



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

**IN THE MATTER OF  
MD. MOINUL HAQUE**

**- VS -**

**WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LTD**

**CASE NO. COMP/WBSEDCL/426/19-20**

IN REGARD TO THE COMPLAINTS OF MD. MOINUL HAQUE UNDER SECTION 142 OF THE ELECTRICITY ACT, 2003 FOR NON-COMPLIANCE WITH THE ORDER DATED 26.03.2015 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-488 SB/2014/815 DATED 30.03.2015.

**PRESENT:**

**SRI SUTIRTHA BHATTACHARYA, CHAIRPERSON  
SRI DURGADAS GOSWAMI, MEMBER  
SRI PULAK KUMAR TEWARI, MEMBER**

**DATE: 05.04.2021**



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Order of the Commission regarding complaints of Md. Moinul Haque under section 142 of the Electricity Act, 2003 for non-compliance with the Order dated 26.03.2015 issued by the Office of the Ombudsman of the Commission and forwarded to West Bengal State Electricity Distribution Company Limited vide No. OMBUD/W-488 SB/2014/815 dated 30.03.2015

Noting by Office or Advocate	Sl. No.	Date	Office notes, reports orders or proceedings with signature
			<p style="text-align: center;"><u>ORDER</u></p> <p>1.0 One Md. Moinul Haque, S/o Late Khorshed Mandal, Vill. Lakshminarayanpur, P. O. Kolan Radhakantapur, P. S. Ranitala, Dist. Murshidabad, PIN 742123, West Bengal (hereinafter referred to as the "Complainant") approached the West Bengal Electricity Regulatory Commission (hereinafter referred to as the "Commission") with an application dated 02.03.2020 stating 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 26.03.2015 issued certain directions to the West Bengal State Electricity Distribution Company Limited (in short "WBSEDCL") and the same was forwarded to them vide letter no. OMBUD/W-488 SB/2014/815 dated 03.03.2015 of Office of the Ombudsman.</p> <p>Md. Moinul Haque alleged vide his application to the Commission for non-compliance with the Order dated 26.03.2015 of the Ombudsman by WBSEDCL.</p> <p>2.0 On perusing the contents of the petition filed by the Complainant and on going through the documents submitted by the Complainant the Commission was of the view that the matter required careful examination. The Commission admitted the matter and decided to hold an <b>e-hearing</b> and served notices to both the Complainant and WBSEDCL (the licensee) under no. WBERC/Comp/WBSEDCL/426/19-20/274(I-II) dated the 10<sup>th</sup> February, 2021 intimating that the e-hearing was to be held on 22.03.2021 at 15.00 hours.</p> <p>3.0 The e-hearing was held on 22.03.2021 as scheduled. Shri Subhashis</p>





Order of the Commission regarding complaints of Md. Moinul Haque under section 142 of the Electricity Act, 2003 for non-compliance with the Order dated 26.03.2015 issued by the Office of the Ombudsman of the Commission and forwarded to West Bengal State Electricity Distribution Company Limited vide No. OMBUD/W-488 SB/2014/815 dated 30.03.2015

			<p>Roy, Chief Engineer, CRM Cell, WBSEDCL was present during the meeting. The complainant (or his representative) did not attend the e-hearing.</p> <p>4.0 During the hearing, Sri Subhashis Roy, on behalf of WBSEDCL, submitted that WBSEDCL has already complied with the direction of the Ld. Ombudsman given in his order dated 26.03.2015. In this context, a compliance report dated 30.12.2020 is stated to have already been submitted by WBSEDCL to the Commission. However, the said compliance report could not be traced in the file.</p> <p>5.0 On request from the Commission, Sri Roy read out the compliance report, in question, which inter-alia says as under:</p> <ul style="list-style-type: none"> <li>i) The defective meter has been replaced;</li> <li>ii) The bills have been regenerated after adjustment;</li> <li>iii) The complainant has not yet applied to WBSEDCL for allowing the complainant for making outstanding payments in instalments.</li> </ul> <p>6.0 On query from the Commission, Sri Roy also clarified that the complainant has neither made the payments of the regenerated bill nor he is making payment of the current bills. Till date the outstanding amount has been mounted to the tune of Rs. 27,321.00 and Late Payment Surcharge to the tune of Rs. 13686.00. Although the complainant has not been making payment of the outstanding bill, the service connection of the complainant is still in live</p> <p>7.0 The Commission after hearing the submissions by WBSEDCL opined that WBSEDCL may provide a further copy of the compliance report dated 30.12.2020 and accordingly it was decided that –</p> <ul style="list-style-type: none"> <li>a) WBSEDCL shall submit a copy of the compliance report dated 30.12.2020 to the Commission within 3 days.</li> </ul>
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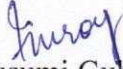




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			<p>b) The next course of action of the Commission will be intimated upon receipt of the compliance report.</p> <p>8.0 Let a copy of this direction be served upon WBSEDCL.</p> <p>Sd/- (PULAK KUMAR TEWARI) MEMBER</p> <p>Sd/- (DURGADAS GOSWAMI) MEMBER</p> <p>Sd/- (SUTIRTHA BHATTACHARYA) CHAIRPERSON</p> <p>Dated : 05.04.2021</p>

**Certified true Copy**

  
(Mausumi Guha Roy)  
Secretary



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