

सूचना अधिकार अधिनियम-2005 के अध्याय -2 की
धारा-4 (1) ख (2)

मैनुअल संख्या - 2

अधिकारियों एवं कर्मचारियों की शक्तियां एवं कर्तब्य

इस मैनुअल को तैयार करने में यद्यपि यथोचित सावधानियों बरती गयी है, तथापि इसके प्रकाशन में यदि कोई त्रुटि रह गयी हो तो कृपया कंपनी सचिव, कार्यालय उत्तराखण्ड जल विद्युत निगम लिमिटेड, उज्जवल, महारानी बाग, जी0एम0एस0 रोड, देहरादून पिन-248 006 को डाक द्वारा या फ़ैक्स नम्बर 2761549 या ई-मेल sec_ujvnl@ujvnl.co.in पर सूचित करें ।

मैनुअल-2

अधिकारियों एवं कर्मचारियों की शक्तियां एवं कर्तव्य

निगम में कार्यरत अधिकारियों एवं कर्मचारियों को प्रदत्त अधिकार एवं कर्तव्यों का श्रोत मूल रूप से कम्पनी अधिनियम 1956 एवं निगम के अन्तर्नियमों (Memorandum & Articles of Associations) में उल्लिखित है। निगम के समस्त अधिकारियों एवं कर्मचारियों द्वारा अपने अधिकारों का उपयोग एवं निर्दिष्ट कार्य Memorandum & Articles of Associations में उल्लिखित उद्देश्यों के सापेक्ष ही किया जाता है। अपने कार्यों एवं उत्तरदायित्वों के निर्वहन करते समय सभी अधिकारियों एवं कर्मचारियों के लिये समस्त वैधानिक अधिनियमों जो कि कम्पनी पर लागू होते हैं का अनुपालन अनिवार्य है।

निदेशक मण्डल के अधिकार एवं कर्तव्य

निगम के अन्तर्नियमों के बिन्दु-49 के अनुसार निगम के क्रियाकलापों को निदेशक मण्डल द्वारा संचालित किया जाता है। निदेशक मण्डल ऐसे समस्त अधिकारों का प्रयोग करने में सक्षम है जिनका प्राविधान कम्पनी अधिनियम 1956, किसी अन्य अधिनियम, किसी ज्ञाप या अन्तर्नियमों के अन्तर्गत उत्तराखण्ड सरकार अथवा कम्पनी के शेयरधारकों द्वारा नहीं किया जाना है।

अध्यक्ष एवं निगम के प्रबन्ध निदेशक को प्रदत्त अधिकार

उत्तराखण्ड जल विद्युत निगम लिमिटेड के अध्यक्ष को संगठन के प्रमुख तथा प्रबन्ध निदेशक को निगम के सुचारु संचालन हेतु अधिकृत किया गया है। उनके द्वारा उपभोग किये जाने वाले अधिकार निदेशक मण्डल द्वारा प्रदत्त होते हैं। कम्पनी अधिनियम के अन्तर्गत तथा कम्पनी के Memorandum & Article of Association द्वारा प्राप्त शक्तियों का प्रयोग करते हुए बोर्ड द्वारा उन्हें निम्नवत अधिकार प्रदान किये गये हैं:-

1. "RESOLVED THAT subject to observance of the provisions 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 general supervision and ultimate control by the Board of Directors and in supersession of earlier resolutions delegating power to the CMD and Managing Director, the Chairman is hereby authorized 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 'A' in respect of which prior approval of the Board of Directors/ Government will be necessary and in Annexure 'B' in respect of which Managing Director is authorized to exercise powers."
2. "ALSO RESOLVED THAT subject to observance of the provisions 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 general supervision and ultimate control by the Board of Directors and in supersession of earlier resolution delegating power to Managing Director, the Managing Director be and is hereby authorized to exercise powers vested in the Board for the management and administration of the Company as specifically provided in Annexure 'B'.
3. "RESOLVED FURTHER THAT in special circumstances, where in his opinion, an immediate decision on any matter on items included in Annexure 'A' is essential, the Chairman may within the ambit of operational necessity and efficiency or to meet an emergency, take decisions on behalf of the Board provided, however, that report would be made to the Board and its ex-post-facto approval obtained, wherever necessary."
4. "ALSO RESOLVED THAT Chairman, where in his opinion it is necessary in specific case/cases, may issue directions to the Managing Director even on matters included in point (1) and (2) of Annexure 'B' and other general administrative matters and Managing Director shall give effect to any such direction."
5. "FURTHER RESOLVED THAT the Chairman be and is hereby authorised to sub-delegate all or any of the powers delegated to him to the Managing Director

and Managing Director be and is hereby authorized to sub-delegate all or any of his powers (except those, if any, sub-delegated to him by Chairman) to other whole time Directors, Executive Directors, General Managers and other officers under him, subject to general supervision and ultimate control/due control being retained by them and further subject to such conditions, as they respectively may deem fit, consistent with the need for prompt, effective and efficient discharge of responsibilities entrusted to such a Director/Officer.”

ANNEXURE-A

POWERS EXCLUDED/EXCEPTED FROM THE DELEGATION OF POWERS TO THE CHAIRMAN, UTTARANCHAL JAL VIDYUT NIGAM LIMITED.

In addition to the matters, if any, requiring the approval of the Governor/Govt. of Uttaranchal as set forth in the Articles of Association of the Company, the following will require the sanction / approval of the Board of Directors / General body of Shareholders/ Government, as the case may be.

- I. BUDGET:
 - (a) Annual budget estimates and revised budget estimates for capital expenditure.
 - (b) Annual budget estimates and revised budget estimates for revenue account for operational expenditure.
 - (c) Budget requirement for five year plans.

- II. PLANS:
 - (a) Annual Plans.
 - (b) Five Year Plans.
 - (c) Long term Plans.
 - (d) Corporate Plans.
 - (e) Resource Mobilisation Plans.

- III. ACQUISITIONS :

Acquiring shares, Stocks, securities etc. of other Companies or undertakings, other than in Government guaranteed securities for short term and in duly registered Employees Consumer Co-operative Societies.

IV. CAPITAL ESTIMATES :

- (a) Feasibility Reports, Project Reports, Detailed Project Reports and Estimates as a whole for Plant / Project Township or for expansion of existing facilities of plant and township or for establishment of new units and facilities, exceeding Rs. 10 crores.
- (b) Any capital expenditure above Rs. 5 crores 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 overall budget limit).
- (c) Deviation of more than 10% from the estimates for any component part of a project for which component wise sanction has been accorded by the Board/Government.

V. PROCUREMENT OF WORKS, PROCUREMENT OF GOODS AND APPOINTMENT OF CONSULTANTS :

- (a)
 - (i) Issue of letter of intent or award of contract for works of value exceeding Rs.10 crores forming a component of project already sanctioned or where investment decision has been taken by the Government. However all proposals for pre-qualifications of contractors for works estimated to cost more than Rs.10 Crore shall be approved by Chairman, after the same have been processed by the concerned department in association with Finance and routed through concerned Director and Director (Finance).
 - (ii) Issue of letter of intent or award of supply order or contract for procurement of goods of value exceeding Rs.10 Crores forming an item of a project already sanctioned or where investment decision has been taken by the Government.
 - (iii) Making a commitment in respect of (i) and (ii) above.
 - (iv) Issue of LOI or award of Consultancy contracts/contract for services of value exceeding Rs.50 Lakhs for approved items.

- (b) Agreement involving foreign collaboration / foreign consultancy proposed to be entered into by the company irrespective of the consideration involved.
- (c) Variations in quantities with respect to quantities indicated in the BOQ of the contract agreement, introduction of new item(s), substitution of one item in BOQ by another in the BOQ and deviations from the terms of the contract resulting cumulatively in an increase in the contract value of the Contracts approved by the Board by more than 10% or Rs.20 Crores, whichever is less, excluding increases already built in the contract agreement due to price variation, provision for contingencies etc. and also due to new statutory requirement or changes in existing statutory requirements.
- (d) Payments of idle charges hire charges and interest to contractor for delay not attributable to contractor and not covered by force majeure of value more than Rs.50 lakhs.
- (e) Acceptance of disputed claims over the value of Rs.50 lakhs relating to capital works and over the value of Rs.10 Lakhs relating to operations.

VI. PERSONNEL :

- (a) Framing of recruitment policies, promotion policies, voluntary retirement schemes, disciplinary rules and procedures and any changes in Policies, Rules and regulation relating to personnel matters, excluding those which are routine and procedural in nature or involving expenditure or concessions to the extent of Rs.50 lakhs in a year.
- (b) Creation of posts.
- (c) Formulation of and any changes in wage structure and scales of pay of employees of the Company.
- (d) Policy/matters relating to allowances and benefits such as House Rent Allowance, City Compensatory Allowance, Dearness Allowance, Traveling, other Allowances, Bonus, Ex-Gratia in lieu of Bonus, Amenities and Fringe Benefits.
- (e) Changes in policies.
- (f) Man Power Budget.

VII. ACCOUNTS

- (i) Acceptance of annual/semi annual profit & loss accounts.
- (ii) Declaration of Dividend.

VIII. POWER TO BORROW :

To borrow moneys for the purpose other than the working capital requirements on the hypothecation of the Company's current assets. (Borrowing powers for working capital requirements will be within the competence of Chairman subject to adherence to guidelines and policies laid down by the Board).

IX. WRITE OFF :

- (a) To write off any items of stores, equipment, tools, plant and materials resulting in net loss of more than Rs. 10 lakhs in each case.
- (b) To write off shortages of cash exceeding Rs. 10,000 in each case.
- (c) To write off demurrage/wharfages/port charges etc. exceeding Rs. 10 lakhs in a year for each Project/Unit.

X. GENERAL :

- (a) Grant of compensation to other than Company employees arising from any cause, above Rs. 2 lakhs in each case.
- (b) Sale or alienation including mortgage in any form of any immovable property vested in the Company.
- (c) Any grant or donation or ex-gratia payments, not arising from recognized rules relating to amenities and welfare over Rs 20,000 in each case.
- (d) Settlement of claims against the company from any cause not provided for in any other items mentioned above exceeding Rs. 3 lakh in each case.
- (e) Policy of allotment of land to outside parties.
- (f) Any expenditure beyond the scope of objective of the Company.
- (g) The power to sell, lease or otherwise dispose of the whole of the undertaking of the Company or any of its undertaking or substantial part thereof.

ANNEXURE-B

POWERS DELEGATED TO THE MANAGING DIRECTOR, UTTARAKHAND JAL VIDYUT NIGAM LIMITED.

Subject to observance of the provisions 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 general supervision and ultimate control by the Board the Managing Director in addition to general administrative powers be and is hereby authorized to exercise following powers:-

1. POWER RELATED TO LEGAL/ARBITRATION MATTERS

Powers to institute suits, prosecute cases, defend, compound, compromise or abandon legal proceedings or refer the claims for arbitration and sign vakalatnamas, plaints/ complaints, written statements, pleading and other documents and papers in connection with all cases or proceedings in Law/Labour courts or before the Taxation or any other Statutory authorities other than any case or proceedings against Uttaranchal Electricity Regulatory Commission or any other Government Organisation/Department for which the approval of Board be obtained.

2. PERSONNEL MATTERS:

Power to appoint and remove, suspend, transfer, take disciplinary action against officers and employees of the Nigam.

3. CAPITAL ESTIMATES:

- a. Power to approve Feasibility Reports, Project Reports, Detailed Project Reports and Estimates as a whole for Plant / Project Township or for expansion of existing facilities of plant and township or for establishment of new units and facilities, not exceeding Rs. 5 crores.
- b. Power to approve any capital expenditure not exceeding Rs. 2.5 crores 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 overall budget limit).
- c. Power to approve deviation of more than 10% from the estimates for any component part of a project for which component wise sanction has been accorded by the Board/Government.

4. PROCUREMENT OF WORKS, PROCUREMENT OF GOODS AND APPOINTMENT OF CONSULTANTS :

- a. Power to issue letter of intent or award of contract for works of value not exceeding Rs.5 crores forming a component of project already sanctioned or where investment decision has been taken by the Government.
- b. Power to issue letter of intent or award of supply order or contract for procurement of goods of value not exceeding Rs.5 Crores forming an item of a project already sanctioned or where investment decision has been taken by the Government.
- c. Power to issue LOI or award of Consultancy contracts/contract for services of value not exceeding Rs.25 Lakhs for approved items.
- d. Power to approve variations in quantities with respect to quantities indicated in the BOQ of the contract agreement, introduction of new item(s), substitution of one item in BOQ by another in the BOQ and deviations from the terms of the contract resulting cumulatively in an increase in the contract value of the Contracts approved by the Board by more than 10% or Rs.10 Crores, whichever is less, excluding increases already built in the contract agreement due to price variation, provision for contingencies etc. and also due to new statutory requirement or changes in existing statutory requirements.
- e. Power to approve payments of idle charges, hire charges and interest to contractor for delay not attributable to contractor and not covered by force majeure of value not exceeding Rs.25 lakhs.
- f. Acceptance of disputed claims not exceeding the value of Rs.25 lakhs relating to capital works and not exceeding the value of Rs.5 Lakhs relating to operations.

5. WRITE OFF :

- a. To write off any items of stores, equipment, tools, plant and materials resulting in net loss of not more than Rs.5 lakhs in each case.
- b. To write off shortages of cash not exceeding Rs. 5000/- in each case.
- c. To write off demurrage/wharfages/port charges etc. not exceeding Rs. 5 lakhs in a year for each Project/Unit.

6. GENERAL:

- a. Grant of compensation to other than Company employees arising from any cause, upto Rs. 1 lakh in each case.
- b. Any grant or donation or ex-gratia payments, not arising from recognized rules relating to amenities and welfare upto Rs 10,000 in each case.
- c. Settlement of claims against the company from any cause not provided for in any other items mentioned above not exceeding Rs. 1.5 lakhs in each case.

निदेशक/अधिकासी निदेशक/महाप्रबन्धक/उपमहाप्रबन्धक एवं अन्य अधिकारियों को प्रत्यायोजित अधिकार/शक्तियां

अध्यक्ष एवं प्रबन्ध निदेशक द्वारा अपने अधिकारों/शक्तियों को प्रत्यायोजित करने सम्बन्धी अधिकारों का प्रयोग करते हुए अपने कार्यालय आदेश संख्या CMD/O/DoP/0018 दिनांक 13.01.2006 के द्वारा अपने कतिपय अधिकारों को निदेशक/अधिकासी निदेशक एवं अन्य अधिकारियों एवं अधिकारियों की समितियों को प्रत्यायोजित कर दिया गया है। यह आदेश निगम की वेबसाइट पर भी उपलब्ध है तथा वहाँ से डाउनलोड भी किये जा सकते हैं ।

इसके अतिरिक्त उत्तराखण्ड जल विद्युत निगम लि० द्वारा स्वयं के नीति एवं नियमों के निर्माण होने तक अंगीकृत उ०प्र० राज्य विद्युत परिषद के नियमों के द्वारा भी, जब तक कि इस सम्बन्ध में कोई परवर्ती आदेश निर्गत न हुये हों, अधिकारियों एवं कर्मचारियों के अधिकार एवं कर्तव्य निर्धारित हैं।

अधिकारों / शक्तियों को
प्रत्यायोजित करने सम्बन्धी
कार्यालय आदेश