

Registered No. WB/SC-247

No.WB(Part-I)/2006/SAR-101



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THURSDAY ,MAY 4,2006

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WEST BENGAL ELECTRICITY REGULATORY COMMISSION

No. 29/WBERC Dated: 04.05.2006

In exercise of the power conferred on it by section 181 read with sub-sections (2) and (3) of section 91 of the Electricity Act, 2003 (36 of 2003) and all powers enabling it in that behalf and in supersession of Notification No. 14/WBERC dated 23.03.2004, published on March 25, 2004 in the Kolkata Gazette, Extraordinary, the West Bengal Electricity Regulatory Commission hereby makes the following regulations:

1 Short title, commencement and interpretation.

i) These regulations may be called the West Bengal Electricity Regulatory Commission (Number, Nature and Categories of Other Employees and Salaries, Allowances and Other Conditions of Service of Secretary, Other Officers and Employees) Regulations, 2006.

ii) They shall come into force on the date of their publication in the Official Gazette. However, in respect of Secretary, other officers and employees already appointed by the Commission these regulations shall be deemed to come into force from the date of their initial appointments in the commission.

(iii) The General Clauses Act, 1897 (10 of 1897) 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

(i) In these Regulations, unless the context otherwise requires: -

a)The Act means the Electricity Act, 2003 (36 of 2003);

b)Chairperson means the Chairperson of the Commission;

c)Commission means the “West Bengal Electricity Regulatory Commission” constituted under *sub section (1)* of section 82 of the Act;

d)Employees means persons appointed against the post categorized as Group ‘C’ and Group ‘D’ as shown under item A of schedule;

e)Officers means persons appointed against the post categorized as Group ‘A’ and Group ‘B’ as shown under item A of schedule;

f)Regulation means a Regulation made under the Act;

g)State Government means the Government of West Bengal.

h)Secretary means the Secretary of the Commission.

ii)Words and expressions occurring in these Regulations and not defined herein above shall bear the same meaning as in the Act, Rules and Regulations.

3.The number, nature and categories of other officers and employees of the Commission shall be such as mentioned in the schedule.

4.Salaries and other allowances of the Secretary, other officers and employees in the Commission:

i)Salaries and other allowance of the Secretary, other officers and employees shall be such as specified in the schedule.

ii)The remuneration to be paid to the persons appointed on contract basis shall be such as may be determined by the Commission from time to time. It may be in the form of a consolidated pay or otherwise as may be determined by the Commission. The Commission may keep in view amongst other factors the last pay drawn by the person and the pension being drawn by him.

iii)The officers and employees appointed on deputation shall be entitled to such salary and allowances as are admissible as per the rules of the State Government.

Provided that the officers and employees on deputation from Central Government Offices, Central Public Sector Undertakings and other organizations not under the State Government shall be entitled to such salary and allowances as may be fixed on the basis of terms and conditions of deputation determined in consultation with the lending organisation.

5. Method of selection and conditions of appointment:

i) Officers and employees may be appointed by the Commission in any of the following ways: -

a.Direct recruitment through open advertisement;

b. On deputation from Central Government / State Government / Power Utilities / Other Organization as decided by the Commission;

c.By promotion as may be decided by the Commission.

d.Contract basis.

ii)The Commission shall determine the age, qualifications and experience for each post from time to time. The age of retirement will be the same as that in the state government for regular employees.

iii) The persons selected for appointment must be physically fit and be persons of integrity and no person shall be appointed on regular basis without verification of antecedents.

iv) In the case of appointment on regular basis, the rules of reservation as applicable in the State Government shall be followed.

v) The Commission shall from time-to-time constitute selection committees to recommend the names for appointment against various posts. The Selection Committee shall consist of not less than three persons.

vi) The Appointing authority and the reviewing authority shall be the commission in respect of the officers and employees of the Commission. The disciplinary authority and the appellate authority for various grades of posts shall be decided by the chairperson.

vii) Subject to the other provisions stipulated in these regulations, other service conditions applicable to the officers and employees shall be the same as are applicable in the State Government.

6. Repeal, Saving and General powers:

(i) The West Bengal Electricity Regulatory Commission (Number, Nature and Categories of Other Employees and Salaries, Allowances and Other Conditions of Service of Secretary, Other Officers and Employees) Regulations, 2004 are hereby repealed;

(ii) Notwithstanding such repeal, anything done, or any action taken or purported to have been done or taken under the repealed Regulations, shall be deemed to have been done or taken under the corresponding provisions of these Regulations;

(iii) Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent powers of the commission to make such orders as may be necessary subject to the approval of the State Government wherever required under the Act.

(iv) Nothing in these Regulations shall bar the Commission from adopting a procedure, which is at variance with any of the provisions of the Regulations, if the Commission, in view of special circumstances and reasons to be recorded in writing, deems it necessary or expedient, subject to the approval of the State Government.

(v) The Commission may at any time amend or modify the schedules at the sole discretion subject to the approval of the State Government.

SHEET 1 OF 2

SCHEDULE

1. Name of posts, number of posts, scale of pay and category of officers and employees of WBERC:

Sl. No.	Name of the Post	No. of Posts	Scale of Pay	Category
1.	Secretary	1	18400-500-22400	Group-A
2.	Advisor	3	18400-500-22400	Group-A
3.	Joint Advisor	3	14300-400-18300	Group-A
4.	Director	4	12000-375-18000	Group-A
5.	Deputy Director	4	10000-325-15525	Group-A
6.	Assistant Director including one Accounts Officer	5	8000-275-13500	Group-A
7.	Personal Secretary	3	6000 -250-12000	Group-A
8.	Accountant	1	4800-175-5850-200-6650-225-8675-250-10925-10925	Group-B
9.	Head Assistant	1	4500-150-5250-175-7000-200-8800-225-9700	Group - B
10.	Personal Assistant	10	4000-125-4250-150-5300-175-7050-200-8850	Group-B

11.	Senior Assistant	7	4000-125-4250-150- 5300-175-7050-200- 8850	Group-B
12.	Assistant	8	3350-90-3800-100- 4700-125-6325	Group-C
13.	Group D officials	8	2600-55-2985-60- 3525-65-4175	Group-D

SHEET 2 OF 2

SCHEDULE

B. Dearness allowance, HRA, CCA, Deputation allowance, etc. shall be as per the entitlement, of equivalent officials in the State Government.

C. Leave and other conditions of service including retirement benefit shall be the same as applicable to officials / employees of the State Government having equivalent grade.

D. The medical allowance will be as is admissible in the State Government.

E. Transport: the vehicles as may be required may be hired for the Secretary and other officers with the approval of the chairperson at the rates approved by the transport Department of the State Government from time to time. Other orders as applicable in the State Government shall also be followed in the commission.

F. Security and cleaning staff etc. subject to a maximum of four persons (in all) may be engaged by the Commission on contract basis as and when required.

Date: 04.05.2006

Place: Kolkata

By Order of the Commission

(K. L. Biswas)
Secretary of the Commission