

BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

File No. BHRC/Comp.2954/12

Subject: Bihar State Power(holding) Company Ltd. Patna to formulate a policy for compensation for crop damages due the electrical systems.

Case of villagers of Mani Chapra, PS. Chakiya, distt. E.Champaran.

Villagers of vill Mani Chapra , PS. Chakiya , distt. E. Champran had complained to the Commission that due to fall of high tension wire on 16.4.2012, two animals were killed and seven acres of wheat was damaged. Further damage could be saved only after intervention by the fire brigade.

2. Commission had initially sought response from the Secretary, Bihar State Power (holding) Company Ltd. , Patna(BSPHCL) and subsequently from MD, North Bihar Power Distribution Company Ltd., Patna(NBPDCL). According to the response received from the Secretary, BSPHCL filed inquiry conducted by his officers indicated that **due to high velocity winds 11,000 volt lines collide with each other generating sparks due to which wheat crops in one acre land was burnt** but the incident did not result in any loss of life to human being or animals. Secretary, BSPHCL informs that there is no provision for grant of compensation for damages to crops. Since the incident was as a result of natural phenomenon, the claim for compensation is not sustainable.

3. Commission is of the view that even if only crops were damaged, the victims deserve to be compensated. Extreme wind velocity, on its own, did not damage the crops. Only the sparks generated out of the electrical lines caused the damage.

4. **CMD, BSPHCL should consider formulating a policy for compensating such damages. Commission would be expecting a report from CMD, BSPHCL by 31st January,2016.**

5. Copy of the order be sent to the CMD, **BSPHCL, Patna** w.r.t letter no. संचा0 एवं संपो/मानवधिकार/मुआवजा-74/12/388 dt. 14.02.2013 form BSPHCL & letter no. N.VI/IR/मुआवजा -3123/1340 dt. 18.9.2015 from NBPDCI for necessary action.

Date: 26.11.2015

Asstt. Registrar.

Sd/...
(Neelmani)
Member