ORDER

OF

WEST BENGAL ELECTRICITY REGULATORY COMMISSION

IN THE MATTER OF

SK. ABDUL RAFIK

- VS -

WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LTD

CASE NO. COMP/349/WBSEDC/15-16


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

DATE: 30.11.2016

<table>
<thead>
<tr>
<th>Noting by Office or Advocate</th>
<th>Sl. No.</th>
<th>Date</th>
<th>Office notes, reports orders or proceedings with signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>30.11.2016</td>
<td></td>
</tr>
</tbody>
</table>

**ORDER**

1.0 One Sk. Abdul Rafik, S/o Sk. Abdul Barik, Vill. Santra, P. O. Karisunda, P. S. Indas, Dist. Bankura, West Bengal, Pin 722205 (hereinafter referred to as the “complainant”) submitted an application dated 08.03.2016 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 26.03.2015 issued directions to the West Bengal State Electricity Distribution Company Limited (in short “WBSEDCL”) for refund of excess service connection charge, earnest money and cost of the 10 KVA transformer along with interest and the same was forwarded to them vide letter no OMBUD/W-630 KB/2014/882 dated 02.04.2015 of the Office of the Ombudsman.

The complainant submitted vide his aforementioned application that the Order dated 26.03.2015 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 a hearing in the matter. Accordingly, notices were served to both the complainant and WBSEDCL (the licensee) under no. WBERC/Comp/WBSEDCL/349/15-16/1307-1308 dated the 09th November, 2016 intimating that the hearing would take place on 18.11.2016 at 11.30 hours at the office of the Commission.

3.0 The Commission took up the hearing on 18.11.2016 as scheduled. Shri

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>D. Gupta, Chief Engineer, CRM Cell, WBSEDCL represented WBSEDCL in the hearing with due authorization. The complainant Sk. Abdul Rafik also attended the hearing.</td>
</tr>
<tr>
<td>4.0</td>
<td>During the hearing, the representative of WBSEDCL produced a copy of the letter No. CE/CRM/WBERC/769 dated 03.11.2016 which, inter-alia, shows that necessary refund of Rs. 66218.00 (including interest), as directed by the Hon'ble Ombudsman vide his order dated 26.03.2015, has already been made to the complainant vide cheque no. 420591 dated 21.10.2016.</td>
</tr>
<tr>
<td>5.0</td>
<td>The Commission has also received a letter on 17.11.2016 from complainant confirming implementation of the order of Hon'ble Ombudsman dated 26.03.2015; the complainant has informed that he has no complaint against WBSEDCL anymore.</td>
</tr>
<tr>
<td>6.0</td>
<td>The Commission, after perusing the papers submitted by WBSEDCL and the aforesaid letter of the complainant, observed that there appears to be no further action to take since the order of the Hon'ble Ombudsman dated 26.03.2015 has already been complied with to the satisfaction of the complainant.</td>
</tr>
<tr>
<td>7.0</td>
<td>With the above observations the petition is disposed of.</td>
</tr>
<tr>
<td>8.0</td>
<td>Let a copy of this finding be served upon Sk. Abdul Rafik and WBSEDCL.</td>
</tr>
</tbody>
</table>

Sd/-
(AMITAVA BISWAS)  
MEMBER

Sd/-
(R. N. SEN)  
CHAIRPERSON

Dated : 30.11.2016