

26.02.2025

WPA 2656 of 2025

**Ganesh Chandra Chel alias Chail
Vs.
The State of West Bengal & Ors.**

Mr. Mahammad Mahmud

... .. for the petitioner

Mr. Sankar Banerjee

... .. for the WBSEDCL

Mr. Kamalesh Bhattacharjee

Mr. Somnath Bera

... .. for the respondent No.5

Learned counsel appearing for the petitioner prays for a direction upon the Station Manager, Jamalpur Customer Care Centre, WBSEDCL to effect an electricity connection to the petitioner's submersible pump situated at plot No.1914 (R.S.), Mouza – Gurbari, J.L. No. 05 within the jurisdiction of Gurap Police Station, district – Hooghly.

Learned counsel appearing for the WBSEDCL files a report. The report says as follows :

“In the matter of WB NO. 2656 of 2025 the following points are to be noted

1. The contention is between two parties for a new connection of STW pump set of Ganesh Ch Chel.
2. For boring and installation of irrigation pump sets for water at critical and semi critical zones, a SWID certificate from State Water Investigation Directorate (SWID), an independent Directorate under the Water

Resources Investigation & Development Department, Government of West Bengal is required.

3. For safe zones or Blocks no such certificates are required as per Notification No.189/WRIDD/SECY dated 03.11.2011 of the Secretary Water Resources Investigation & Development Department, Government of West Bengal.
4. Jamalpur Block is a safe zone (copy attached) and thus does not need any Water Resources Investigation & Development Department, certificate.
5. The WBSEDCL faces objection during execution of the new STW connection and as per norms the Right of Way and Way Leave Clearance must be provided by the intending consumer for New Connections.
6. Without the resolution of the dispute WBSEDCL will not be able to complete the new connection without Way Leave Clearance.
7. The matter of permission and distance between 2 Pump sets boring does not come under the preview of WBSEDCL and WBSEDCL cannot decide on the matter. Such matter may kindly be taken up with the Water Resources Investigation & Development Department for resolution if the Hon'ble Court deems fit."

Let the said report be kept on record.

Learned counsel for the WBSEDCL has also handed up a copy of the order passed on 05.11.2024 in WPA 17595 of 2024 in relation to Arsad Ali Vs. The State of West Bengal & Ors. wherein there is no provision

regarding the installation of submersible pump within the particular periphery.

Learned counsel appearing for the respondent No.5 submits that there is a restriction imposed by the Water Resources Investigation and Development Department in granting an electricity connection, if there is another submersible pump installed within the vicinity of 200 meters from the new submersible where the electricity has to be provided.

Learned counsel has also relied upon an order of this Court dated 25.06.2024 in WPA 3924 of 2024 in Khudiram Barman & Anr. Vs. The West Bengal State Electricity Distribution Company Limited & Ors. pertaining to the installation of a new submersible pump if it is erected within 200 meters from an existing submersible pump.

However, no notification in this regard could be handed over by the learned counsel appearing for the private respondent No.5 to this Court.

Heard learned counsel for the parties and perused the report as well as the petition.

As there is no restriction on the installation of a submersible pump on the petitioner's plot, the petitioner's prayer for an electricity connection to the newly installed submersible pump is allowed. Station Manager, Jamalpur Customer Care Centre, WBSEDCL is directed to provide electricity connection to the

petitioner within a period of six weeks from date upon compliance with all formalities.

The writ petition being WPA 2656 of 2025 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajarshi Bharadwaj, J.)