

BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

File Nos. BHRC/Comp. 2500/12

Case of Raj Kumar: (Case of Electrocution Death)

20.4.2015

Mr. Ajay Kr. Gautam Advocate present on behalf of Bihar State Power (Holding) Company Ltd. Mr. Majeed Azam, Executive Engineer (Technical), Infrastructure Development Authority along with Advocate present.

Petitioner Ganesh Prasad Gupta's son Raj Kumar has died by electrocution on 9.5.2012. South Bihar Power Distribution Corporation Ltd. has taken a stand that when accident took place the premises was not the consumer of the Department and as such they are not liable to pay any compensation. After the Corporation took this stand, a notice was sent to Infrastructure Development Authority as according to the Corporation the Authority was making constructions on site and their inquiry revealed that a genset was installed by the Authority. The learned advocate appearing for the Authority submits that, as on 9.5.2012 when the accident took place they had not at all installed any generator in the premises. The generator was for the first time installed on 23.11.2013 and as such they are not liable.

It is a fact that the deceased was engaged and he died while the construction in the premises was going on. Electricity would have been supplied either by the Corporation or by the Authority but both of them contest that electric energy was supplied by them. Both the Departments essentially are the departments of the government. They can resolve their disputes within themselves but the petitioner should not suffer on account of a dispute between two departments of the Government.

In the interest of the family of the victim, I direct a compensation of Rs. two lakh be paid as is usually paid by the Corporation in such cases. Both the Corporation and the Authority shall share this amount and pay one lakh each towards the compensation of the petitioner. The Department and Authority can decide the issue between themselves and one party can reimburse the other.

The amount shall be paid within four weeks.

Matter is closed.

(Justice Bilal Nazki)
Chairperson