



ORDER

OF

WEST BENGAL ELECTRICITY REGULATORY COMMISSION

IN THE MATTER OF

CASE NO: A-6/14

IN REGARD TO THE DIRECTION OF THE GOVERNMENT OF WEST BENGAL IN THE DEPARTMENT OF POWER & NES UNDER SECTION 108 OF THE ELECTRICITY ACT, 2003 FOR TRANSFER OF DISTRIBUTION AND TRANSMISSION FUNCTIONS OF THE DURGAPUR PROJECTS LIMITED (DPL) TO WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED (WBSEDCL) AND WEST BENGAL STATE ELECTRICITY TRANSMISSION COMPANY LIMITED (WBSETCL) UPON RESTRUCTURING OF DPL IN TERMS OF NOTIFICATIONS NO. 319/PO/O/C-IV/1E-60/13 (PART-VA) DATED 08.12.2017, 328/PO/O/C-IV/1E-60/13 (PT-VA) DATED 26.12.2018 AND 332-PO/O/C-IV/1E-60/13(PART-VA) DATED 31.12.2018.

PRESENT:

SRI DURGADAS GOSWAMI, MEMBER

DATE: 31.12.2018



In regard to the direction of the Government of West Bengal in the department of Power & NES under section 108 of the Electricity Act, 2003 for transfer of distribution and transmission functions of the Durgapur Projects Limited (DPL) to West Bengal State Electricity Distribution Company Limited (WBSEDCL) and West Bengal State Electricity Transmission Company Limited (WBSETCL) upon restructuring of DPL in terms of notifications no. 319/PO/O/C-IV/1E-60/13 (Part-VA) dated 08.12.2017, 328/PO/O/C-IV/1E-60/13 (Pt-VA) dated 26.12.2018 and 332-PO/O/C-IV/IE-60/13(Part-VA) dated 31.12.2018.

Noting by Office or Advocate	Sl. No.	Date	Office notes, reports orders or proceedings with signature
		31.12.2018	<p style="text-align: center;"><u>ORDER</u></p> <p>1.0 The Durgapur Projects Limited (DPL) has been operating as a deemed licensee in terms of section 14 of the Electricity Act, 2003.</p> <p>2.0 The State Cabinet in its meeting dated 27.11.2017 approved proposal for organizational restructuring of DPL.</p> <p>3.0 The Department of Power & NES, Government of West Bengal issued notification vide no. 319/PO/O/C-IV/1E-60/13 (Part-VA) dated 08.12.2017 to restructure the business of DPL by transfer of assets and liabilities of transmission and distribution functions to West Bengal State Electricity Transmission Company Limited (WBSETCL) and West Bengal State Electricity Distribution Company Limited (WBSEDCL) respectively.</p> <p>4.0 The Government of West Bengal, vide its Notification No. 328/PO/O/C-IV/1E-60/13 (Pt-VA) dated 26.12.2018 notified that with effect from 01.01.2019:</p> <p>a) The entire distribution business and activities presently under the DPL along with all associated assets and liabilities will be transferred to WBSEDCL via the mechanism of Slump Transaction of Assets.</p> <p>b) The entire transmission business and activities presently under the DPL along with all associated assets and liabilities will be transferred to WBSETCL via the mechanism of Slump Transaction of Assets.</p> <p>5.0 The Government of West Bengal, in exercise of the power</p>




In regard to the direction of the Government of West Bengal in the department of Power & NES under section 108 of the Electricity Act, 2003 for transfer of distribution and transmission functions of the Durgapur Projects Limited (DPL) to West Bengal State Electricity Distribution Company Limited (WBSEDCL) and West Bengal State Electricity Transmission Company Limited (WBSETCL) upon restructuring of DPL in terms of notifications no. 319/PO/O/C-IV/1E-60/13 (Part-VA) dated 08.12.2017, 328/PO/O/C-IV/1E-60/13 (Pt-VA) dated 26.12.2018 and 332-PO/O/C-IV/IE-60/13(Part-VA) dated 31.12.2018.

			<p>conferred under section 108 of the Electricity Act, 2003 has issued the following directions upon the West Bengal State Electricity Regulatory Commission (in short the 'Commission') vide order no. 332-PO/O/C-IV/IE-60/13(Part-VA) dated 31.12.2018</p> <p>a) To approve transfer of the entire distribution business of DPL to WBSEDCL to be effective from 01.01.2019.</p> <p>b) To approve transfer of the entire transmission business of DPL to WBSETCL to be effective from 01.01.2019.</p> <p>c) To allow WBSEDCL to undertake distribution functions within the licensed area of DPL with effect from 01.01.2019.</p> <p>d) To allow WBSETCL to undertake transmission functions within the licensed area of DPL with effect from 01.01.2019.</p> <p>e) To allow WBSEDCL to continue charging existing tariff and present MVCA of DPL as on 31.12.2018 from consumers in the DPL's licensed area in accordance with section 62(3) of the Electricity Act, 2003 as an interim measure until further order.</p> <p>6.0 Accordingly, the Commission hereby passes the following orders:</p> <p>a) WBSEDCL is allowed to take over the entire business of distribution of electricity of DPL along with all associated assets and liabilities and undertake distribution functions within the licensed area of DPL with effect from 01.01.2019.</p> <p>b) WBSETCL is allowed to take over the entire transmission business of DPL along with all associated assets and liabilities and undertake transmission functions within the licensed area of DPL with effect from 01.01.2019.</p>
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In regard to the direction of the Government of West Bengal in the department of Power & NES under section 108 of the Electricity Act, 2003 for transfer of distribution and transmission functions of the Durgapur Projects Limited (DPL) to West Bengal State Electricity Distribution Company Limited (WBSEDCL) and West Bengal State Electricity Transmission Company Limited (WBSETCL) upon restructuring of DPL in terms of notifications no. 319/PO/O/C-IV/1E-60/13 (Part-VA) dated 08.12.2017, 328/PO/O/C-IV/1E-60/13 (Pt-VA) dated 26.12.2018 and 332-PO/O/C-IV/IE-60/13(Part-VA) dated 31.12.2018.

			<p>c) WBSEDCL shall continue to charge the existing tariff and present MVCA of DPL as on 31.12.2018 from the consumers of DPL's licensed area in accordance with the section 62(3) of the Electricity Act, 2003 as an interim measure until further order.</p> <p>d) Both WBSEDCL and the WBSETCL shall take necessary steps for notifying this order for information of all stake holders in appropriate manner.</p> <p>7.0 This order shall take effect from 1st January, 2019.</p> <p>8.0 Let a copy of the order be served upon the Department of Power & NES, Government of West Bengal, The Durgapur Projects Limited, the West Bengal State Electricity Distribution Company Limited and the West Bengal State Electricity Transmission Company Limited.</p> <p style="text-align: center;">Sd/- (DURGADAS GOSWAMI) MEMBER</p> <p>Dated : 31.12.2018</p> <p style="text-align: center;">Sd/- (T. K. MUKHERJEE) SECRETARY</p> <p style="text-align: center;"></p>
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