



*West Bengal State Electricity Distribution Company
Limited*

(A Govt. of West Bengal Enterprise)

CORPORATE LEGAL CELL

**Registered Office: Bidyut Bhaban, 8th Floor, C Block
Block -DJ, Sector -II, Salt Lake City, Kolkata - 700 091
Corporate Identity Number: U40109WB2007SGC113473
website:www.wbsedcl.in**

Email - wbsedcl.legal@gmail.com

◆ Phone No. 2359-1661, 2321-9344 Fax No. 2358-5235

Memo.No.Corp/Legal/ 1691

Date 1/10/2020.

NOTICE


Sub : Important Judgment.

The enclosed Judgment has been received i.r.o new connection for submersible pump from DCDRF Malda, DFC Case No. 10/2019.

The case has been dismissed as the prospective consumer had not obtained permission from requisite authority as per Rule-II of West Bengal Ground Water Resources (Management, Central and Regulation) Rules, 2006.

As per direction of Ld. Legal Advisor, WBSEDCL, the said provisions should be complied with while affecting new connection to any application seeking for STW connection.

Encl : Copy of Judgment.


01.10.2020

(N.K. Modi)
AGM (HR&A), Legal

WBSEDCL

MEMO NO. AM/MDP/BJ/392 dt - 25.08.20

**DISTRICT CONSUMER DISPUTES REDRESSAL FORUM, MALDA,
D.F.C. CASE NO. 10/2019**

Complainant

Rujel Ali
S/O. Late Fajlur Rahaman
Vill+ P.O. Kushmai,
P.S. Chanchal,
Dist. Malda (W.B.)
Pin. 732 126.
Mob. 9734211013

Vs.

Opposite Parties

1) West Bengal State Electricity
Distribution Company Limited
Represented By
Station Manager
Malatipur Customer Care Centre
P.O. Malatipur, P.S. Chanchal
Dist. Malda (W.B.)
Pin- 732 123.

2) West Bengal State Electricity
Distribution Company Limited
Represented By
Divisional Manager
Rabindra Avenue,
P.S. English Bazar,
P.O. + Dist. Malda (W.B.)
Pin. 732 101.

3) West Bengal State Electricity
Distribution Company Limited
Represented By
Chairman & Managing Director
Vidyut Bhawan, Block DJ, Sector II
Salt Lake City, Kolkata - 700 091.



Office of the Divisional Manager
North Malda Division WBSEDCL
Rec No. - 1143 Dt. - 26.08.2020
JE (IT&C) / DE (E) (S&LP)
JE (HR&A) / AM (F&A)
AE (T) - II / AE (T) - II
PA TO DM
JE. Gr.-II & Store In-Charge
CONTENT NOT VERIFIED -

JUDGEMENT

Today is fixed for evidence. The complainant files Examination-in-Chief. Hd. the Ld.Lawyer. Perused the petition of complaint.

On perusal of petition of complaint it is found that the complainant has prayed for an order directing the O.P. No.1 to give a new connection for installing a submersible pump.

The complainant has deposited the requisite amount to the O.P. No.1 for new connection. But the main problem is that after passing the West Bengal ground water resources (Management Control and Regulation) Act,2005 no user can sink

Received No. 887 Date 17.8.2020
AM (HR & A) / AM (F & A)
AE-1, AE-2, AE-3
JE (DCC) / P.A. / SAE (Store)

Forwarded to the
DM North Malda Divn of

Certified to be true copy
20/04/2020
Regd. In-Charge
D.C.D.R.F., Malda

19.08.2020
[Signature]

Swapan Kumar Chatterjee
President
D.C.D.R.F., Malda

Sd/-
Swapan Kumar Chatterjee
President
D.C.D.R.F., Malda

Sd/-
Swapan Kumar Chatterjee
President
D.C.D.R.F., Malda

any well for extracting or using ground water without a permit from the State Level Authority. The complainant neither mentioned the petition of complaint nor filed any document that permission was taken from the authority. As such the instant case is not maintainable.

It is not understood why the O.P. took money for connection of electricity for submersible pump as and when no permission was taken by the complainant from the authority concerned.

As per Rule II, of West Bengal Ground Water Resources (Management, Control and Regulation) Rules, 2006 provides that any person (user) who has sunk a well for extracting or using ground water in an area before the date of coming into force, shall in Form -6 an application referred to any Sub S(I) of S.8 within a period of six months from the date of coming into force of the Rules, to the authorized officer. The rules came into force in August ,2006 in term of provision of r1(2) thereof the complainant filed application for connection on 11/05/2016.

So the application received by the O.P. No.1 is in gross violation of the rule.

C.F. paid is correct.

Hence ordered that

the case be and the same is dismissed as the case is not maintainable before this Forum as permission was not obtained for sinking submersible pump. The O.P. No.1 is directed to refund the money along with interest at the booking rate within 45 (Forty Five) days from the date of order

Let a copy of order forwarded to O.P. Nos. 1 and 2 for information and taking necessary action.

Sd/-
Syeda Shahnur Ali
Lady Member
Syeda Shahnur Ali
Member
D.C.D.R.F, Malda
Sd/- 03/03/2020

Sd/-
Swapan Kumar Roy
Member
Swapan Kumar Roy
Member
D.C.D.R.F, Malda
Sd/- 03/03/2020

Sd/-
Swapan Kumar Datta
President
DCDRF, Malda
Swapan Kumar Datta
President
D.C.D.R.F., Malda
Sd/- 03/03/2020

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Regd. in-Charge
D.C.D.R.F, Malda