



सत्यमेव जयते



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

**IN THE MATTER OF**  
**SHRI SWAPAN KHAN**

**- VS -**

**WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LTD**

**CASE NO. COMP/297/WBSEDCL/15-16**

IN RE COMPLAINTS OF SHRI SWAPAN KHAN. UNDER SECTION 142 OF THE ELECTRICITY ACT, 2003 FOR NON-COMPLIANCE WITH THE ORDER DATED 23.04.2015 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-263-SB/2014/1243 DATED 15.05.2015.

**PRESENT:**

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

**SRI AMITAVA BISWAS, MEMBER**

**DATE: 30.11.2016**

Order of the Commission regarding complaints of Sri Swapan Khan under section 142 of the Electricity Act, 2003 for non-compliance with the Order dated 23.04.2015 issued by the Office of the Ombudsman of the Commission and forwarded to West Bengal State Electricity Distribution Company Limited vide No. OMBUD/W-623 SB/2014/1234 dated 15.05.2015

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 Sri Swapan Khan S/o Sudhir Khan Vill. Jagaldwip, P. O. Rajkhamar, P. S. Indas, Dist. Bankura, West Bengal, Pin 722205 (hereinafter referred to as the "complainant") submitted an application to the West Bengal Electricity Regulatory Commission (hereinafter referred to as the "Commission") dated 08.03.2016 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 23.04.2015 issued directions to the West Bengal State Electricity Distribution Company Limited (in short "WBSEDCL") for refund of cost of materials along with interest at the rate provided in the regulation 3.5.4 of the West Bengal Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2007 and the same was forwarded to them vide letter no OMBUD/W-623 SB/2014/1234 dated 15.05.2015 of the Office of the Ombudsman.</p> <p>The complainant submitted vide his aforesaid application that the Order dated 23.04.2015 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 hearing in the matter. Accordingly, notices to both the complainant and WBSEDCL (the licensee) were served under no. WBERC/Comp/WBSEDCL/347/15-16/1311-1312 dated the 09<sup>th</sup> November, 2016 intimating that the hearing would take place on 18.11.2016 at 11.30 hours at the office of the Commission.</p>

Order of the Commission regarding complaints of Sri Swapan Khan under section 142 of the Electricity Act, 2003 for non-compliance with the Order dated 23.04.2015 issued by the Office of the Ombudsman of the Commission and forwarded to West Bengal State Electricity Distribution Company Limited vide No. OMBUD/W-623 SB/2014/1234 dated 15.05.2015

			<p>3.0 The Commission took up the hearing on 18.11.2016 as scheduled. Shri D. Gupta, Chief Engineer, CRM Cell, WBSEDCL represented WBSEDCL in the hearing with due authorization. The complainant Sri Swapan Khan also attended the hearing.</p> <p>4.0 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 the necessary refund of Rs. 42473.00 (including interest), as directed by the Hon'ble Ombudsman vide his order dated 23.04.2015, has already been made to the complainant vide cheque no. 420593 dated 21.10.2016.</p> <p>5.0 The Commission has also received a letter on 17.11.2016 from the complainant confirming implementation of the order of the Hon'ble Ombudsman dated 13.04.2015; the complainant has informed that he has no complaint against WBSEDCL anymore.</p> <p>6.0 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 13.04.2015 has already been complied with to the satisfaction of the complainant.</p> <p>7.0 With the above observations the petition is disposed of.</p> <p>8.0 Let a copy of this order be served upon Sri Swapan Khan and WBSEDCL.</p> <p style="text-align: center;">Sd/- <b>(AMITAVA BISWAS)</b> MEMBER</p> <p style="text-align: center;">Sd/- <b>(R. N. SEN)</b> CHAIRPERSON</p> <p><b>Dated : 30.11.2016</b></p>
--	--	--	--