

**JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION
RANCHI**

Case No. 4(xiii) /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 Tundahuly, P.O. Hendebilly, P.S. Ormanjhi, District **Ranchi**

AND

IN THE MATTER OF

Tulsi Sahu & others	Complainants
Versus		
Jharkhand State Electricity Board	Opposite Parties

ORERS
(01.01.2008)

This complaint has been filed by the residents of village Tundahuly, P.O. Hendebilly, P.S. Ormanjhi, 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 Tundahuly, P.O. Hendebilly, P.S. Ormanjhi, district Ranchi is that altogether 111 applicants had submitted their respective applications for new electrical connection along with the requisite application fee and security deposits on 20.4.2006 in the Office of the Sub-Divisional Office of Jharkhand State Electricity Board at Ormanjhi, Ranchi individually for supply of electricity. Further, the estimate was prepared and order dated 12.6.2007 was issued for executing the work. It has further been stated that the villagers/complainants have

been asked by Engineer Jitendra Kumar of Division office, Kusai to give Rs.7000/- for further processing their case. It has been further stated that the electrification work in the nearby villages have already been done but their village has been left out. As a result 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(xiii)/534 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 that till date no work for providing electricity has been initiated by the distribution licensee (JSEB).

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 26.12.2007 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. The Secretary, JSEB (distribution licensee) is also directed to get the matter inquired into and inform the outcome to the Commission; so far the specific allegation leveled against Engineer Jitendra Kumar of the licensee is concerned. Matter is serious and the licensee should take notice of that.

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