

**JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION
RANCHI**

Complaint No. **04 (III)/2007-08**

CORAM

Shri S.K.F. KUJUR, Chairman
Shri P.C. VERMA, Member (Tech)
Smt. S. SINHA, Member (Legal)

IN THE MATTER OF

Non-providing of electrical connection to the residents of villages **Ara and Keram** within Tundatoli Panchayat, Block & P.S. Ormanjhi, District **Ranchi**

AND

IN THE MATTER OF

Ramdas Mahto & others

.....

Complainants

Versus

Jharkhand State Electricity Board

.....

Opposite Parties

For the Complainants: S/Shri Ramdas Mahto & Babu Ram Gope, both are villagers.

For the Respondents: S/Shri K.N. Thakur, Chief Engineer (C&R) & Subodh Narayan, Elec. Superintending Engineer (Rural Electrification), JSEB

For the Commission: Shri Sudarsan Shrivastava, Advocate

ORDER
(31.05.2007)

This complaint has been filed by the residents of villages Ara and Keram within Tundatoli Panchayat, Block & P.S. Ormanjhi of Ranchi against the distribution licensee- Jharkhand State Electricity Board (Opp. Party) regarding non-providing electrical connection to them.

The case was taken up for hearing at 11.30 AM, no body was present from the side of the distribution licensee (JSEB). However, the Commission proceeded with the matter and heard the complainants. Later S/Shri K.N. Thakur, Electrical Chief Engineer and Subodh Narayan, Electrical Superintending Engineer (RE) appeared and requested the Commission to hear them also. Taking lenient view the Commission re-assembled and heard both the parties.

The facts of the case, in brief, is that a complaint was filed before the Commission by the residents of villages Ara and Keram, within Tundatoli Panchayat, Block & P.S. Ormanjhi of Ranchi district stating that altogether 63 applicants had submitted their respective applications for new electrical connection along with the requisite application fees along with security deposits on various dates in the year 2005 before the Jharkhand State Electricity Board individually for supply of energy. Further, after completing all the formalities the work for electrification was started and the residents of adjacent village of Kukai and part of Ara village i.e. Mahto tota of Ara village of the same

Block/Panchayat have been provided with electrical connection but the residents of other part of village Ara i.e. Adivasi tola and village Keram have not been provided with electrical connection except assurances only. It has further been alleged that apart from the application fee and security deposit they have also paid Rs.5000/- to one Shri R.R. Prasad, an Engineer to expedite the work but till date the electrification work has not been done to their villages i.e. part of Ara and Keram villages. In view of the above the complainants have requested the Commission to take appropriate action and to pass necessary orders in the matter.

The Commission took cognizance of the complaint and issued notice to the distribution licensee (JSEB) vide No. JSERC/04/930 dated 15th March 2007 along with a copy of the complaint and its enclosures for immediate compliance and report to the Commission within 15 days from the receipt of the notice. The said notice was received in the office of the distribution licensee (JSEB) on 15.3.2007 but more than stipulated time of 15 days have elapsed, the JSEB did not send any report to the Commission in response to said notice dated 15.3.2007. Thereafter on 20.4.2007 the distribution licensee (JSEB) was issued notice by the Commission to show-cause within 15 days as to why appropriate order be not passed in accordance with the provision of Section 142 of the Electricity Act 2003 for non-compliance of the Commission's order dated 15.3.2007 and the complainants/ applicants be not compensated as per the provisions of JSERC (Distribution Licensee's Standards of Performance) Regulations 2005. But the distribution licensee (JSEB) did not send any show-cause in response to the said notice. Hence the Commission fixed 31.5.2007 for hearing the matter and intimation was sent to both the parties. In the meantime the Chief Engineer (RE), JSEB vide letter No. 233/RE dated 28.5.2007 has admitted that the residents of village ARA and KERAM have deposited application fee, security and estimated cost for service connection to their house but the connection could not have been provided. It has also been mentioned that the work for electrification of 4923 villages was awarded to M/s Rites Ltd. in 2004 but it did not complete the task and abandoned the job in May 2005 due to litigation with their sub-contractor and subsequently with JSEB. It is also mentioned that the electrification of these villages could have been undertaken if M/s Rites Ltd. had completed their work. However, all remaining unelectrified villages are proposed to be covered under RGGVY projects through M/s NTPC for which an agreement has already been executed in August 2005 and they have submitted the DPR including these villages before REC for appraisal and sanction. It is expected that the DPR will be approved soon and work will be awarded to NTPC. The target date of completion of project is March 2009. It has further been mentioned that the application fee, security and estimated cost from the concerned applicant of the village have been accepted to comply the required formalities for electrification of village.

Heard the parties and perused the show-cause/letter dated 28.5.2007.

We are satisfied that the distribution licensee (JSEB) has failed to provide the electrical connection to the applicants/complainants after accepting application fee, security deposits and estimated cost for service connection their houses within the stipulated time. It is the responsibility of the distribution licensee (JSEB) to get the work done and to ensure that the electrical connection is provided to the applicants within 30 days from the date of application as per the Act. The distribution licensee cannot evade their responsibility by saying that the work has to be done by some other agency. In this case NTPC may be the Agency of the distribution licensee (JSEB) but it is their duty to give electrical connection to the applicants within the stipulated time. Much time has elapsed from the date of receipt of the applications. However, keeping in view the request of the officers of the JSEB, one month's time has been allowed to the JSEB for compliance. Accordingly, **the distribution licensee (JSEB) is directed to provide electrical connection to**

the premises of the applicants within 30 days from today failing which the distribution licensee (JSEB) shall be liable to pay compensation as per the Regulation of the Commission after lapse of 30 days i.e. Rs.50/- per day/applicant from the date of deposit of their respective security amount till the date they are provided electrical connection to their respective premises.

With the above observations and directions the complaint of the applicants/ complainants is disposed of.

Let a copy of this order be sent to the distribution licensee (JSEB) for compliance and report.

Sd/-
(S. Sinha)
Member (Legal)

Sd/-
(P.C. Verma)
Member (Tech)

Sd/-
(S.K.F. Kujur)
Chairman