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Bihar State Hydroelectric Power Corporation Ltd.
PATNA

Office Order No. 24/Fin/Code-11/252/83

Patna, Dated the : 30.06.1983

Sub : Delegation of Powers to Chairman-cum-Managing Director

In pursuance of Board of Director's Resolution No. 01/03 of 1982-83 adopted in the meeting held on 30th July, 1982, the Chairman-cum-Managing Director shall exercise all the powers vested in the Board of Directors for the management and administration of the company subject to the conditions and except on the matters as set out hereinafter :-

1. Subject to observance of Companies Act, 1956, the Memorandum and Articles of Association of Company, relevant directives of the State government applicable to the Company, policies, rules, regulations and budgets as may be approved by the Board of Directors from time to time and principles of financial propriety and subject to the general supervision and ultimate control by the Board of Directors, the Chairman-cum-Managing Director is hereby authorised to exercise all or any of the powers vested in the Board for the management and administration of the company except on matters as set out in Annexure-1, in respect of which prior approval of the Board of Directors/Government will be necessary.
2. The Chairman-cum-Managing Director is hereby authorised to sub-delegate any or all the power conferred upon him to full time Directors, General Managers and other officers under him subject to due control being retained by him and further subject to such conditions, as he may deem fit, consistent with the need for prompt, effective and efficient discharge of responsibilities entrusted to such a director/officers. The General Delegation of powers by the Chairman-cum-Managing Director to the full time Directors, General Manager or other officers shall be submitted to the Board for its information.
3. In special circumstances, where in the opinion of the Chairman-cum-Managing Director,

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an immediate decision on any matter (even on items included in Annexure-I) is essential, the Chairman may, within the ambit of operational necessity and efficiency or to meet an emergency, take decision on behalf of the Board provided, however, ex-post facto approval is obtained, wherever necessary.

4. The Chairman-cum-Managing Director is hereby delegated the full powers on behalf of the Bihar State Hydroelectric Power Corporation to institute suits, prosecute cases, defend, Compromise or abandon legal proceedings or refer claims for arbitration and sign vakalatnama, plaints/complaints, written statements, pleadings and other documents and papers in connection with all cases or proceedings in law/Labour Court or before the Taxation of Statutory authorities etc. The Chairman-cum-Managing Director is also authorised to sub-delegate all or any of these powers to full-time Directors/officers of Bihar State Hydroelectric Power Corporation and for the purpose, he may execute special or General Power of attorney under common seal of the Company, provided however, that the General power of Attorney shall be reported to the Board of Directors for its information.

Encl : Annexure - 1

By the order of
Bihar State Hydroelectric Power
Corporation Ltd.

Sd./-
(N. Sinha)
Chairman-cum-Managing Director

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BIHAR STATE HYDRO-ELECTRIC POWER CORPORATION LTD.

ANNEXURE-I

**Power excluded / excepted from the Delegation of power to the Chairman-cum-
Managing Director, Bihar State Hydroelectric Power Corporation Ltd.**

In addition the matters requiring the approval of the Governor as set forth in the Articles of Association of the Company, the following will require the sanction / approval of the Board of directors. Government of General Body of Shareholder :-

1. Budget & Plans

- a) The Annual Budget estimates of the Corporation for capital and operational expenditure.
- b) The Annual and Five years plans for Development.

2. Acquisition of Companies

Acquisition of shares, stocks, or securities of other company or undertaking.

3. Capital Estimates

- 3.1. Feasibility Reports, project reports and estimates as a whole for plant/project township and Transmission system or for expansion of existing facilities of plant and Township or for the establishment of new units and facilities.
- 3.2. Any capital expenditure above Rs. 10.00 lacs (Ten lacs) including additions, alterations, modifications to or replacement of an existing asset, or other items which have not been specifically included in the approved capital budget for the year, subject to over all budget limit.
- 3.3. Any deviation resulting in substantial modification in the scope of the Project for which sanction has already been given by competent authority.

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- 3.4. Any deviation in estimates approved by the Board / Government which is more than 10% for any component parts of the Project for which component-wise sanction has been accorded.

4. **Contracts**

- 4.1. "Award of works contract or purchase contract or incurring any commitment of value of Rs. 10.00 Crores (Rupees ten crores) and above, forming a component of Project Report already sanctioned or where investment decision has been taken by the Government, subject to the provision that the contract of commitments of less than Rs. 10.00 Crores (Rupees ten crores) but of more than Rs. 1.00 Crore (Rupees one crore) shall be approved by the committee known as Central Purchase Committee. This Committee shall consist of 3 to 7 Members. The Managing Director shall be one of the members of the Committee and also the Chairman of the Committee. The Managing Director shall form the Committee by an office order. He may also re-constitute committee from time to time in accordance with the above mentioned decision. However, for award of the Consultancy contract subject to the policy laid down by the Board, the limit for exercise of powers by the Managing Director shall be Rs. 10.00 lacs (Rupees ten lacs) as against the limit of Rs. 50.00 lacs (Rupees fifty lacs) for other contracts."
- 4.2. Any running contract involving a period longer than two years and value exceeding rupees ten (10) lacs in each individual case.
- 4.3. Any deviation / alteration from the terms of contracts by which the resultant aggregate value of the contract exceeds Rs. Ten (10.00) crores.
- 4.4. The acceptance of disputed claims over the value of Rs. Five (5) lacs.
- 4.5. Agreement involving foreign collaboration / foreign consultancy proposed to be entered into by the Corporation.

5. Sales.

Formulation of tariff and pricing policies for sale of electricity and sales contracts with State Electricity Board.

6. Personnel

6.1. Framing of and any changes of policies, Rules and Regulations relating to all personnel matters including recruitment, training, manpower development, promotion, deputation and other terms & conditions of service and disciplinary rules and procedures in respect of employees of the Corporation.

6.2. Creation / Abolition of any appointment to the posts in the scale of Rs. 1575-2300 and above (The Chairman-cum-Managing Director / M.D. may exercise powers for lower posts subject to organisation chart and personnel budget being approved by the Board.) and will be subject to direction of Bureau of Public Enterprises.

6.3. Formulation of, and any changes in wage structure, and scales of pay of employees of Corporation.

6.4. Policy matters / relating to House Rent Allowance, City Compensatory Allowance, Dearness, Travelling, other allowances, Bonus, Amenities and fringe benefits.

7. Power to Invest.

To invest the money of the Corporation aggregating to more than Rs. Two (2) crores in the Reserve Bank of India / other nationalised / Scheduled Banks or in such security as may be approved by the Governor and to deal with any of the money of the Corporation, upon such investment authorised by the Memorandum of Association of the Corporation (Not being shares in the Company) and in such manner as the Board may think fit and from time to time vary and realise such investment (the powers of investment upto Rs. Two (2) crores in the aforesaid manner shall be exercised by the Chairman-cum-Managing Director subject to the investment policy as may be prescribed by the Board.)

8. Power to borrow.

To borrow moneys for the purpose other than working capital requirements on the hypothecation of the Corporation's current assets (borrowing powers for working capital will be exercised by Chairman-cum-Managing Director subject to the guidelines and policies laid down by the Board.)

9. Write off

- 9.1 To write off any items of stores, equipments, tools plant and materials above Rs. 1 (One) lakh in each case.
- 9.2 To write off any shortages in raw materials exceeding Rs. 2.(Two) lacs for each materials.
- 9.3 To write off shortages of cash exceeding Rs. 5,000/- in each case.

10. General

- 10.1. Grant of compensation to other than Corporation employees arising from any cause, above Rs. Twenty-five thousand (25).
- 10.2. Sale or alienation in any form of any immovable property vested in the Corporation.
- 10.3. Any grant or donation or ex-gratia payment not arising from recognised rules relating to amenities and welfare over Rs. 5,000/- in each case and Rs. 20,000/ - throughout the year.
- 10.4. Settlement or claims against the Corporation from any cause not provided for in any other items mentioned above exceeding Rs. 20,000/- in each case.
- 10.5. Policy for allotment of land to outside parties.

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- 10.6. Any expenditure on an subject which has not been recognised as an object fit for expenditure by the Corporation.
- 10.7. The power to sell, lease or otherwise dispose of the whole of the undertaking of the Corporation or any of its undertaking or substantial part thereof.

Sd./-

(**N. Sinha**)

Chairman-cum-Managing Director.