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

**IN THE MATTER OF**  
**SRI TARUN MAITY**

**- VS -**

**WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LTD**

**CASE NO. COMP/352/WBSEDCL/15-16**

IN RE COMPLAINTS OF SRI TARUN MAITY UNDER SECTION 142 OF THE ELECTRICITY ACT, 2003 FOR NON-COMPLIANCE WITH THE ORDER DATED 11.02.2015 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-239 SB/2014/398 DATED 17.02.2015.

**PRESENT:**

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

**SRI AMITAVA BISWAS, MEMBER**

**DATE: 30.11.2016**

Order of the Commission regarding complaints of Shri Tarun Maity under section 142 of the Electricity Act, 2003 for non-compliance with the Order dated 11.02.2015 issued by the Office of the Ombudsman of the Commission and forwarded to West Bengal State Electricity Distribution Company Limited vide No. OMBUD/W-239 SB/2014/398 dated 17.02.15

| Noting by Office or Advocate | Sl. No. | Date       | Office notes, reports orders or proceedings with signature  |
|------------------------------|---------|------------|---|
|                              |         | 30.11.2016 | <p style="text-align: center;"><u>ORDER</u></p> <p>1.0 One Shri Tarun Maity, S/o Late Sudhir Maity, Vill. Mawa, P. O Barachu, P. S. KGP (L), Dist. Paschim Medinipur, West Bengal, Pin 721301 (hereinafter referred to as the "complainant") submitted an application to the West Bengal Electricity Regulatory Commission (hereinafter referred to as the "Commission") dated 31.03.2016 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 11.02.2015 issued directions to the West Bengal State Electricity Distribution Company Limited (in short "WBSEDCL") for payment of compensation @ Rs. 500.00 for each additional day of delay for 210 days in effecting connection amounting to Rs. 1,05,000.00 and the same was forwarded to them vide letter no OMBUD/W-239 SB/2014/398 dated 17.02.2015 of the Office of the Ombudsman.</p> <p>The complainant submitted vide his application that the Order dated 11.02.2015 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 take a hearing in the matter. Accordingly, notices to both the complainant and WBSEDCL (the licensee) were served under no. WBERC/Comp/WBSEDCL/352/15-16/1335-1336 dated the 09<sup>th</sup> 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. Sri Samar Bijoy Ghosh, claiming to be working cultivator, along with the complainant Sri Tarun Maity attended the hearing with due authorization.</p> <p>4.0 The complainant submitted that although the connection has been provided but the compensation of Rs. 1,05,000.00, as directed by the Ombudsman, has not been disbursed by WBSEDCL till date.</p> <p>5.0 On being asked by the Commission as to why the compensation has not been paid so far, the representative of WBSEDCL could not give any satisfactory reply.</p> <p>6.0 The Commission observed that WBSEDCL appears to have been deliberately delaying in complying with the order of the Ombudsman as evident from their submissions and records placed before the Commission. The Commission, therefore, directed WBSEDCL to make payment of the compensation to the tune of Rs. 1,05,000.00, as ordered by the Ombudsman in his settlement order dated 11.02.2015 immediately, but not later than 15 days from the date of this order, failing which, order levying interest, as applicable, on the amount of compensation will be issued.</p> <p>7.0 With the above direction the matter is disposed of.</p> <p>8.0 Let a copy of this order be served upon Shri Tarun Maity and WBSEDCL.</p> <p style="text-align: center;">Sd/-<br/><b>(AMITAVA BISWAS)</b><br/>MEMBER</p> <p style="text-align: center;">Sd/-<br/><b>(R. N. SEN)</b><br/>CHAIRPERSON</p> <p><b>Dated : 30.11.2016</b></p> |
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