

CASE OF SATISH MANJHI

File No.939/10

Applicant is not present. Bihar State Electricity Board is represented by Shri Ajay Kr. Gautam, Advocate.

The complaint is about electrocution death of the applicant's husband, Satish Manjhi on 4.3.2010. As per the applicant, Satish Manjhi came in contact with loose hanging electric 130KV wire while travelling by bus and got electrocuted. Along with him seven other persons travelling by the same bus also sustained injuries.

The factum of electrocution causing death of the applicant's husband and injuries to co-passengers is not in dispute. As a matter of fact, when the matter was taken up the Board's advocate informed the Commission that sum of Rs. one lakh has been paid to the applicant by cheque on 26.10.2011. Further, payments @ Rs.25000 have also been made to seven injured persons by different cheques. He submitted that the matter may be treated as closed.

The only point for consideration is whether payment of rupees one lakh should be treated as sufficient and final. It is the policy of the Board vide circular no.1452 dated 1.9.2008 to pay the sum of rupees one lakh in case of electric accidents resulting in death of the victim. In the light of the said policy the Board should have paid the amount soon after the occurrence was reported. Apparently the Board did not do that. It was only on receipt of notice from this Commission that they took steps and paid the money. In that sense it is not a payment simplicitor in terms of circular dated 1.9.2008. Payment has been made on the intervention of the Commission. In a similar case, the Commission has awarded compensation of rupees two lakh to the victim. The Commission while raising the amount to Rs. two lakh took into account the depleted value of money over the period of time.

From the application it appears that the deceased was aged 30 years old and was the sole bread winner of the family. He has left behind old parents, a young wife (applicant herein) and a seven month child to fend for themselves in the absence of any source of regular income. The applicant stated that in view of the penurious condition of the family they have no option but to commit suicide.

The accidental death of the deceased being the result of negligence on the part of the Board the Commission is of the view that the applicant should be adequately compensated for the loss. In the facts and circumstances, the Commission would award compensation of rupees two lakh. If rupees one lakh has already been paid, the Board is required to pay additional sum of rupees one lakh only. Payment should be made within six weeks from date of receipt of a copy of this order.

Put up after two months awaiting compliance report.

Copy of this order may be sent to Chairman, Bihar State Electricity Board as also the applicant, for compliance or information as the case may be.

Dated:22.11.2011.

Justice S.N. Jha
Chairperson