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**WEST BENGAL ELECTRICITY REGULATORY COMMISSION**  
**NOTIFICATION**

**No. 44/WBERC**

**Dated : 22.05.2009**

In exercise of the powers conferred by sub-sections (1) and (2) of section 181 read with sub-section (3) of section 32 and sub-sections (1) & (4) of section 47 of the Electricity Act, 2003 (36 of 2003) and all powers enabling it in this behalf, the West Bengal Electricity Regulatory Commission hereby makes the following regulations to amend the West Bengal Electricity Regulatory Commission (Miscellaneous Provisions) Regulation, 2005 issued under Notification No.23/WBERC dated 18.10.2005 and published in the Kolkata Gazette Extraordinary, Part I dated October 19, 2005:-

1. Short Title and Commencement :

- (i) These regulations may be called the West Bengal Electricity Regulatory Commission (Miscellaneous Provisions) (Amendment) Regulations, 2009.
- (ii) They shall come into force on the date of their publication in the Official Gazette.

2. For clause (a) of regulation 3 of the West Bengal Electricity Regulatory Commission (Miscellaneous Provisions) Regulation, 2005 (hereinafter referred to as the principal Regulations), following clause shall be substituted:-

- “(a) at a rate as may be stipulated in the concerned tariff order in accordance with the regulations of WBERC framed under section 61 of the Electricity Act, 2003 and such charge will be termed as

SLDC charge which will be recoverable in a mode as may be stipulated in the tariff order.”

3. After clause (e) of regulation 3 of the principal Regulations, following clauses shall be inserted:-

“(f) for the purpose of operational expenditure the SLDC charge shall be deposited in a fund to be known as ‘WBSLDC Fund’.

(g) SLDC shall open an account preferably with electronic clearing facility with the name and style of “WBSLDC FUND” in a nationalized / scheduled commercial bank within sixty days from the date of publication of these Regulations, for the purpose of handling SLDC charge. Such fund will be managed in the following manner.

i) Such account shall be operated by the DDO of SLDC with the cheque signing authority for payment upto Rs.5 lakh. For payment above Rs.5 lakh such cheque signing authority shall lie jointly with the DDO and the Officer in charge of SLDC.

ii) All deposits by transmission licensee or generating company shall be through Account payee cheque / draft in favour of the said account or through electronic clearance system where such facility is available. The cost of such draft and services shall be payable by the depositor.

iii) Any amount receivable by any entity shall be through account payee cheque / draft or through electronic clearance system where such facility is available.

- iv) SLDC shall maintain the accounts of the said fund separately keeping it clearly demarcated from any other account of the body, if SLDC is a part of such body.
- v) Accounts of such fund shall be audited by Chartered Accountant / Cost Accountant in full time practice for every financial year within the 30<sup>th</sup> September of the succeeding year and such audited accounts shall be subsequently submitted to the Commission within the 30<sup>th</sup> November of that year for approval along with the audited accounts of the body of which SLDC is the part. Copy of such audit report shall also be given to the generating companies connected to the state grid and licensees engaged in intra-state transmission.
- (h) All expenditures for operation of SLDC shall be incurred from SLDC fund exclusively.”

**By Order of the Commission**

**Place: Kolkata  
Date: 22.05.2009**

**K.L.BISWAS,  
Secretary of the Commission**