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 Licensees 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;


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 distribution 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:

<table>
<thead>
<tr>
<th>Voltage of supply</th>
<th>Time limit within which supply is to be effected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Tension</td>
<td>40 days.</td>
</tr>
<tr>
<td>High Tension (11 kV)</td>
<td>45 &quot;</td>
</tr>
<tr>
<td>High Tension (33 kV)</td>
<td>90 &quot;</td>
</tr>
<tr>
<td>Extra High Tension</td>
<td>180 &quot;</td>
</tr>
<tr>
<td>above 33 kV</td>
<td></td>
</tr>
</tbody>
</table>

3.3 New connections where supply to a fresh applicant will require commissioning of new substation(s).

Where new substation(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 licencsee 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.

(6) 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 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

(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.

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 1st 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 7th 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.
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.

By order of the Commission

Place: Kolkata
Date: 9.6.2004

Dr. R.N. Das
Secretary of the Commission
APPLICATION FOR SUPPLY-CUM-AGREEMENT
(In duplicate)

Dear Sir(a)/Madam,

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

Date:

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. ........................................ (rupes ........................................) and balance will be adjustable in the first energy bill, recovered or payable, as the case my 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

[P.T.O.]
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 up to 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


Name of the Licencee -

Full office address (HQ) of the licencee.

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

---

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

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

II. Planned interruptions in power supply:

1. No. of instances of planned interruptions in power supply in LT network -

2. Total duration in hours of planned interruptions in power supply in LT network -


Signature of the authorised person

with seal

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Kolkata 700 056