

21st March,
2024
(AK)
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W.P.A 2511 of 2024

Sk. Ansar Ali
Vs.
The State of West Bengal and others

Mr. Md. Mahmud
...for the petitioner.

Mr. Srijan Nayak
Mrs. Rituparna Maitra
...for WBSEDCL.

1. Learned counsel for the petitioner submits that no electricity connection has been given by the WBSEDCL to the petitioner despite the petitioner having applied for the same.
2. Learned counsel for the WBSEDCL submits that the said connection could not be supplied because the petitioner did not comply with all formalities, particularly he did not submit a SWID certificate which is necessary in the area.
3. Learned counsel for the petitioner relies on a document annexed at page-14 of the writ petition which, learned counsel for the WBSEDCL points out, is of the year 2007.
4. However, unless a current SWID certificate is produced, the connection cannot be given to the petitioner.

5. There is substance in the contention of the WBSEDCL, since SWID certificates are issued in respect of critical and semi-critical zones, which classification changes from time to time according to the practical realities.
6. Hence, unless a fairly recent SWID certificate is produced by the petitioner or the petitioner is able to substantiate before the WBSEDCL authorities that the zone concerned is neither a critical nor a semi-critical zone, the connection cannot be given to the petitioner.
7. Accordingly, WPA 2511 of 2024 is disposed of by directing the petitioner to comply with all formalities, including furnishing a current SWID certificate, if the same is necessary for the zone concerned.
8. In the event no SWID certificate is necessary in the perception of the petitioner in view of the zone not being a critical or a semi-critical zone, the petitioner shall give a declaration to that effect along with his application.
9. The WBSEDCL shall ascertain whether the declaration is correct.
10. In the event the petitioner is justified in stating that the zone is neither a critical nor a semi-critical zone, the WBSEDCL shall give the connection

immediately, within a fortnight from the compliance of all formalities by the petitioner.

11. However, in the event the WBSEDCL is of the opinion that the zone falls within the category critical or semi-critical, a written communication in that regard, annexing the relevant circular of the Government/ground water authorities to justify such claim of the WBSEDCL, shall be given to the petitioner within a week from the date of the petitioner making such declaration.
12. In the latter event, the petitioner shall produce the SWID certificate upon which the WBSEDCL shall give the connection within a fortnight thereafter subject, of course, to the compliance of other formalities by the petitioner.
13. There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)