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## WEST BENGAL ELECTRICITY REGULATORY COMMISSION

## NOTIFICATION

No. 16/WBERC Dated : 9.6.2004

In exercise of the powers conferred by Section 57 read with Section 181 of the Electricity Act, 2003 (No. 36 of 2003) and all powers enabling on that behalf, West Bengal Electricity Regulatory Commission (WBERC) hereby makes the following Regulations.

1. **Short title, commencement and interpretation.**

These Regulations may be called the West Bengal Electricity Regulatory Commission (Standards of Performance of

Licenseses Relating to Consumer Services) Regulation, 2003.

- i) These shall come into force on the date of the publication in the official Gazette unless otherwise stated in these Regulations and shall be concurrent within the area of jurisdiction of West Bengal Electricity Regulatory Commission, excepting those areas which may be notified by the State Government of West Bengal under Proviso 8 of Section 14 of the Electricity Act 2003, as rural areas.



- ii) The Bengal General Clauses Act, 1899 (Ben. Act I of 1899) shall apply to the interpretation of these regulations unless otherwise indicated in these Regulations or inconsistent with the Provisions of the Electricity Act, 2003.

## 2. Definitions.

In these Regulations, unless the context otherwise requires:

- a) The Act means the Electricity Act, 2003 ;
- b) Regulations means the Regulations made under the Act ;
- c) Rules means the Rules made under the Act ;
- d) Commission means the "West Bengal Electricity Regulatory Commission" constituted under Section 82 of the Electricity Act, 2003 and in short called WBERC ;
- e) Urban area means those areas notified as municipal corporations under the Kolkata Municipal Corporation Act, 1980, the

Howrah Municipal Corporation Act, 1980, or the Chandernagar Municipal Corporation Act, 1990, or the Asansol Municipal Corporation Act, 1990, or the Siliguri Municipal Corporation Act, 1990, or the Durgapur Municipal Corporation, 1994, or as municipalities under West Bengal Municipality Act, 1993.

- f) Rural areas means those areas which are not urban areas as defined above and falls within the jurisdiction of WBERC.
- g) Words and expression used and not defined in the Regulations shall have the meanings as defined in the Act.

## 3. Release of new electric connection.

### 3.1 New connections where a distribution mains already exists.

Where a distribution mains already exists, the licensee shall release new connections within 30 days from the date of receipt of the applications for supply in the prescribed format given at



annexure A, and completed in every respect.

**3.2 New connections where supply to a fresh applicant will require extension of the distributions mains.**

Where the distribution mains will need to be extended in order to supply power to a fresh applicant for supply, the licensee shall supply electricity to the fresh applicant within the time limits specified below from the date of receipt of the application for supply in the prescribed format given at Annexure A, and completed in every respect :-

<u>Voltage of supply.</u>	<u>Time limit within which supply is to be effected.</u>
Low Tension -	- 40 days.
High Tension (11 kV) -	45 "
High Tension (33 kV) -	90 "
Extra High Tension above 33 kV -	180 "

**3.3 New connections where supply to a fresh applicant will require commissioning of new sub-station(s).**

Where new sub-station(s) will need to be commissioned in order to supply power to a fresh applicant, the licensee shall submit the application along with a

proposal for erection and commissioning a new substation, complete with all necessary details, including its techno economic feasibility and the time to be taken for commissioning the same if it is techno economically feasible, to the Commission, within a period of 3 (three) weeks from receipt of the application. The licensee shall supply electricity to the applicant within such time as may be approved by the Commission on consideration of the relevant proposal of the licensee in this behalf.

Provided that if the substation is a part of any investment plan which has already received approval of the Commission, the licensee shall complete the work of erection and commissioning of the substation within the time limit specified in the approved investment plan and shall not require approval of the Commission afresh.

Provided however that in those cases where the time schedule(s) for supply of electricity as laid down in paragraphs 3.2 and 3.3 hereinbefore cannot be maintained due to unforeseen contingencies which are beyond the control of



the licensee, the latter shall obtain prior approval from the Commission for extension of time by furnishing detailed grounds for the same.

**4. Extension of load for existing consumers.**

**4.1 Extension of load where additional load can be accommodated from existing service.**

Where additional load can be accommodated from the existing service, the licensee shall release such additional load to the existing consumer within the following time limits from the date of receipt of the application:

During the first year of the Regulation's coming into operation – Within 30 days.

During the second year of the Regulation's coming into operation – Within 20 days.

From the third year of the Regulation's coming into operation and thereafter – Within 10 days.

**4.2 Extension of load where additional load needs extension/augmentation of the feeding system.**

Where additional load cannot be accommodated from the existing service and the feeding system needs extension/augmentation, the licensee shall release the additional load within the following time limits from the date of receipt of the application:-

During the first year of the Regulation's coming into operation – Within 90 days.

During the second year of the Regulation's coming into operation – Within 60 days.

From the third year of the Regulation's coming into operation and thereafter – Within 30 days.

Provided that in such cases where the time schedule specified in 4.1 and 4.2 above cannot be maintained in extra ordinary situations beyond the control of the licensee, the latter shall obtain prior approval from the Commission for extension of time by furnishing detailed ground for the same.

**5. Interruptions of supply**

**5.1 Unplanned interruptions excepting those arising out of unforeseen contingencies beyond the control of the licensee.**



The licensee shall restore electric supply to the consumer as per the following time frame to be reckoned from the date of receipt of complaint by the licensee where the interruptions are unplanned and caused by unforeseen contingencies beyond the control of the licensee:-

(a) Failure of licensee's fuse:

During the first year of the Regulation's operation.

Urban - 8 hrs.

Rural - 48 hrs.

During the second year of the Regulation's operation.

Urban - 6 hrs.

Rural - 36 hrs.

During the third year of the Regulation's operation and thereafter.

Urban - 4 hrs.

Rural - 24 hrs.

(b) Snapping of wires (L.T)

During the first year of the Regulation's operation.

Urban - 8 hrs.

Rural - 48 hrs.

During the second year of the Regulation's operation.

Urban - 6 hrs.

Rural - 36 hrs.

During the third year of the Regulation's operation and thereafter.

Urban - 4 hrs.

Rural - 24 hrs.

(c) Falling of trees on overhead lines without breaking/uprooting of poles.

During the first year of the Regulation's operation.

Urban - Restoration within 12 hrs.

Rural - Restoration within 48 hrs.

During the second year of the Regulation's operation

Urban - Restoration within 8 hrs.

Rural - Restoration within 36 hrs.

During the third year of the Regulation's operation and thereafter.

Urban - Restoration within 6 hrs.

Rural - Restoration within 24 hrs.

(d) Breakdown due to short circuit of LT lines.

During the first year of the Regulation's operation.



Urban - 8 hrs.

Rural - 24 hrs.

During the second year of the Regulation's operation.

Urban - 6 hrs.

Rural - 16 hrs.

During the third year of the Regulation's operation and thereafter.

Urban - 4 hrs.

Rural - 12 hrs.

(e) Breakdown of 11 KV line (overhead).

During the first year of the Regulation's operation.

Urban - 10 hrs.

Rural - 48 hrs.

During the second year of the Regulation's operation.

Urban - 8 hrs.

Rural - 36 hrs.

During the third year of the Regulation's operation and thereafter.

Urban - 6 hrs.

Rural - 24 hrs.

(f) H.T. underground cable faults.

Urban) Restoration of

Rural) power supply by

temporary arrangements within 24 hrs.

Rectification of faults within 10 days.

(g) Failure of distribution transformer.

During the first year of the Regulation's operation.

Urban - 72 hrs.

Rural - 216 hrs.

During the second year of the Regulation's operation.

Urban - 48 hrs.

Rural - 144 hrs.

During the third year of the Regulation's operation and thereafter.

Urban - 24 hrs.

Rural - 72 hrs.

(h) Breakdown of L.T line for any other reason not covered above.

During the first year of the Regulation's operation.

Urban - 10 hrs.

Rural - 48 hrs.

During the second year of the Regulation's operation.

Urban - 8 hrs.

Rural - 36 hrs.

During the third year of the Regulation's operation and thereafter.



- Urban - 6 hrs.  
 Rural - 24 hrs.  
 (i) Failure of Service Main  
 (both overhead and  
 underground).

During the first year of the  
 Regulation's operation.

Urban (overhead) - 24 hrs.

During the second year of  
 the Regulation's operation.

Urban (overhead) - 16 hrs.

During the third year of the  
 Regulation's operation and  
 thereafter.

Urban (overhead) - 12 hrs.

Urban (underground) -

Restoration of power  
 supply by temporary  
 arrangements within 24  
 hrs.

Rectification of faults  
 within 7 days.

During the first year of the  
 Regulation's operation.

Rural (Overhead) - 48 hrs.

During the second year of  
 the Regulation's operation.

Rural (Overhead) - 36 hrs.

During the third year of the  
 Regulation's operation and  
 thereafter.

Rural (Overhead) - 24 hrs.

Rural (Underground) -

Restoration of power  
 supply by temporary  
 arrangements within 48  
 hours.

Rectification of faults  
 within 10 days.

## 5.2 Planned interruptions

When there is a planned interruption  
 of supply lasting more than 6 hours  
 at a stretch, the licensee shall notify  
 the consumers at least 24 hours  
 before the supply is cut off through  
 announcements in radio/T.V.,  
 advertisements in leading dailies,  
 beating of drums etc. and restore the  
 supply within the time to be  
 announced. If the planned  
 interruption is for more than 12  
 hours at a stretch, temporary  
 arrangement may be made to  
 provide power after 12 hrs.

## 6. (a) Voltage complaints

During the first, second & third year  
 of the Regulation's operation and  
 thereafter.

Urban } Within 15 days if the  
 Rural } problem is local. Within 6  
 months if correction requires  
 augmentation of the distribution  
 system.

## (b) Voltage fluctuations



During the first year of the Regulation's operation.

Urban - 8 days

Rural - 15 days

During the second year of the Regulation's operation.

Urban - 6 days

Rural - 15 days

During the third year of the Regulation's operation and thereafter.

Urban - 4 days

Rural - 8 days

The above time limits are subject to the proviso that in such cases where these limits cannot be maintained in extra-ordinary circumstances beyond the control of the licensee, the latter shall obtain prior approval from the Commission for extension of time by furnishing detailed ground for the same.

#### 7. Meter and metering equipment complaints

- (a) Replacement of burnt out and other faulty meters where supply is not affected.

During the first year of the Regulation's operation.

Urban - 13 days

Rural - 16 days

During the second year of the Regulation's operation.

Urban - 10 days

Rural - 13 days

During the third year of the Regulation's operation and thereafter.

Urban - 7 days

Rural - 10 days

- (b) Replacement of burnt out and other faulty meters where supply is affected.

During the first year of the Regulation's operation.

Urban - 46 hrs.

Rural - 96 hrs.

During the second year of the Regulation's operation.

Urban - 36 hrs.

Rural - 72 hrs.

During the third year of the Regulation's operation and thereafter.

Urban - 24 hrs.

Rural - 48 hrs.

- (c) Accidental breakage of seals on report by the consumer where no tampering is suspected.



During the first year of the Regulation's operation.

Urban } 48 hrs

Rural } 48 hrs

During the second year of the Regulation's operation.

Urban } 36 hrs.

Rural } 36 hrs.

During the third year of the Regulation's operation and thereafter.

Urban } 24 hrs.

Rural } 24 hrs.

If replacement of meter is required:-

During the first year of the Regulation's operation.

Urban 15 days

Rural 15 days

During the second year of the Regulation's operation.

Urban 10 days

Rural 10 days

During the third year of the Regulation's operation and thereafter.

Urban 7 days

Rural 7 days

7(A). The calibration of meters of the consumers shall be done periodically as directed by the Commission.

## 8. Modifications to the existing connection

(a) Transfer of installation where shifting is not involved.

During the first year of the Regulation's operation

Urban 20 day

Rural 20 days

During the second year of the Regulation's operation.

Urban 15 days

Rural 15 days

During the third year of the Regulation's operation and thereafter.

Urban 10 days

Rural 10 days

(b) Reduction of load/surrender of power supply.

During the first year of the Regulation's operation.

Urban 20 days

Rural 20 days

During the second year of the Regulation's operation.

Urban 15 days

Rural 15 days

During the third year of the Regulation's operation.

Urban 10 days

Rural 10 days

(c) Shifting of meter/meter board



During the first year of the Regulation's operation.

Urban 20 days

Rural 20 days

During the second year of the Regulation's operation.

Urban 15 days

Rural 15 days

During the third year of the Regulation's operation and thereafter.

Urban 10 days

Rural 10 days

(d) Conversion from one tariff to another.

During the first year of the Regulation's operation.

Urban 20 days

Rural 20 days

During the second year of the Regulation's operation.

Urban 15 days

Rural 15 days

During the third year of the Regulation's operation and thereafter.

Urban 10 days

Rural 10 days

(e) Removal of meter on request from the consumer.

During the first year of the

Regulation's operation.

Urban 15 day

Rural 15 days

During the second year of the Regulation's operation.

Urban 10 days

Rural 10 days

During the third year of the Regulation's operation and thereafter.

Urban 7 days

Rural 7 days

(f) Refund of deposit

During the first year of the Regulation's operation.

Urban 20 days

Rural 20 days

During the second year of the Regulation's operation.

Urban 15 days

Rural 15 days

During the third year of the Regulation's operation and thereafter.

Urban 10 days

Rural 10 days

## 9. Other Complaints

(a) The total number of outages allowed to the licensee shall be within the limits as directed by the Commission from time to time.

(b) For any other complaints not covered above, the



consumer may invoke grievance redressal procedures.

#### 10. Enforcement mechanism

If a licensee fails to meet the specified guaranteed standards against various service areas laid down in these Regulations, the licensee shall be liable to pay compensation to the consumer(s) for default against each item as specified below:-

During the first year of the Regulation's operation.

- (a) Failure to release new electric connection within due time - Rs.25/- each additional day.
- (b) All other specific complaints specified under paragraphs 5.1, 6, 7 and 8 - Rs.25/- for each additional slab of time irrespective of whether the place is urban or rural.

During the second year of the Regulation's operation.

- (a) Failure to release new electric connection within due time - Rs.125/- each additional day.
- (b) All other specific complaints specified under paragraphs 5.1, 6, 7 and 8 - Rs.125/- for each additional slab of time or part

thereof, irrespective of whether the place is urban or rural.

During the third year of the Regulation's operation and thereafter.

- (a) Failure to release new electric connection within due time - Rs.500/- each additional day.
- (b) All other specific complaints and Specified under paragraphs 5.1, 6, 7 and 8 - Rs.500/- for each additional slab of time or part thereof, irrespective of whether the place is urban or rural.

#### 11. Methods of Payment of Compensation.

The licensee shall register every complaint regarding failure to maintain the standards of performance specified in this Regulation and preferred by consumers within a reasonable time. The licensee shall also communicate a complaint number with date, to the consumer who prefers a complaint as soon as possible, but not later than 10 days from the date of receipt of the complaint. For this purpose the licensee shall maintain all necessary records consisting of all essential information regarding the consumer concerned, the nature of



his complaint and the necessary details of the latter.

For this purpose, calculation as also payment of compensations for failure to release new electric connections within specified time, shall be done by the licensee automatically, i.e., the consumers are not required to claim compensations specifically, even though they may make such claims if they so wish.

Calculation of compensation and claims for payment of the same, for failures to maintain the standards of performance in all other cases specified in this regulation will not be automatic, i.e., it is the consumers who will be required to calculate the amounts of compensation and submit claims for payment of the same to the licensee.

If there is any dispute, it shall be referred to the 1<sup>st</sup> tier of the consumers' grievance redressal mechanism and follow the procedures laid down in the West Bengal Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of Consumer and Ombudsman) Regulations, 2003, for its settlement.

All cases of payment of compensation by the licensee shall be effected by way of adjustment against existing, current and/or future bills for supply of electricity.

## 12. Periodic Report

The licensee shall submit report to the Commission, every six months, on (a) the number and type of consumer complaints received and attended to by the licensee; (b) the number and types of complaints for which compensation was payable by the licensee to the affected consumer and the aggregate amount of the compensation paid by the licensee; (c) the number of instances of planned interruptions in power supply in (i) L.T network and (ii) H.T network; and (d) the total duration in hours of such planned interruptions in (i) L.T and (ii) H.T network.

The first report should reach the Commission within the 7<sup>th</sup> month of a financial year, and the second one should reach within the first month of the next financial year.

The report should be prepared in the format prescribed for this purpose at Annexure - B.



**ANNEXURE - A**

**13. Power of the Commission to modify the Regulation.**

**13.1** The Commission may, at any time, at its sole discretion vary, alter, modify, add or amend any provision of this Regulation.

**13.2** If any difficulty arises in giving effect to any of the provisions of this Regulation, the Commission may, with reasons to be recorded in writing, direct the licensee or consumer, by general or special order, for taking suitable action not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulty.

**13.3** Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may be necessary for meeting the ends of justice or to prevent abuse of the process of the Commission.

Place : Kolkata  
Date : 9. 6. 2004

**By order of the  
Commission**

( Dr. R.N. Das )  
Secretary of the Commission.



**ANNEXURE - A**

**APPLICATION FOR SUPPLY-CUM-AGREEMENT**

(In duplicate)

Date :

Dear Sir(s)/Madam,

I/We hereby apply for supply of electricity in my/our favour at the following address :

This is an application for New Service/New Load Existing Service/Additional Load/Shifting or alteration or Strengthening of Service/Street Lighting/Pump House (please cancel the non-applicable items), and the expected connected load in KW. will be .....for Domestic/ Commercial / Industrial / other purpose(s) (please cancel the non-applicable items and give separate quantifications where more than one purpose is involved).

I/We hereby declare that I/we shall abide by all provisions of the Electricity Act, 2003 and the Rules, Regulations and Codes made under the Act, as amended from time to time.

I/we undertake to pay all the charges payable to give me/us supply as is determined and payable u/s 46 of Electricity Act 2003. Pending determination of such charges I/we deposit an adjustable advance against the same amounting to Rs. ....(rupees .....) and balance will be adjustable in the first energy bill, recovered or payable, as the case may be.

I/We have paid the security deposit as presently required and undertake to replenish any shortfall in Security Deposit, if and when required, for supply of electricity and for the value of meter(s) and other apparatus installed/to be installed at the premises.

I/We hereby further undertake that I/We shall require the supply at the aforesaid premises and for the purpose(s) and for the load mentioned hereinabove.

I/We enclose the Test Form for internal wiring signed by licenced Electrical Contractor.

I/We enclose the Way Leave form indicating 'no objection' from the owners/occupiers of the building/relevant part of the building/land. / I am the owner or occupier of the building/relevant part of building/land.

Please provide us with the supply as requested.

Witness (1)

Signature

Name & address.

Witness (2)

Signature

Name & address

Yours faithfully,

Signature .....

Name (in Block letters) .....

Address (in Block letters) .....

.....

Telephone no./nos. (if any).....

To be filled up by the licensee on receipt of the application-cum-agreement form submitted by the intending consumer and the duplicate to be handed over to the latter.

Witness (1)

Signature

Name and address

Witness (2)

Signature

Name and address

For and on behalf of the licensee  
Accepted

Signature of the accepting official  
with office seal  
Address



N.B. Advance against charges payable for the supply under Section 46 of the Electricity Act 2003 excluding security deposit, and as approved by the WBERC will be as follows :-

(a)	For single phase LT supply	-	-	Rs.2,000/- (Rupees two thousand only).
(b)	For two phase LT supply	-	-	Rs.3,000/- (Rupees three thousand only).
(c)	For three phase LT supply	-	-	Rs.4,000/- (Rupees four thousand only).
(d)	For H.T. supply upto a contract demand of 125 KVA	-	-	Rs.50,000/- (Rupees fifty thousand only).
(e)	For HT supply above a contract demand of 125 KVA	-	-	Rs.2,00,000/- (Rupees two lakhs only).

If after detailed calculation, there is further amount to be paid by the consumer, or the finally calculated amount payable by the consumers on this account is less than the amount indicated above, the necessary adjustment will take place through the first energy bill(s).

The advance against Security Deposit shall be calculated on the following basis :-

0 - 500 W	-	Rs. 300/- (Rupees three hundred only).
500 - 1 KW.	-	Rs. 500/- (Rupees five hundred only).
For every additional KW or part thereof	@	Rs. 500/- (Rupees five hundred only).

After the final calculation of the requisite security deposit on the basis of the Act and the Regulation prepared by the Commission, the advance would be adjusted by the licensee through the first energy bill(s).



ANNEXURE B.

APPLICATION FOR SUPPLY-CUM-AGREEMENT

Half-yearly report of performance under paragraph 12 of the West Bengal Electricity Regulatory Commission (Standards of Performance of Licencee Relating to Consumer Services) Regulation, 2003.

Name of the Licencee -

Full office address (HQ) of the licensee.

Report of the half year ending on ..... for the financial year .....

i. Number and type of the consumer complaints received, attended and compensation paid (if any) :-

Types of complains.	Number of complains received.	Whether attended.	Number of cases where compensation was payable.	Number of cases where compensation was paid.	Total amount (in Rs.) of the compensation paid.
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1. New connections where distribution mains already exist.
2. New connections where extension of distribution mains was required.
3. New connections where commissioning of a new substation was required.
4. Extension of load.
5. Unplanned interruptions.
6. Voltage related complaints.
7. Meter related complaints.
8. Modifications to the existing connections.
9. Others.

ii. Planned interruptions in power supply :-

1. No. of instances of planned interruptions in power supply in
  - LT network -
  - HT network -
2. Total duration in hours of planned interruptions in power supply in
  - LT network -
  - HT network -

Signature of the authorised person  
with seal