



सत्यमेव जयते



ORDER
OF
WEST BENGAL ELECTRICITY REGULATORY COMMISSION

IN THE MATTER OF
SRI BIJOY KRISHNA SAMANTA

- VS -

WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LTD

CASE NO. COMP/358/WBSEDCL/16-17

IN RE COMPLAINTS OF SRI BIJOY KRISHNA SAMANTA UNDER SECTION 142 OF THE ELECTRICITY ACT, 2003 FOR NON-COMPLIANCE OF THE ORDER DATED 29.09.2016 OF THE OMBUDSMAN, WEST BENGAL ELECTRICITY REGULATORY COMMISSION AND FORWARDED TO WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED VIDE NO. OMBUD/W-63 NG/16/1110 DATED 03.10.2016.

PRESENT:

SRI R. N. SEN, CHAIRPERSON

SRI AMITAVA BISWAS, MEMBER

DATE: 09.03.2017

Order of the Commission regarding complaints of Shri Bijoy Krishna Samanta under section 142 of the Electricity Act, 2003 for non-compliance with the Order dated 29.09.2016 issued by the Office of the Ombudsman of the Commission and forwarded to West Bengal State Electricity Distribution Company Limited vide No. OMBUD/W-63 NG/16/1110 dated 03.10.2016

Noting by Office or Advocate	Sl. No.	Date	Office notes, reports orders or proceedings with signature
		09.03.2017	<p style="text-align: center;"><u>ORDER</u></p> <p>1.0 One Shri Bijoy Krishna Samanta, S/o Late Giridhari Samanta, Vill. Kanchanpur, P. O. Bzarbashi, P. S. Kharagpur (L), Dist. Paschim Medinipur, West Bengal, Pin 721149 (hereinafter referred to as the "complainant") submitted an application to West Bengal Electricity Regulatory Commission (hereinafter referred to as the "Commission") dated 03.01.2017 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 29.09.2016 issued the following directions to the West Bengal State Electricity Distribution Company Limited (in short "WBSEDCL") vide letter No OMBUD/W-63 NG/16/1110 dated 03.10.2016.</p> <p>Quote:</p> <p style="padding-left: 40px;">The OP shall refund the cost of materials supplied by the Complainant within 45 days from the date of passing of this order along with interest as per the regulation 3.5.4 of West Bengal Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2007 from the date of receiving the materials to the actual date of payment.</p> <p style="text-align: right;">Unquote</p> <p>The complainant submitted vide his aforesaid application that WBSEDCL has not yet complied with the order dated 29.09.2016 of the Ombudsman.</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 upon both the complainant and WBSEDCL (the licensee) were served vide No. WBERC/Comp/WBSEDCL/358/16-</p>

Order of the Commission regarding complaints of Shri Bijoy Krishna Samanta under section 142 of the Electricity Act, 2003 for non-compliance with the Order dated 29.09.2016 issued by the Office of the Ombudsman of the Commission and forwarded to West Bengal State Electricity Distribution Company Limited vide No. OMBUD/W-63 NG/16/1110 dated 03.10.2016

			<p>17/2288-2289 dated the 22nd February, 2017 intimating that the hearing would take place on 06.03.2017 at 12.30 hours in the office of the Commission.</p> <p>3.0 The Commission took up the hearing on 06.03.2017 as scheduled. Smt. Uma Chakraborty, Chief Engineer, CRM Cell, WBSEDCL represented WBSEDCL in the hearing. The complainant did not attend the hearing.</p> <p>4.0 The representative of WBSEDCL submitted a copy of Memo No. CE/CRM/WBERC/1128 dated 03.03.2017 which inter-alia mentions that an amount of Rs. 42960.00 being the cost of the materials supplied by the complainant including the interest accrued thereon has been paid on 02.03.2017 to the complainant vide cheque no. 952367 dated 01.03.2017. WBSEDCL also appears to have received a communication dated 02.03.2017 from the complainant that he has received the stated amount and that he wants to withdraw the petition. The copy of the communication along with its enclosures was placed before the Commission whereupon the Commission is satisfied that the cause of action has ceased to exist.</p> <p>5.0 The matter is, thus, disposed of.</p> <p>6.0 Let a copy of this order be served upon Shri Bijoy Krishna Samanta 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 : 09.03.2017</p>
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