temporary) shall be as under:-

AE/AEE/XEN(DS) : Loads up to 100 kW at LT & HT Supply voltage

Sr.XEN/ASE(DS) : Loads exceeding 100 KW and up to 1000 KVA at HT Supply voltage.

SE / DCE(DS) : Exceeding 1000 kVA & up to 2 MVA at HT Supply Voltage except for power intensive industries.

EIC/CE(DS) : For loads above 2MVA (including power intensive industries) at HT & EHT Supply Voltage or consumers having a separate source of electricity at their premises.

2(b) Custody Of Application And Agreements:

All the completed Consumer Cases together with the original documents shall be kept in steel almirahs in the sub-office, sub-divisional Office, Divisional Office, SE / Dy.CE (DS) concerned and CE/DS in the safe custody by various officials as follows:-

a) RA/ARA : Domestic, Non-Residential and AP connections

b) AE/AEE/XEN : All categories of connections except Domestic, Non-Residential and AP connections

c) Sr.XEN/ASE(DS) : Large Industrial, Railway Traction, Street Light, single point supply connections and all other categories for loads exceeding 100 KVA.

d) SE/Dy.CE (DS): Copy of agreement for all loads exceeding 1 MVA and upto 2 MVA and street lighting

e) CE/DS : One copy of the agreement relating to Large Supply, Railway Traction and Bulk Supply Connections with connected load exceeding 2 MVA/ Power Intensive Loads.

2(c) Extension in connected load without increase in contract demand by HT / EHT Consumers:-

For release of additional load, requisite procedure as applicable to extension in load cases shall be followed with regard to NOC from PPCB for LS connection and provisions of Instruction No.3.3 in regard to UUE/ Theft of Electricity or defaulting amount. consumers desirous of getting extension in their connected load

without any change in contract demand shall be permitted to avail such extension in connected load on priority. The consumer will submit new A & A Forms & a new Test Report in the office of AE/AEE/XEN (DS) alongwith details of the extension in load applied. After compliance of the above stipulations, the extension in load shall be deemed to have been sanctioned/released from the date, the consumer registers his application and complies with the formalities. Simultaneously, AE/AEE/ XEN (DS) shall forward the new A & A Forms to the competent authority directly for sanction of load and acceptance of new/A & A Forms.

3(a) Consumers of this category shall be required to maintain a monthly power factor of 0.90. Consumers would install capacitors of adequate capacity to achieve prescribed power factor. The consumer whose monthly average power factor falls below 0.90 will be levied a power factor surcharge @1% of the bill amount for each 0.01 fall in the power factor below 0.90. The surcharge will be 2% of the bill amount for each 0.01 fall in the power factor below 0.80. The consumers with monthly average power factor exceeding 0.90 for general industry and 0.95 in case of PIU/ ARC furnace and mixed industry will be allowed a rebate @0.25% on the bill amount will mean the consumption charges including demand charges, if any in a month but not the amount payable on monthly minimum charges.

3(b) single point supply in private building complex:

Mixed or Pre-dominantly commercial loads of private connections housed in a building complex with single ownership shall be catered as a single point supply under this schedule with 5% rebate on consumption charges or monthly minimum charges. In case the ownership is different, individual connections shall be allowed with metering at a suitable place. Single point shall be provided only if the connected load is 50KW or above. Supply voltage shall be decided as per sales regulations of the PSPCL.

3(c)

- i) NRS
- ii) NRS
- iii) DS
- iv) NRS

3(d) MMC applicable to ARC/Induction Furnaces:

Rs.478/KVA. In the event of lockouts due to labour problems, failure/damage of EHV Power Transformer (33 KV and above), Failure on the part of PSPCL to supply power, fires, earthquakes, floods, tempests and lightning directly resulting in closure of the industry or normal supply hours reduced through specific orders of the PSPCL for power

regulation purposes thereby effecting the normal working of the industry, the consumer shall be entitled to proportionate reduction in monthly minimum charges provided that such closure or reduced working hours continue for at least seven days consecutively in a billing cycle month directly as a consequent of any of the above conditions with the approval of load sanctioning authority. In the event of relief being allowed in monthly minimum charges under above conditions, the consumers shall however be required to pay monthly minimum charges as applicable to general industrial large supply consumers.

4(a)

Units to be billed = 15KW X 30 days X 20Hrs. X 40% = 3600 Units

Bill for the month of January 2014

SOP	1st 100 units	100 X 6.45 =	645
	Next 3500 units	3500 X 6.58 =	<u>23030</u>
			23675
Fuel surcharge	3600 X 0.09		324
ED	(23675 + 324)	23999 X 13%	3120
Oct.	3600 X .010		360
Meter Rent			25
MCB			6
Service Charge			25
			<hr/>
TOTAL			27535
Round off amt.			27540
Surcharge 10%			2406
Amt payable after due date			29946

4(b) monthly lamp renewal and line maintenance charges in respect of 'C'

Category of street light consumers:

i) Ordinary lamp	10 No. X Rs. 11	= 110
ii) Mercury Vapour Lamp	8 No. X Rs. 13	= 104
iii) Fluorescent Tube Single	15 No. X Rs. 13	= 195
iv) Fluorescent Tube Double	20 No. X Rs. 13	= 260
TOTAL		669

5 (a) Where meters and CTs of different current ratio were/are installed due to reasons of non-availability of matching CTs, the multiplying factor must be indicated in red ink on the consumer case, meter reading book (Kalamju) and ledger so that it could be applied correctly. It shall also be written in indelible ink on the meter. AE/AEE/XEN shall have a consolidated record for all industrial and three phase connections in a bound register for all such connections which have multiplying factors. Such register shall be updated whenever there is any change in the meter or CTs.

5 (b) An out station cheques, bearing instructions "payable at par through clearing at all the branches ofName of Bank.....", in future from existing/prospective consumers as these cheques are cleared through local clearing.

5 (c) Payment of the bills by different categories of consumers will be effected within a period of

- ten days from date of delivery of the bills in the case of the Large Supply, Medium Supply and Small Power industrial consumers;
- twenty one days from date of delivery of the bills in case of Railways; and
- fifteen days from date of delivery of the bills in case of all other categories of consumers.

5 (d) Extension in due date shall be allowed in the event of unforeseen circumstances beyond the control of the consumers e.g. floods, strike by PSPCL's employees, curfew etc. Extension shall be allowed if grace dates of payment fall within the unforeseen circumstances by the following:

1. SE (DS) Maximum period of 7 days on one occasion
2. Er-in-Chief/CE/DS Maximum period of 15 days on one occasion

E.O.

Model Solution

S-5/2014

Paper IV

1/8

E0100/130514

PAPER -IV

(ACTS AND LABOUR LAWS)

SOLUTION

Q-1

Answer:

1 (a)

Provision under Factory Act ,1948 for protection against fire:-Sec.38

1. In every factory, all practicable measure shall be taken to prevent outbreak of fire and its spread both internally and externally and to provide and maintain:-
 - (a) Safe means of escape for all persons in the event of a fire, and
 - (b) The necessary equipment and facilities for extinguishing fire.
2. Effective measures shall be taken to ensure that in every factory all the workers are familiar with the means of escape in case of fire and have been adequately trained in the routine to be followed in such cases.
3. The State Govt. may make rules, in respect of any factory or class or description of factories, requiring the measure to be adopted to give effect to the provisions.

In the Chief Inspector is of the opinion that the measures provided in the factory are inadequate, he may by order in writing require that such additional measures as he may consider reasonable and necessary, be provided in the factory before such date as is specified in the order.

Provision under Factory Act ,1948 for safety of Building & Machinery;

Section 40 empowers the inspector to serve on the manager or occupier or both of a factory an order in writing specifying the measures which should be adopted before a specified date for safety of buildings and machinery. In case of imminent danger the Inspector is empowered to prohibit the use of such building, machinery etc. until properly repaired or altered.

Where it appears to the Inspector that any building or part of a building in a factory is in such a state of disrepair as it likely to lead to conditions detrimental to the health and welfare of the workers, he may serve on the occupier or manager or both of the factory an order in writing specifying the measures which in his opinion should be taken and requiring the same to be carried out before such date as is specified in the order.

1(b) (i)

Occupier:- Occupier of a factory means the person who has ultimate control over the affairs of the factory. Provided that:

- i. In the case of a firm or other association of individuals any of the individual partners or members thereof shall be deemed to be the occupier;
- ii. In the case of a company, any one of the directors shall be deemed to be the occupier;
- iii. In the case of a factory owned or controlled by the Central Govt. or any State govt. or any Local Authority, the person or persons appointed to manage the affairs of the factory by Central/State Govt. or the Local authority as the case may be shall be deemed to be the occupier.

1(b) (ii)

Hazardous process:-Sec.2(cb) of The Factory Act ,1948 It means any process or activity in relation to an industry specified in the First Schedule where, unless special case is taken, raw materials used therein or the intermediate or finished products, by products, wastes or effluents thereof would

- i. Cause material impairment to the health of the persons engaged in or connected therewith or
- ii. Result in the pollution of the general environment.

The State Govt. may by notification in the Official gazette amend the First Schedule by way of addition, omission or variation of any industry specified in the said Schedule.

1(b) (iii)

Factory: According to Section 2(m) factory means any premises including the precincts thereof:

- i. Whereon ten or more workers are working or were working on any day of the proceeding twelve months and in any part of which a manufacturing process is being carried on with the aid of power or is ordinarily so carried on or
- ii. Wherein twenty or more workers are working or were working on any day of the proceeding twelve months and in any part of which a manufacturing process is being carried on without the aid of power or is ordinarily so carried on.

Factory does not include a mine, a mobile unit belonging to the armed forces of the Union, a railway running shed or a hotel, restaurant or eating place.

1(b) (iv)

Working hours of adults: Section 51 of the Act lays down that no adult worker shall be required or allowed to work in a factory for more than 48 hours in any week. Section 54 further restricts the daily hours of work to 9 hours. But the daily maximum working hours specified in the section can be exceeded with a view to facilitating the change of shifts by the previous approval of the Chief Inspector. The management has power to vary the working hours within the prescribed limit. There is nothing in the Act which imposes an obligation on the management to change

Q. 2
2 (a)

the working hours subject to the maximum limit prescribed by law with the consent of the workers.

Lay-off[Sec.2(kkk) of Industrial Dispute Act 1947] means the failure, refusal or inability of an employer on account of shortage of coal, power or raw materials or accumulation of stocks, breakdown of machinery or natural calamity or for any other connected reason to give employment to a workman whose name is borne on the muster rolls and who has not been retrenched.

The essentials of a Lay-off are as under:-

- a. There must be failure or refusal or inability of the employer to continue to employ workers in his employment,
- b. The workers laid-off must be on the muster rolls of the establishment on the date of lay-off,
- c. The reasons for deprivation of employment must be shortage of coal or raw material, power or accumulation of stocks or breakdown of machines or some such reasons,
- d. The emergency leading to employer's inability must be temporary,
- e. Employer and employee relationship does not come to an end but merely suspended during the period of emergency.

Lock-out: Lockout means the temporarily closing of a place of employment or suspension of work or the refusal by an employer to employ any number of persons employed by him. The lock-out is the weapon in the hands of employer to coerce the labor to come down in their demands in regard to conditions of service. Essentials of a lock-out are as under:-

- i. Temporary closing of a place of employment; or
- ii. Suspension of work; or
- iii. Refusal by an employer to continue to employ any number of persons employed by him.
- iv. The above acts of the employer should be motivated by coercion.

Difference between lock-out and lay-off.

1. Lock-out is the weapon in the hands of employer to coerce or pressurise the workers to come down to in their demands. It is the refusal by an employer to continue to employ any number of persons employed by him because of closing of a place of employment or suspension of work. While lay off is declared by the Employer due to reason of shortage of coal, power or raw material or accumulation of stock or breakdown of machinery or for any other reason beyond his control which means that it is an unintentional act,
2. Lock-out is the outcome of industrial dispute and continue during the period of dispute but lay-off is not concerned in any way with labour dispute.

4

Model Solution Eo. Exam session -5/2014 Paper-IV

2 (b)

Classification of workman under PSEB' Standing Order:
Workmen shall be classified as:

- a. Temporary- Temporary workman shall mean workman who has been engaged for work which is essentially of a temporary nature, likely to be finished within a limited period.
- b. Casual – A casual workman shall mean a workman whose employment is of a casual nature.
- c. Apprentice – An apprentice shall mean a learner who is paid an allowance during the period of his training.

2 (c)

Powers of various officers with regard to punishment under PSEB' Standing Order:

- a. Sub Divisional Officer:- To issue warning slip, fine and suspension upto 7 days.
- b. Executive Engineer: To issue warning slip, fine, suspension, stoppage of increment or raise in pay, reduction in pay. He can also dismiss or reduce in rank in case he is the appointing authority.
- c. Superintending Engineer: Full powers.

Q.-3
3(a)

Sickness benefit: [Sec.46(i) (a) and 49 of The Employee State Insurance Act 1948- A person shall be qualified to claim sickness benefit subject to the fulfillment of the following conditions:-

- i. The benefit is in the form of periodical cash payment.
- ii. It is payable to an insured person.
- iii. The sickness must be certified by a duly appointed medical practitioner or any other person possessing such qualifications and experience as the Corporation may specify in this behalf.
- iv. The qualification of a person to claim sickness benefit, the conditions subject to which such benefit may given, the rates and period thereof shall be such as may be prescribed by the Central Govt. The daily rate of sickness benefit in respect of the insured person during any benefit period shall be standard benefit rate corresponding to the average daily wages of that person during the corresponding contribution period.
- v. During the sickness benefit the recipient must observe the conditions as laid down in sections 63 and 64 of the Act.

Funeral Expenses: : [Sec.46(1) (f) of The Employee State Insurance Act 1948- Such expenses are payable to the eldest surviving member of the family or to such person who actually incurs funeral expenses. The amount of such payment shall not exceed such amount as may be prescribed by the Central Govt.

3(b)

Any claim for the funeral expenses must be made within 3 months of the death of the insured or within such extended period as the Corporation or any other competent official may allow.

Under Sec.19 of The Air(Prevention and Control of Pollution Act,1981:- (1) The State Govt. may after consultation with State Board, by notification in the Official Gazette declare in such manner as may be prescribed, any area or areas within the State as air pollution control area or areas for the purpose of this Act.

(2) The State Govt. May, after consultation with the State Board, by notification in the Official Gazette;

- a. Alter any air pollution control area whether by way of extension or reduction;
- b. Declare a new air pollution control area in which may be merged one or more existing air pollution control areas or any part or parts thereof.

(3) If the State Govt., after consultation with the State Board, is of opinion that the use of any fuel, other than an approved fuel, in any air pollution control area or part thereof, may cause or is likely to cause air pollution, it may by notification in the Official Gazette, prohibit the use of such fuel in such area or part thereof with effect from such date (being not less than three months from the date of publication of the notification) as may be specified in the notification.

(4) The State Govt. may after consultation with the State Board, by notification in the Official gazette, direct that with effect from such date as may be specified therein, no appliance, other than an approved appliance shall be used in the premises situated in an air pollution control area.

(5) If the State Govt., after consultation with the state Board, is of opinion that the burning of any material (not being fuel) in any air pollution control area or part thereof any cause or is likely to cause air pollution, it may by notification in the Official gazette, prohibit the burning of such material in such area or part thereof.

Q-4

4((i)

Partial disablement: Partial disablement can be classified as :

- a. Temporary nature: such disablement as reduces the earning capacity of a workman in the employment in which he was engaged at the time of the accident resulting in the disablement.
- b. Permanent nature: Such disablement as reduces for all time his earning capacity in every employment which he was capable of undertaking at the time. But every injury specified in Part-II of Schedule-I shall be deemed to result in permanent partial disablement.

4((ii)

Personal injury by accident: Injury means any harm or damage to the health of an employee, however caused whether by an accident, disease or otherwise. Personal injury does not mean only physical or bodily injury but includes a nervous shock of a mental injury. Nervous shock causing incapacity to work is as

Model solution E.O. Exam session -5/2014 Paper-IV

much personal injury by accident as a broken limb or other physical injury. Accident means a mishap or untoward event not expected or designed. It includes not only such occurrence such as a collision, fall of roof, but also less obvious ones causing injury i. e. injury by lightening, sunstroke etc. The accident must have arisen out of and in the course of employment.

4((iii)

Occupational diseases: The diseases specified in Section 3(2) Schedule-III of the Workmen's Compensation Act, 1923 is deemed to be an accidental injury caused by accident arising out of and in the course of the employment. These diseases are called occupational diseases. Schedule-III is divided in three parts i.e. part A, part B & part C. Section 3(4) provides that a workman would not be entitled to claim compensation in respect of diseases other than occupational disease unless the disease has arisen out of and in the course of his employment.

4((iv)

Wages (Sec. 2(1)(m) of the Workmen's Compensation Act, 1923: - It means all remuneration capable of being expressed in terms of money, which would, if the terms of employment were fulfilled, be payable to a workman. It also includes any privilege or benefit which is capable of being estimated in money. Dearness Allowance and amenities of free water and quarters come under the privileges and benefit and is thus within the definition of wages.

The term wages however does not include-

- i) Travelling allowances,
- ii) The value of any travelling concession,
- iii) Contribution paid by the employer towards any pension or provided fund; or
- iv) Sum paid to a workman to cover any special expenses entailed on him by the nature of his employment.

4((v)

Total disablement Sec. 2(1)(l) of the Workmen's Compensation Act, 1923: - : Total disablement classified as temporary total disablement and permanent total disablement

It means such disablement whether of a temporary or permanent nature, which incapacitates a workman for all work which he was capable of performing at the time of accident resulting in such disablement. It provides further that permanent total disablement shall be deemed to result from every injury specified in Part-I of the Schedule-1 or similarly total disablement shall result from any combination of injuries specified in Part-II of Schedule-I, where the aggregate percentage of loss of earning capacity, as specified in the said Part-II against these injuries amount to one hundred percent or more.

Q-5

Sec. 75 of The Electricity Supply Act 1948:-

5(a)

1. The Board shall, as soon as may be after the end of each financial year, prepare and submit to the State Govt. in such form as may be prescribed a report giving

Model Solution E.O. Exam Session-5/2014 Paper-IV

an account of its activities during the previous financial year and the report shall also give an account of the activities, if any, which are likely to be undertaken by the Board in the next financial year, and the State Govt. shall cause every such report to be laid before the State Legislature as soon as may be after it is received by the State Govt.

2. The Board shall furnish to the State Govt. at such times and in such form and manner as may be prescribed or as the State Govt. may direct, such statistics and returns and such particulars in regard to any proposed or existing scheme as the State Govt. may from time to time require.
3. The Board may at any time by notice in writing require any licensee supplying electricity for public or private purposes or generating electricity for his own use to furnish it with such information and accounts relating to such supply or generation and in such form and manner as the notice may specify.

5(b)

Power of Central Govt. to make rules Sec. 4B of The Electricity Supply Act 1948:-

1. The Central Govt. may, by notification in the Official Gazette, make rules for carrying out the purposes of this chapter.
2. In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely;
 - i. The functions and duties of the Authority and the manner, in which such functions and duties shall be exercised and performed, under sub section(1) of section 3;
 - ii. The terms and conditions of service of the Chairman and other members of the Authority (including the allowances and fees payable to members, but not including the salaries and allowances payable to the Chairman and other full time members, of the Authority) under sub section (4A) and sub section (4B) of section 3;
 - iii. Any other matter which is required to be, or may be, prescribed by the Central Govt.
3. Every rule made by the Central Govt. under this chapter shall be laid, as soon as may be after it is made, before each House of Parliament.

5(c)

Removal or suspension of Members Sec. 10 of The Electricity Supply Act 1948:-

The State Govt. may suspend from office for such period as it thinks fit or remove from office any member of the Board who;

- a) is found to be a lunatic or becomes of unsound mind; or
- b) is adjudged insolvent; or

Model Solution E.O. Exam Session -5/2014 Paper-IV

- c) fails to comply with the provisions of section 9; or
 - d) Becomes or seeks to become a member of Parliament or any State Legislature or any Local Authority; or
 - e) In the opinion of the State Govt.-
 - i. has refused to act; or
 - ii. has become incapable of acting; or
 - iii. has so abused his position as a member as to render his continuance on the Board detrimental to the interests of the general public; or
 - iv. is otherwise unfit to continue as a member.
 - f) is convicted of an offence involving moral turpitude.
2. The State Govt. may suspend any member pending an inquiry against him.
3. No order of removal shall be made under this section unless the member concerned has been given an opportunity to submit his explanation to the State Govt.
4. A member who has been removed shall not be eligible for re-appointment as member or in any other capacity to the Board.
5. If the Board fails to carry out its functions, or refuses or fails to follow the directions issued by the State Govt. under this Act, the State Govt. may remove the Chairman and members of the Board and appoint a Chairman and members in their places.