

**JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION
RANCHI**

Case No. 4(xii) /2007-08

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

IN THE MATTER OF

Non-providing of electrical connection to the residents of village Hitjara, P.O. Lowahatu, P.S. Sonahatu, District **Ranchi**

AND

IN THE MATTER OF

Ranjit Kumar Mahto & others Complainants

Versus

Jharkhand State Electricity Board Opposite Parties

ORERS
(02.01.2008)

This complaint has been filed by the residents of village Hitjara, P.O. Lowahatu, P.S. Sonahatu, District Ranchi against the distribution licensee- Jharkhand State Electricity Board (Opp. Party) regarding non-providing electrical connection to them.

The facts of the case, in brief, as per the complaint filed before the Commission by the residents of village Hitjara, P.O. Lowahatu, P.S. Sonahatu, is that altogether 32 applicants of the said village along with the residents of villages Bela and Chirudih had submitted their respective applications for new electrical connection with requisite application fee and security deposits on 5.4.2004 in the Office of the Sub-Divisional Office of Jharkhand State Electricity Board at Bundu, Ranchi individually for supply of electricity. It has been further stated that

after completing all the formalities the work for providing electrical connection to the villagers/applicants of all these three villages were started together and the residents of villages Bela and Chirudih have been given electrical connections to their premises. But the residents of village Hitjara have not been provided with the electrical connections till date except assurances to provide electrical connection soon. It has also been stated that even after lapse of more than three years the authorities of the Board are giving assurances only instead of providing electrical connection particularly when the residents of adjacent villages have been provided electrical connection. In view of this they have filed the present complaint before the Commission.

The Commission took cognizance of the complaint and issued notice to the distribution licensee (JSEB) vide No.JSERC/4(xii)/533 dated 4.12.2007 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. But more than stipulated time of 15 days elapsed the JSEB did not send any report to the Commission in response to the said notice. On the other hand the villagers have intimated by letter dated 27.12.2007 that till date they have not been provided with the electrical connection till date.

From perusal of the record it appears that the distribution licensee (JSEB) has neither sent reply of the notice dated 4.12.2007 nor has submitted any report with regard to the compliance of the direction contained in the aforesaid notice whereas it has specifically been stated by the complainants in their letter dated 27.12.2007 that no electricity has been provided to them till date. Thus, prima facie, we are satisfied that the distribution licensee (JSEB) has contravened the provisions of the Electricity act 2003 as well as the Rules and Regulations of the Commission on the subject. As such, it is proper to issue show cause notice to the distribution licensee (JSEB) as to why action should not be taken against them as per the provisions contained in Section 142 of the Electricity Act 2003, which reads as under:

Section 142: *Punishment for non-compliance of directions by Appropriate Commission – In case any complaint is filed before the Appropriate Commission by any person or if that Commission is satisfied that any person has contravened any of the provisions of this Act or the rules or regulations made thereunder, or any direction issued by the Commission, , the Appropriate Commission may after giving such person an opportunity of being heard in the matter, by order in writing, direct that, without prejudice to any other penalty to which he may be liable under this Act, such person shall pay, by way of penalty, which shall not exceed one laky rupees for each contravention and in case of a continuing failure with an additional penalty which may extend to six thousand rupees for every day during which the failure continues after contravention of the first such direction.*

In view of the facts and circumstances stated hereinabove the distribution licensee (JSEB) is directed to show-cause within 15 days as to why appropriate order be not passed against the distribution licensee (JSEB) for non-providing the electricity to the villagers and for failing to comply with the orders of the Commission in that regard.

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

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

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

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