

**Before the Appellate Tribunal for Electricity  
(Appellate Jurisdiction)**

**Appeal No. 40 of 2008**

**Dated: 7<sup>th</sup> April, 2010**

**Present : Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson  
Hon'ble Mr. Rakesh Nath, Technical Member**

**Jharkhand State Electricity Board**

**.... Appellant (s)**

**Versus**

**Jharkhand State Electricity Regulatory Commission**

**... Respondent (s)**

Counsel for the Appellant (s) : Mr.S.B. Upadhyay, Sr. Adv. with  
Mr. R.R. Dubey for JSEB  
Counsel for the Respondent(s) : Mr. J.R. Das & Mr. Swetaketu Mishra  
for DVC  
Mr. Anil K. Jha & Mr. Atulesh Kumar  
for State of Jharkhand  
Mr. S. Shrivastava with Mr. A.K. Mehta  
(Rep.) for R.1

**ORDER**

This is an Appeal filed by the Jharkhand State Electricity Board against the Order dated 11.01.2008 passed by the Jharkhand State Electricity Regulatory Commission in Case Nos. **04/(VIII)/2007-08** – Niranjana Mahto & others vs. Jharkhand State Electricity Board; **04/(X)/2007-08** – Gangadhar Mishra & Others Vs. Jharkhand State Electricity Board and **04/(XI)/2007-08** – Jangal Munda & Others Vs. Jharkhand State Electricity Board.

By its Order, the Commission directed the Electricity Board to provide electric connection to all the applicants-complainants in the above cases, who have made security deposits with the Electricity Board, within one month from the date of the order, failing which the licensee shall pay compensation to the said applicants from the date of deposit of security money as per the Provisions of the JSERC (Distribution Licensee Standard of Performance) Regulations 2005. Instead of complying with the directions of the Commission, the Electricity Board had chosen to file this Appeal challenging the said Order dated 11.01.2008.

After hearing the learned counsel for the parties, this Tribunal finding no infirmity in the Order impugned directed the Electricity Board to give rural electrification to all the villagers concerned and comply with the Order passed by the State Commission without further delay. Accordingly, an undertaking has been given by the learned counsel for the Electricity Board, the Appellant, that the Order of the Commission for rural electrification to all the villages will be

complied within a short time. On this basis, the matter was adjourned for today.

Today, the learned counsel for the Electricity Board has filed the affidavit to the following effect:

**“5. That it is stated that all the concerned villages namely Amlajam Tolli, Block & P.s. – Bundu, Dist. – Ranchi, Village – Chirgaldih, P.S. – Sonahatu, Dist. –Ranchi and Dhanai Soso, Block & P.S. – Kanke, Dist.- Ranchi have already been electrified. The said fact would be evident form the letter no. 516 dated 29.03.2010 issued by Electrical Superintending Engineer, Electric Supply Circle, Ranchi addressed to the Deponent.**

**6. That in view of the fact that all the concerned villages have already been electrified, the Order dated 11.01.2008 passed by the Jharkhand State Electricity Regulatory Commission, Ranchi stands complied.”**

In view of the affidavit of Compliance Report, we are of the view that it would be appropriate to dispose of the Appeal by recording this compliance. Accordingly, the Appeal is disposed of in view of the Compliance Report.

In the meantime, if any of the Villagers notice that the Order has not been complied with, it is open to them to

approach the Commission, which in turn, can approach this Tribunal to take further action against the concerned.

With these observations, the Appeal is disposed of.

**(Rakesh Nath)**  
**Technical Member**

**(Justice M. Karpaga Vinayagam)**  
**Chairperson**