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ORDER
OF
WEST BENGAL ELECTRICITY REGULATORY COMMISSION

IN THE MATTER OF
SHRI EKKARI BISWAS

- VS -

WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LTD

CASE NO. COMP/340/WBSEDCL/15-16

IN RE COMPLAINTS OF SHRI EKKARI BISWAS UNDER SECTION 142 OF THE ELECTRICITY ACT, 2003 FOR NON-COMPLIANCE WITH THE ORDER DATED 31.07.2014 ISSUED BY THE OFFICE OF THE OMBUDSMAN OF WEST BENGAL ELECTRICITY REGULATORY COMMISSION AND FORWARDED TO WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED VIDE NO. OMBUD/W-1880 SB/2013/2969 DATED 04.08.2014.

PRESENT:

SRI R. N. SEN, CHAIRPERSON

SRI AMITAVA BISWAS, MEMBER

DATE: 07.12.2016

Order of the Commission regarding complaints of Shri Ekkari Biswas under section 142 of the Electricity Act, 2003 for non-compliance with the Order dated 31.07.2014 issued by the Office of the Ombudsman of the Commission and forwarded to West Bengal State Electricity Distribution Company Limited vide No. OMBUD/W-1880 SB/2013/2969 dated 04.08.2014.

Noting by Office or Advocate	Sl. No.	Date	Office notes, reports orders or proceedings with signature
		07.12.2016	<p style="text-align: center;"><u>ORDER</u></p> <p>1.0 One Shri Ekkari Biswas, S/o Late Kshudiram Biswas, Vill. Gusumba, P. O. Alampur, P. S. Katwa, Dist. Burdwan, West Bengal, Pin 713150 (hereinafter referred to as the "complainant") submitted an application dated 16.11.2015 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 31.07.2014 issued directions to the West Bengal State Electricity Distribution Company Limited (in short "WBSEDCL") for restoration of service line for STW within 48 hours, if disconnected, and for raising current and outstanding bills, if any, together with change of name of consumer and category of connection and the same was forwarded to them vide letter no OMBUD/W-1880 SB/2013/2969 dated 04.08.2014 of the Office of the Ombudsman.</p> <p>The complainant submitted that the Order dated 31.07.2014 of the Ombudsman has not been complied with by WBSEDCL.</p> <p>2.0 On perusal of the petition along with the documents submitted by the complainant, the Commission admitted the matter and decided to hear it. Accordingly, notices were served to both the complainant and WBSEDCL (the licensee) under no. WBERC/Comp/WBSEDCL/340/15-16/1337-1338 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.</p> <p>3.0 The Commission took up the hearing on 17.11.2016 as scheduled. Shri</p>

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			<p>D. Gupta, Chief Engineer, CRM Cell, WBSEDCL represented WBSEDCL in the hearing with due authorization. The complainant Shri Ekkari Biswas along with his representative Shri Parimal Paul, claiming to be a working businessman attended the hearing with due authorization.</p> <p>4.0 The representative of WBSEDCL submitted that the measurement of actual capacity of STW was done twice in presence of the complainant and it was found that 7.12 HP motor was being used by the complainant. The complainant was asked to reduce the load, but he has failed to abide by the advice. It was also submitted that the pump being used by the complainant is of local make, and as such, fluctuations were inevitable. During inspection, voltage was found to be at 175/221/189 Volt and current was 11.68/11.65/11.59 Amps in three phases respectively. As far as generation of bill is concerned, WBSEDCL raised bill up to the reading taken in the name of Secretary of the Beneficiary committee c/o Ekkari Biswas.</p> <p>5.0 The representative of the complainant submitted that the augmentation of the transformer has not been done as per directions ordered by the Ombudsman. As a result, the complainant has been using his pump by rotation along with other five beneficiaries causing adverse impact on the cultivation process to a considerable extent. The complainant submitted that he was agreeable to use better pump in order that the voltage problem is effectively addressed. The representative further submitted that the complainant has not received any bill in his name as has been claimed by WBSEDCL.</p> <p>6.0 On hearing both the parties, the Commission observed that the directions given by the Ombudsman vide order dated 31.07.2014 has not been complied with by WBSEDCL, and therefore, the following directions were given:</p> <p>a) Measurement of actual capacity of STW has to be taken with Watt</p>
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			<p>Meter from the terminal point of the pump set within 15 days from the date of receipt of this order.</p> <p>b) Transformer has to be changed with a higher capacity DTR by WBSEDCL within 15 days from the date of receipt of this order.</p> <p>c) The complainant shall instal energy efficient pump by 15th January 2017.</p> <p>d) WBSEDCL shall settle the billing problem effectively as per the directions of the Ombudsman after taking the complainant on board.</p> <p>e) WBSEDCL shall comply with the directions of the Ombudsman as given in his settlement order dated 31.07.2014.</p> <p>7.0 With the above directions the matter is disposed of.</p> <p>8.0 Let a copy of this order be served upon Shri Ekkari Biswas and WBSEDCL.</p> <p style="text-align: center;">Sd/- (AMITAVA BISWAS) MEMBER</p> <p style="text-align: center;">Sd/- (R. N. SEN) CHAIRPERSON</p> <p>Dated : 07.12.2016</p>
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