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**ORDER**  
**OF**  
**WEST BENGAL ELECTRICITY REGULATORY COMMISSION**

**IN THE MATTER OF**  
**SRI KARTICK BOSE**

**- VS -**

**WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LTD**

**CASE NO. COMP/356/WBSEDCL/16-17**

IN RE COMPLAINTS OF SRI KARTICK BOSE UNDER SECTION 142 OF THE ELECTRICITY ACT, 2003 FOR NON-COMPLIANCE WITH THE ORDER DATED 27.07.2015 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-664 AG/14/1908 DATED 28.07.2015.

**PRESENT:**

**SRI R. N. SEN, CHAIRPERSON**

**SRI AMITAVA BISWAS, MEMBER**

**DATE: 25.01.2017**

Order of the Commission regarding complaints of Sri Kartick Bose under section 142 of the Electricity Act, 2003 for non-compliance with the Order dated 27.07.2015 issued by the Office of the Ombudsman of the Commission and forwarded to West Bengal State Electricity Distribution Company Limited vide No. OMBUD/W-664 AG/14/1908 dated 28.07.2015

Noting by Office or Advocate	Sl. No.	Date	Office notes, reports orders or proceedings with signature
		25.01.2017	<p style="text-align: center;"><u>ORDER</u></p> <p>1.0 One Sri Kartick Bose, S/o Sri Mantu Bose, Vill. Belagaria, PO: Paparara, P. S. Kharagpur (L), Dist. Paschim Medinipur, West Bengal, Pin 721149 (hereinafter referred to as the "complainant") submitted an application to the West Bengal Electricity Regulatory Commission (hereinafter referred to as the "Commission") dated 09.12.2016 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 27.07.2015 issued directions to the West Bengal State Electricity Distribution Company Limited (in short "WBSEDCL") for drawing standard service cable to the installation of the complainant over appropriate number of concrete poles and connect power from the nearest transformer having sufficient capacity to cater to the need of the complainant recorded in the quotation within thirty days of passing the order and the same was forwarded to them vide letter no OMBUD/W-664 AG/14/1908 dated 28.07.2015 of the Office of the Ombudsman.</p> <p>The complainant has submitted vide his application as referred to above that the Order dated 27.07.2015 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 to both the complainant and WBSEDCL (the licensee) were served under no. WBERC/Comp/WBSEDCL/356/16-17/2056/16-17(1-2) dated the 04<sup>th</sup> January, 2017 intimating that the</p>

			<p>hearing would take place on 19.01.2017 at 11.30 hours at the office of the Commission.</p> <p>3.0 The Commission took up the hearing on 19.01.2017 as scheduled. Shri D. Gupta, Chief Engineer, CRM Cell, WBSEDCL represented WBSEDCL in the hearing. Sri Samar Bijoy Ghorai, claiming to be working cultivator, along with the complainant Sri Kartick Bose, attended the hearing with due authorization.</p> <p>4.0 The complainant submitted that WBSEDCL has not yet provided the permanent service line drawing standard service cable to the installation point of SMP over appropriate number of concrete poles from a separate transformer as ordered by Ombudsman. They also submitted that the erection of the required number of concrete poles has been made from the nearer existing 11 KVA transformers. However, WBSEDCL has provided a temporary service line in an inappropriate manner which does not yield minimum voltage required for operation of SMP, and the same poses serious safety hazards to the local inhabitants as well. The complainant further submitted that WBSEDCL may provide the permanent service connection from the 11 KVA transformers using the existing poles.</p> <p>5.0 The representative of WBSEDCL submitted that in terms of the order of the Ombudsman the technical personnel of WBSEDCL visited the site and left no stone unturned to draw the permanent service cable to the installation point of SMP, but failed to do so due to objections raised by the villagers who also refused to give any way leave permission for erection of pole. It is also submitted by WBSEDCL that the complainant also could not arrange way leave permission from the said villagers. As far as the drawing of the service connection from the 11 KVA transformers, as suggested by the complainant, is concerned, WBSEDCL submitted that the order of the Ombudsman is required to be set aside and a fresh application as per the norms of WBSEDCL is to be made by the complainant and that way leave permission, if</p>
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			<p>required, is to be arranged by the complainant himself.</p> <p>6.0 After hearing both the parties, the Commission directed that WBSEDCL will change the wire of the temporary connection taking into account the safety aspects within 3 weeks from the date of this order and shall arrange to draw the permanent service line to the installation point from the existing 11 KVA transformers using the already erected concrete poles on receipt of fresh application from the complainant in this respect. It is also directed that the complainant will arrange way leave permission, if required, from the villagers for drawing of the permanent service connection.</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 Sri Kartick Bose and WBSEDCL.</p> <p>Sd/- <b>(AMITAVA BISWAS)</b> MEMBER</p> <p>Sd/- <b>(R. N. SEM)</b> CHAIRPERSON</p> <p><b>Dated : 25.01.2017</b></p>
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