

Serial No. 02
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No. 3 of 2023

Date of order: 05.07.2023

Flaming B. Marak

vs

State of Meghalaya & ors

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner : Mr P.T. Sangma, Adv.

For the Respondents : Mrs T. Yangi B. AAG with
Mr A.H. Kharwanlang, Addl Sr GA
Ms S. Laloo, GA
Mr A.S. Pandey, Adv. [For R 2-15]

Though a status report has been filed by the State, the whole picture is not indicated therein.

2. This petition was filed sometime in May this year and before the monsoon or the pre-monsoon showers had set in.

3. It was the State's refrain at that time that because of the low pre-monsoon rains and the water level at Umiam having fallen, adequate generation of power was not possible. The State had indicated that with the monsoon setting in and the water level at Umiam rising, much of the problem would have been taken care of. It now appears that in an earlier affidavit used by the State it was indicated that though the demand for power in the State was about 200 mega units per day, the extent of

supply was 88 mega units per day. In the status report filed on behalf of the State on July 5, 2023, some figures have been given indicating the list of essential service providers which are exempt from load-shedding, but the present demand and supply figures have not been indicated, nor has the State detailed the measures adopted to augment the supply of electricity.

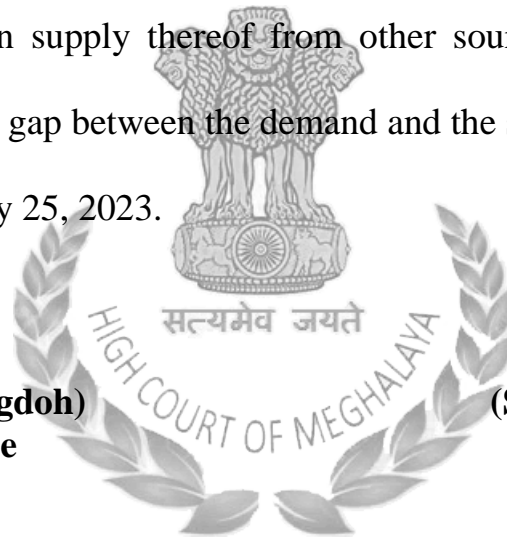
4. It is completely unacceptable that the quantum of deficit would be in excess of 50 per cent. It is possible that because of low rainfall or other problems there is a shortfall for some period and a shortfall which may be not more than 10 per cent of the daily demand. It seems that the shortfall here is more than 50 to 60 per cent of the demand and such a situation cannot be acceptable in this day and age where both business and domestic life almost come to a standstill without the availability of electricity.

5. The State will file a more comprehensive report indicating the larger picture across the State and providing details pertaining to every district. The State will also indicate the measures taken to obtain additional power from the national grid and other sources that are available to reduce the shortfall.

6. On a more long-term basis, the State has to look at small capacity hydel or other forms of electricity generating projects, particularly since the State is endowed with heavy rainfall and enjoys a hilly terrain where small projects may be put up at low cost to cater to the needs of the immediate locality. Indeed, a 10-year or a 20-year plan has to be made out, taking into account the increased demand in future, to ensure that adequate steps are taken either to generate electricity or to purchase or obtain supply thereof from other sources to ensure that, ideally, there is no gap between the demand and the supply.

7. List on July 25, 2023.

(W. Diengdoh)
Judge



(Sanjib Banerjee)
Chief Justice

Meghalaya
05.07.2023
"Sylvana PS"