ORDER

OF

WEST BENGAL ELECTRICITY REGULATORY COMMISSION

IN THE MATTER OF

SHRI MADHUSUDAN DAS

- VS -

WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LTD

CASE NO. COMP/350/WBSEDCL/15-16


PRESENT:
SRI R. N. SEN, CHAIRPERSON
SRI AMITAVA BISWAS, MEMBER

DATE: 30.11.2016

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ORDER

1.0 One Shri Madhusudan Das, S/o Shri Bishnu Hari Das, Vill. Kakhuriabari, P. O. Kismat Bajkul, P. S. Bhupatinagar, Dist. Purba Medinipur, West Bengal, Pin 721655 (hereinafter referred to as the "complainant") submitted an application dated 11.03.2016 to the West Bengal Electricity Regulatory Commission (hereinafter referred to as the "Commission") stating, inter-alia, that the Ombudsman, West Bengal Electricity Regulatory Commission appointed under Section 42(6) of the Electricity Act, 2003 (hereinafter referred to as the “Act”), had in his settlement order dated 17.12.2015 issued directions to the West Bengal State Electricity Distribution Company Limited (in short “WBSEDCL”) for effecting service connection to the complainant and the same was forwarded to them vide letter no OMBUD/W-57 NG/15/3004 dated 28.12.2015 of the Office of the Ombudsman.

The complainant submitted that the Order dated 17.12.2015 of the Ombudsman has not been complied with by WBSEDCL.

2.0 On perusal of the aforesaid petition along with the documents submitted by the complainant, the Commission admitted the matter and decided to take hearing in the matter. Accordingly, notices were served upon both the complainant and WBSEDCL (the licensee) under no. WBERC/Comp/WBSEDCL/350/15-16/1319-1320 dated the 09th November, 2016 intimating that the hearing would take place on 17.11.2016 at 11.30 hours at the office of the Commission.

3.0 The Commission took up the hearing on 17.11.2016 as scheduled. Shri D. Gupta, Chief Engineer, CRM Cell, WBSEDCL represented WBSEDCL in the hearing with due authorization. The complainant Sri

Madhusudan Das along with his representative Sri Netajee Mondal attended the hearing with due authorization.

4.0 The representative of WBSEDCL submitted that the service connection could not be effected, as per the order of the Ombudsman, due to objection raised by the villagers. However, WBSEDCL had taken up the matter several times with the local police for their help, but nothing emerged. WBSEDCL further submitted that ultimately they could effect service connection to the complainant on 14.11.2016.

5.0 The complainant submitted that there was no dispute for way leave as has been submitted by WBSEDCL. WBSEDCL has given service connection on 14.11.2016 only (just 3 days before the date of hearing). According to the complainant, WBSEDCL has deliberately delayed in effecting service connection, and therefore, compensation, as applicable as per the Regulations, should be given to him by WBSEDCL.

6.0 On hearing both the parties, the Commission observed that the order dated 17.12.2015 of the Ombudsman has been complied with by WBSEDCL. If the complainant has any other grievances, he is at liberty to file application to the appropriate authorities observing due process as per the Regulations.

7.0 With the above direction the matter is disposed of.

8.0 Let a copy of this order be served upon Shri Madhusudan Das and WBSEDCL.

Sd/-
(AMITAVA BISWAS)
MEMBER

Sd/-
(R. N. SEN)
CHAIRPERSON

Dated : 30.11.2016

West Bengal Electricity Regulatory Commission