

**JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION
RANCHI**

Complaint No. **04 (IV)/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 village **Tudurma** of Block Raidih and villages **Tongo, Kating and Jaunpur** of Block Chainpur all in the District of **Gumla**.

AND

IN THE MATTER OF

| | | |
|-----------------------------------|--------|------------------|
| Vijay Tirkey & others | | Complainants |
| | Versus | |
| Jharkhand State Electricity Board | | Opposite Parties |

For the Complainants: Shri Vijay Tirkey, villager

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 residents of village Tudurma of Block Raidih and villages Tongo, Kating and Jaunpur of Block Chainpur all in the District of Gumla 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 village Tudurma of Block Raidih and villages Tongo, Kating and Jaunpur of Block Chainpur all of Gumla district stating that altogether 94 applicants had submitted their respective applications for new electrical connection along with the requisite application fee and security deposits on 19.5.2003 and 2.7.2005 respectively before the Jharkhand State Electricity Board individually for supply of energy. Further, after completing all the formalities, the work for electrification was started and one transformer and few electric poles were provided through which about 10-15 applicants (out of 94) were given

electrical connection but thereafter the work was stopped and has still not been started till date on the ground of non-availability of materials. It has further been stated in the complaint that the 14 other villages situated within Gumla Municipality viz. Karanjtoli, Kumbatoli, Katkayan, Masgaon, Tangartoli, Jamtoli, Kirto, Bendora, Saraki, Chhatarpur, Rampur, Nagar Barwey, Fulwartoli and Bhelwatala, which are at a distance between 50 meters and 3.5 KMs., have not been electrified till date though electrical lines 11000 volts have crossed those villages. It has also been stated that now the staff and contractors have started contacting the residents of those villages for paying Rs.1800/- per family for electrification of their villages. It has further been stated that when the S.E. (Electrical) was contacted he said that if those 14 villages are in the list and materials are made available then only the work would be done. 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/04/957 dated 30.3.2007 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 the same day i.e. 30.3.2007 but more than stipulated time of 15 days elapsed, the JSEB did not send any report to the Commission in response to said notice dated 30.3.2007. Thereafter on 24.4.2007 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 30.3.2007 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.

Shri K.N. Thakur, Electrical Chief Engineer (C&R) submitted that the work for electrification of villages of Gumla district has been awarded to DVC.

Shri Vijay Tirkey submitted that in two of the villages under consideration all the work for electrification has been completed and one transformer has also been installed. In the other villages electrical lines of 11000 volts have crossed. As such he requested the Commission to issue necessary direction to the distribution licensee-JSEB to complete the work on priority basis.

After hearing both the parties 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 to 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 Electricity Act 2003. 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 contractor 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 distribution licensee (JSEB), two months 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 60 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 observation 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