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## **ACCIDENTAL OR CHOSEN DEATH: A NEED FOR LAW ON ELECTROCUTION IN INDIA**

**Dr. Meenu Verma**

Associate Professor and Head,

Department of Laws, Guru Nanak Dev University, Amritsar

**Prachi Bagga**

Research Scholar,

Department of Laws, Guru Nanak Dev University, Amritsar

### **INTRODUCTION**

Electricity is an integral part of our day to day lives. From the very starting of our days in the morning by using irons for removing creases from our clothes to warming the food in microwaves during lunch hour or using Air conditioners in our room from day to night, today electricity is a necessity. But like any other useful inventions of human , with time the dangers associated with this invention too has hampered and taken away lives of many innocent people .In the Netherlands, in 1746, Pieter van Musschenbroek's lab assistant, Andreas Cuneus, received an extreme shock while working with a leyden jar, the first recorded injury from human made electricity.<sup>1</sup> By the mid-19<sup>th</sup> century high voltage electrical systems came into use to power arc lighting for theatrical stage lighting and lighthouses leading to the first recorded accidental death in 1879 when a stage carpenter in Lyon, France, touched a 250 volt wire. Many more accidents have taken place since causing deaths of innocent lives.<sup>2</sup> In last few years the number of accidents caused due to electricity has

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<sup>1</sup><https://www.awesomestories.com/pdf/make/144237> (last visited on 4th June 2025).

<sup>2</sup>Lee, R.C.; Rudall, D. (1992). "Injury mechanisms and therapeutic advances in the study of electrical shock". Proceedings of the Annual International Conference of the IEEE Engineering in Medicine and Biology Society. Vol. 7. pp. 2825–7.

been increasing with a fast pace. Electrical burns are responsible for considerable morbidity and mortality. Almost all fatalities by electrocution are accidental, while homicides and suicides from electricity are rare or uncommon. Many workers are exposed to electrical energy daily during the performance of their tasks while the other accidents include deaths that are caused due to exposed wires and faulty electrical infrastructure, leading to cases where people have suffered serious injuries or even died from electrocution. Many people know that the principal danger from electricity is that of electrocution, but few really understand how minute a quantity of electrical energy is required for electrocution. There are four main types of electrical injuries: flash, flame, lightning, and true. Flash injuries, caused by an arc flash, are typically associated with superficial burns, as no electrical current travels past the skin. Flame injuries occur when an arc flash ignites an individual's clothing, and electrical current may or may not pass the skin in these cases. Lightning injuries, involving extremely short but very high voltage electrical energy, are associated with an electrical current flowing through the individual's entire body. True electrical injuries involve an individual becoming part of an electrical circuit. In these cases, an entrance and exit site is usually found. Electrical injuries, a relatively common form of mechanical trauma, can occur as a result of lightning, low voltage, or high voltage injury, and are often associated with high morbidity and mortality. Almost all electrical injuries are accidental and often, preventable. If not instantly fatal, the damage associated with electrical injuries can result in the dysfunction of multiple tissues or organs. Thus, any such injury or damage is said to be caused due to electrocution.

## **DEFINITION AND MEANING**

The issue of electrocution has come into limelight in recent years. Various efforts have been made to define this particular term. Oxford dictionary explains the term electrocution as “the fact of somebody being injured or killed when electricity passes through their body.” In general terms, this word is a combination of “electricity” and “execution,” and it originally referred

specifically to death caused by electric shock. Over time, it has also come to be used more generally for any severe injury caused by electricity.

In legal terms, electrocution typically refers to death caused by electric shock, and it can be relevant in several areas of law, such as criminal law, tort (civil) law, labour law, and public safety regulations.

## **CAUSES OF ELECTROCUTION**

As an electric shock can result in fatal injuries and in some serious cases it may lead to death, it is important that we go through the main causes of same in order to take a precautionary measure

- The causes include direct contact with exposed wires, faulty electrical appliances, lightning, or power lines.
- Accidental electrocution often happens at home, in workplaces, or due to downed power lines.
- Electrical injuries can arise in diverse everyday and professional settings. People may come into contact with live electricity by handling a metal tool near a power source, encountering exposed or damaged wiring, or touching downed power lines.
- Defective electrical devices such as tools or appliances can also cause harm, particularly if they contain design or manufacturing flaws or lack necessary safety warnings. Lightning strikes represent another form of electrical injury<sup>3</sup>.

## **EFFECTS OF ELECTROCUTION**

Electrical shocks may produce a range of injuries:-

- The severity can range from minor burns or muscle spasms to cardiac arrest, organ damage, or even death.
- Smaller currents affecting the heart can cause an irregular heartbeat that may be reversible if treated promptly.

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<sup>3</sup><https://www.justia.com/injury/types-of-injuries/electrocution/>(last visited on 7<sup>th</sup> June 2025).

- Higher voltage and current can severely damage or destroy tissues, muscles, nerves, and organs. Injuries may include severe burns, respiratory failure, cardiac arrest, long-term nerve or brain damage, memory difficulties, personality changes, persistent headaches, vision impairment, neuropathy, and seizures.
- Some effects appear immediately, while others may develop hours or days later. In certain instances, long-term complications include spinal cord issues, psychiatric conditions, or progressive neuropathic pain.<sup>4</sup>
- The main effects of Electrocutation mainly include burns at entry and exit points of the electric current, muscle contractions or paralysis, heart arrhythmia or cardiac arrest, respirator difficulty, loss of consciousnesses. In extreme cases electrocution may lead to death of the victim.

## LEGAL ASPECTS OF ELECTROCUTION

### 1. Electrocutation in Criminal Law:-

- Homicide or Culpable Homicide: If someone dies due to electrocution caused intentionally or through gross negligence, criminal charges such as murder sec- 302 of IPC or culpable homicide not amounting to murder sec-304 of Ipc may apply. The same is now punishable under sec -103, Murder and sec-105, culpable homicide under Bhartiya Nayaya Sanhita ,2023.
- Causing Death by negligence: Under Section 304A of the Indian Penal Code, causing death by negligence (including through careless handling of electricity) can lead to imprisonment or a fine. The same is now punishable under section106 (1) of Bhartiya Nyaya Sanhita, 2023. Several landmark Indian cases have addressed electrocution deaths caused by negligence, establishing liability principles for electricity authorities. In M.P. Electricity Board v. Shail

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<sup>4</sup><https://www.justia.com/injury/types-of-injuries/electrocution/>(last visited on 7<sup>th</sup> June 2025).

Kumari<sup>5</sup>, the Supreme Court applied the rule of strict liability, holding the Board responsible for a death caused by a snapped live wire, emphasising that handling electricity involves inherent danger. In *U.P. State Electricity Board v. Ram Chandra*<sup>6</sup>, the court recognised both negligence and a constitutional tort, awarding compensation under public law for a fatal accident due to an unattended live wire. Similarly, in *K. Shanmugam v. TNEB*<sup>7</sup>, the Madras High Court held the board liable for gross negligence after a child was electrocuted by a fallen live wire. In *Lata Wadhwa v. State of Bihar*<sup>8</sup>, though not directly about electrocution, the court discussed principles of compensation for negligent deaths, especially involving children, which are applicable in such cases. Whereas, in *Chairman, Grid Corporation of Orissa v. Sukhmani Das*,<sup>9</sup> the Supreme Court denied liability due to the claimant's failure to prove negligence, highlighting that burden of proof is important when strict liability does not apply. These rulings collectively reinforce the duty of care electricity boards owe to the public and the evolving judicial approach to awarding compensation for negligent electrocution deaths

## 2. Electrocution in Tort Law (Civil Liability):-

Victims or their families can claim compensation for injury or wrongful death due to electrocution. The Legal grounds to claim the same may include:

- Negligence: When there is failure on part of respondent to maintain safe electrical installations (e.g., by landlords, utility companies, or employers).
- Strict liability: The rule of strict liability applies specifically if hazardous activity (like maintaining high-tension wires) causes death or injury.

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<sup>5</sup> AIR 2002 SC 551

<sup>6</sup> AIR 2007

<sup>7</sup> AIR 2004

<sup>8</sup> AIR 2001

<sup>9</sup> AIR 1999

- Vicarious liability: If an employee causes an electrocution incident during the course of employment, the doctrine of vicarious liability applies.

### 3. Electrocution in Labour Law and Workplace Safety:-

Laws on Electrocution have been covered under the Factories Act, 1948 and Occupational Safety, Health and Working Conditions Code, 2020. Under the above codes, Employers have a duty to:

- Maintain safe electrical systems in the work field and
- Provide safety gear and training to the employees

Any Failure of above may lead to penalties and fines. The victims can also claim compensation under the Employers' Compensation Act, 1923.

### 4. Electrocution and Public Authorities:-

When electrocution is due to negligence by government entities (like electricity boards or municipalities), affected parties may sue under public liability or Article 226 (3) of the Constitution for writ petitions (in cases of violation of fundamental rights like Right to Life under Article 21.<sup>10</sup>

## LANDMARK CASES IN INDIA

- M.P. Electricity Board v. Shail Kumar<sup>11</sup>

The Supreme Court held the Electricity Board liable for electrocution caused by a live wire lying unattended in a public place. The rule of strict liability applied and the defect of the dangerous thing being an 'act of the stranger' was not allowed because the same could have been foreseen. The rule of Strict Liability was applied and it was held that the Board had statutory duty to supply electricity in the area. If the energy so transmitted causes injury or death of a human being, who gets unknowingly trapped into it, the electric supplier shall be liable for the same. If the electric wire was snapped the current should have been automatically cut off. Authorities manning such dangerous

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<sup>10</sup>Article 21 of Indian Constitution that lays down the fundamental right to life and personal liberty.

<sup>11</sup>AIR 2002 SC 551.

commodities have extra duty to chalk out measures to prevent such mishaps

- Karnataka Power Transmission Corp. Ltd. v. Ashok Iron Works<sup>12</sup>.

In this case it was confirmed by the apex court that electricity boards are subject to tort liability for negligence.

- M.C. Mehta v. Union of India<sup>13</sup>

This case has introduced the principle of absolute liability for hazardous industries with respect to environment. Applying this rule of absolute liability in the cases of electrocution can further help to make the authorities responsible and thus could compensate victim in time.

## **AVAILABLE MECHANISMS FOR JUSTICE**

These mechanisms fall under statutory, judicial and administrative frameworks. The same have been discussed in brief below:-

### 1. Statutory Compensation Mechanisms

A. The Employees' Compensation Act, 1923: This applies when the victim is a worker and electrocution happens in the course of employment. The compensation is awarded based on:

- Nature and severity of injury/death.
- Victim's monthly wage and age.

In case of death of the victim the compensation provided is 50% of monthly wages × relevant factor from a schedule (based on age), subject to minimum or maximum limits. For e.g.: if a lineman is electrocuted while repairing a live wire, then his dependents can claim compensation from the employer.

### B. The Electricity Act, 2003

- Section 161 of the act mandates sufficient inquiries into electrical accidents.
- Section 53 of the act empowers the Central Electricity Authority to set safety regulations and ensure compliance of the same.

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<sup>12</sup>AIR 2009 SC 1905

<sup>13</sup>AIR 1987 SCC (1) 395

- Section 57 & 59 of the act deals with performance of standards and compensation for failure by distribution licensees of electricity.
- Some State Electricity Regulatory Commissions (SERCs) have notified fixed compensations for deaths/injuries caused by contact with live wires or faulty infrastructure.

### C. Public Liability Insurance Act, 1991

This act applies to accidents involving hazardous substances. Thus, under this, the victims of electrocution can receive immediate relief without proving fault (no-fault liability). Though this is more commonly applied to industrial accidents; it can also be applied in cases of electrocution involving hazardous operations.

## 2. Judicial Compensation under Tort Law and Writ Jurisdiction

### A. Tort Law (Civil Suit for Damages):-

Under this, the victim of electrocution or their families can sue under:

- Negligence Or
- Strict liability (for inherently dangerous activities)

The courts can further determine compensation based on:

- Medical expenses
- Loss of income
- Pain and suffering
- Dependency loss (for death)

### B. Writ Petitions under Article 226:-

Electrocution victims can approach High Courts directly under Article 226 for compensation due to violation of Article 21 (Right to Life). This remedy is often used when state authorities are negligent. In case of electrocution also, the electricity boards can be made responsible. Further under this, there is no need to prove negligence in detail and violation of fundamental rights is sufficient. As held in the case of *M. P Electricity Board*<sup>14</sup>, also the supreme court has upheld strict liability of the electricity board and thus awarded compensation to the deceased's family due to a live wire lying on the road.

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<sup>14</sup>AIR 2002 SC 551

### 3. Compensation by Electricity Boards and Local Authorities:-

Many State Electricity Boards (SEBs) have fixed ex-gratia compensation slabs, e.g.:-

- Rs.5 lakh–Rs.10 lakh for death by electrocution.
- Lower amounts for grievous or minor injury.

But inconsistency in compensation schemes of different state boards often leads to difficulties in interpretation of law.

### **DRAWBACKS OF EXISTING LEGAL FRAMEWORKS AND COMPENSATION SCHEMES:-**

- Delays in disbursal: This is one of the main drawback of existing legal frameworks as delay is the main culprit in every stage of suit; from the very first step of filing complaint to the proper authority to sending summons to government authorities involved and confusion in framing jurisdiction, the delays are part of every step.
- Need for legal intervention in many cases: Though we have some laws and schemes to deal with electrocution and related victim compensation cases but they are not sufficient as no proper implementation and execution of orders take place at ground level. The ground reality is very different from legal theories.
- Lack of awareness among victims: As we know that with time the cases of electrocution have increased in recent years, still there is lack of awareness among people. People are not only unaware of basic safety measures when dealing with electrocution but also lack knowledge of when and how a complaint is to be filed or compensation is to be claimed.
- Inconsistent policies across states: As all the states have different penalties with regard to offence of electrocution and different compensation schemes and claiming procedure; this leads to a situation of chaos. There is urgent need of a uniform national law and compensation policy for electrocution victims.
- Lack of Legal Cohesion: Existing laws deal with electrocution in isolation, making it difficult for victims or

their families to access justice. A unified legal framework would streamline procedures, define responsibilities clearly, and promote legal certainty.

- **Absence of Standardised Compensation:** Compensation practices vary widely across states and are often based on discretionary administrative decisions. A national law would ensure uniform, statutory compensation, protecting the rights of all citizens equally.
- **Inadequate Accountability Mechanisms:** With no mandatory safety inspections or reporting obligations, many electrocution incidents go unreported or unresolved. A uniform law could impose clear duties on utility providers and public authorities, with enforceable penalties for noncompliance.
- **Recurring Infrastructure Failures:** Poorly maintained electrical systems are a key cause of preventable fatalities. A central statute could mandate regular audits and safety certifications, reducing systemic negligence.
- **In the recent Goa temple stampede that occurred during the early hours of May 3, 2025 at the Sree Lairai Devi temple in Shirgao , six people lost their lives and over 70 people were injured. Held during the annual Homkhan festival in early May, the event is one of the most significant in Goa's cultural calendar, attracting large crowds. The event was meant to be a night of devotion but the same turned into a disaster due to a combination of electrical negligence, poor crowd management, and administrative oversight. The immediate trigger for the stampede was a minor electrocution. According to eyewitnesses and initial reports, a devotee accidentally touched a decorative electric bulb with a cane stick. This bulb, believed to have been improperly wired or grounded, gave the person an electric shock. As the devotee collapsed, those nearby assumed something had gone wrong and panicked, pushing back and forth in an already congested area on a narrow temple slope. The ripple effect**

caused people to fall on one another, triggering the stampede<sup>15</sup>.

In terms of culpability, the responsibility lies on multiple levels with respect to this recent incident:-

1. **Electrical Safety Lapses:** The immediate cause of the panic was the electric shock from a temple lighting installation. This points to negligence in the electrical setup, which should have been carefully inspected, especially given the size of the crowd and the temporary nature of the lighting systems. If the wiring was exposed, loosely connected, or overloaded, this represents a clear violation of basic safety norms. The temple committee, along with any private contractors or state electricity department officials involved in the setup, can be held directly responsible for failing to ensure safe installations.

2. **Temple Committee and Event Organisers:** The temple management is primarily responsible for organising the event. As over 50,000 devotees required comprehensive crowd management plan, including emergency exits, electrical safety inspections, first aid arrangements, and coordination with district administration. The failure to prevent congestion in narrow areas and to respond quickly after the electrocution points to gross mismanagement.

3. **State and District Authorities:** While religious institutions are autonomous, any event involving massive crowds requires government oversight, especially regarding public safety. The Goa government and local authorities failed to pre-emptively deploy adequate police, fire, and medical personnel. There appears to have been no crowd control barriers, limited public announcements, and a slow emergency response, even though the risk of overcrowding at the festival was well known from past years.

In essence, the culprit is not a single person, but a chain of systemic failures involving the temple committee, electrical

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<sup>15</sup> The Hindu, newspaper dated 4<sup>th</sup> may,2025

Available At: <https://stsoldierjournaloflawandsocialscience.com>

contractors, and government authorities. Each had a legal and moral duty to prevent such an incident, and their combined negligence directly led to the deaths and injuries. As inquiries proceed, criminal and tortious liabilities may be imposed, and this case is likely to become a benchmark in discussions about public liability, electrical safety, and mass gathering laws in India.

Thus, to address the above challenges and avoid such tragic electrocution accidents, there is an urgent need to introduce a uniform law that comprehensively governs the prevention of electrocution, ensures accountability, and guarantees timely redressal and compensation.

### **NEED FOR BETTER REDRESSAL OF ELECTROCUTION CASES IN INDIA**

- The legislation should provide comprehensive and clearly defined electrocution related terms and conditions as well as establish duties for electricity providers and contractors.
- Criminal Accountability should introduce specific penal provisions for death or injury due to electrical negligence, with graded penalties.
- The need for Statutory Compensation is needed to create a uniform compensation structure based on severity, along with a centralised mechanism for disbursal.
- No fault Liability rule is required to impose strict or no-fault liability on utility providers for injuries caused by faulty or exposed infrastructure.
- Mandatory Safety Audits are required to impose regular inspections and third-party safety evaluations for all electrical systems, especially in public areas.
- Dedicated Forums for Redressal should be set up as district level tribunals or fast track courts to ensure timely resolution of electrocution claims.
- Mandatory Reporting and Data Collection should be done efficiently that will require utilities and law enforcement to report all incidents, creating a national database for monitoring and policymaking.

- Uniform national compensation policy for electrocution victims so that chaos created by different laws and compensation schemes in different states can be align together.
- Mandatory third-party liability insurance for electricity companies can be another measure which can be taken to ensure efficient and speedy compensation mechanism for victims and their families.
- Applying the rule of absolute liability in the cases of electrocution can further help to make the authorities responsible in order to avoid the loopholes in the system which is later claimed as defence and further lead to injustice to victims and their families.

### **DELHI ELECTRICITY REGULATORY COMMISSION (COMPENSATION TO VICTIMS OF ELECTRICAL ACCIDENTS) REGULATIONS, 2024: MODEL LEGISLATION FOR UNIFORM LAW ON ELECTROCUTION IN INDIA**

Recently in Delhi, an act has been passed which has tried to overcome some of the drawbacks and provide a suitable legislation to deal with cases of electrocution in Delhi. As there is an urgent need to frame a uniform legislation on electrocution in India, Delhi Electricity Regulatory Commission (Compensation to Victims of Electrical Accidents) Regulations, 2024 poses as a model for such needed legislation. The Delhi Electricity Regulatory Commission (DERC), a statutory body constituted under the Electricity Act, 2003, plays a pivotal role in regulating the electricity sector in the National Capital Territory (NCT) of Delhi. As part of its mandate to protect consumer interests and promote system safety, DERC notified the Compensation to Victims of Electrical Accidents Regulations, 2024, aiming to address longstanding concerns over the lack of a structured legal mechanism to compensate victims of electrical mis-happenings. The regulations mark a departure from past practices by offering a codified, time bound, and enforceable compensation framework for human fatalities, injuries, and animal losses caused by

electrocution or electrical system failures. Some of its important highlights are as follows -:

- Scope and Applicability

The regulations extend to all generating companies and transmission and distribution licensees operating within the NCT of Delhi. They are grounded in Sections 57 and 181<sup>16</sup> of the Electricity Act, 2003, which empower state commissions to specify performance standards and frame regulations, respectively. The objective is twofold-:

(a) To ensure accountability of electricity utilities for safety compliance

(b) To provide justice for victims through structured compensation and clear procedural safeguards.

- Safety Standards and Legal Liability

1. Mandated Compliance:- Under Regulation 4, all utilities are required to comply with the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2023, and any additional safety instructions issued by the Central Electricity Authority (CEA).<sup>17</sup> These measures are not merely advisory but also carry binding force, making safety compliance a legal obligation. The regulation mandates utilities to design, construct, operate, and maintain their systems in a manner that protects humans, animals, and birds from electrical hazards.<sup>18</sup>

2. Presumption of Liability:- Regulation 5 introduces a regime of strict liability. If an electrical accident leads to injury or death of human or animal, the concerned utility is deemed liable to pay compensation unless the cause of the accident lies entirely outside its control (e.g., suicide, homicide, or third-party misconduct).<sup>19</sup> This approach mirrors the principle of no-fault liability, commonly employed in motor accident and industrial injury laws in India<sup>20</sup>. Moreover, compensation disbursed under these

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<sup>16</sup> The Electricity Act, 2003, sec - 57 & 181 (2) (za)

<sup>17</sup> DERC Regulations 2024, Regulation 4(1)

<sup>18</sup> *Ibid.*, Regulation 4(2)

<sup>19</sup> *Ibid.*, Regulation 5(2)

<sup>20</sup> See, e.g., Employees Compensation Act, 1923; Motor Vehicles Act, 1988 (as amended)

regulations cannot be recovered from consumers through tariff adjustments, thereby ensuring that utilities internalise the cost of negligence.<sup>21</sup>

### Compensation for Human Loss or Injury

1. Standard Compensation: The compensation amounts fixed under Regulation 6 are as follows:

- Rs. 7,50,000 for each case of human death.
- Rs.5,00,000 for permanent disability exceeding 60%.
- Rs.1,00,000 for disability between 40% and 60%.
- Reimbursement of medical expenses: Rs.25,000 (hospitalisation over one week) and Rs.10,000 (hospitalisation less than one week), supported by official hospital bills.<sup>22</sup>

The requirement of a medical certificate by a designated civil surgeon ensures transparency and prevents misuse. These standardised amounts expedite relief and reduce litigation over quantum.<sup>23</sup>

### 2. Non-Exclusivity of Remedies

Regulation 7 clarifies that the payment of compensation under this regulation does not preclude victims from pursuing remedies under other applicable laws such as tort, labour, or insurance laws. Such a provision preserves the multiplicity of legal remedies and aligns with constitutional jurisprudence on the right to life and right to compensation, as articulated in *MC Mehta v. Union of India*<sup>24</sup> and *Nilabati Behera v. State of Orissa*.<sup>25</sup>

- Compensation for Animals and Poultry

Electrical accidents often impact not only humans but also domestic and economic animals. These regulations are noteworthy for recognising animal life and livestock as compensable categories.

#### 1. Compensation Slabs

Regulation 10 prescribes the following:

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<sup>21</sup> DERC Regulations 2024, Regulation 5(4)

<sup>22</sup> *Ibid.*, Regulation 6(3)

<sup>23</sup> *Ibid.*, Regulation 7

<sup>24</sup> AIR 1987 SC 1086

<sup>25</sup> AIR 1993 SC 1960

- Rs.50, 000 for milch animals like cows, buffaloes, camels.
- Rs.5, 000 for smaller livestock like goats or pigs.
- Rs.25, 000 for draught animals (e.g., horses, bulls).
- Rs.15, 000 for calves, donkeys, and mules.
- Rs.100 per poultry bird, up to a cap of Rs.5, 000 per household<sup>26</sup>.

The maximum compensation per household is capped at Rs.3,00,000 for milch animals and Rs.1,50,000 for draught animals. This represents recognition of the socio-economic importance of animals, especially for low-income households, and harmonises with relief models under state disaster response norms.

- Procedural Safeguards and Enforcement

1. Reporting and Designation

Accidents occurrences must be reported to the Electrical Inspector and the utility's Concerned Authority (minimum General Manager Rank) within 24 hours, using the prescribed forms<sup>27</sup>. Utilities are mandated to publish the contact details of such authorities on their official websites, ensuring public access and accountability.

2. Investigation and Determination

Upon receipt of an accident report, the Electrical Inspector must submit a detailed enquiry report within 30 days<sup>28</sup>. Subsequently; the utility must issue a final compensation order within another 30 days, determining:

- Entitlement of the claimant (e.g., dependent, injured person)
- Applicable compensation as per the regulation.<sup>29</sup>

If the utility fails to act, victims or dependents may directly file a claim within 90 days of the incident using the form provided in Annexure II<sup>30</sup>

3. Timely Payment and Penalties

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<sup>26</sup> DERC Regulations 2024, Regulation 10

<sup>27</sup> *Ibid.*, Regulation 13(1)

<sup>28</sup> *Ibid.*, Regulation 14(1)

<sup>29</sup> *Ibid.*, Regulation 14(2).

<sup>30</sup> *Ibid.*, Regulation 14(3)

Regulation 16 mandates that compensation must be disbursed within 15 days of the final order. Delay in payment attracts an interest penalty of 10% per annum from the date of the final order until payment is made.<sup>31</sup>This ensures deterrence and reduces systemic apathy.

#### 4. Dispute Resolution

Regulation 17 enables aggrieved parties to approach the Consumer Grievance Redressal Forum (CGRF) established under the DERC Grievance Redressal Regulations, 2018. Further appeals may lie before the Electricity Ombudsman<sup>32</sup>.This multitiered redressal structure aligns with consumer centric regulatory models and offers procedural flexibility.

#### 5. Regulatory Oversight

Utilities are required to submit monthly reports on all electrical accidents to the Commission, including details of the incidents and actions taken<sup>33</sup>.This mechanism enhances transparency and supports evidence based regulatory intervention. Non compliance with these obligations may invite penalties under Sections 142 and 146 of the Electricity Act, 2003.<sup>34</sup>

#### • Residual Powers and Legal Flexibility

The act endows the Commission with wide powers to:

- Interpret, amend, or relax procedural requirements,
- Issue directions for implementation,
- Make exceptions in special cases, and
- Remove difficulties in enforcement.<sup>35</sup>

These powers ensure that the regulation remains adaptable and responsive to on ground realities. The DERC Compensation to Victims of Electrical Accidents Regulations, 2024 constitute a landmark reform in India's energy regulatory framework. They

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<sup>31</sup>*Ibid.*, Regulation 16

<sup>32</sup>*Ibid.*, Regulation 17; see also DERC Grievance Redressal Regulations, 2018

<sup>33</sup> DERC Regulations 2024, Regulation 18.

<sup>34</sup>Electricity Act, 2003, sec- 142 & 146.

<sup>35</sup>DERC Regulations 2024, Regulation 20

reflect a paradigm shift from administrative benevolence to legal entitlement, ensuring accountability of utilities and recognition of victim rights. The regulations offer a robust legal architecture to deal with electrical mishaps. They also harmonise with broader constitutional goals of access to justice and human dignity.

## CONCLUSION

The above regulations of DERC Compensation to Victims of Electrical Accidents Regulations, 2024 not only offer much needed relief to affected persons but also incentives utilities to invest in preventive safety measures, creating a safer and more accountable electricity system for Delhi's citizens. Thus, Delhi Electricity Regulatory Commission (Compensation to Victims of Electrical Accidents) Regulations, 2024 can be referred to provide a uniform framework for electrocution as it sets a model idea for a uniform act. As Electrocutation continues to be a significant but under addressed public safety issue in India. The legal framework dealing with electrocution is fragmented, with provisions scattered across the Indian Penal Code (now BharatiyaNyayaSanhita, 2023), Electricity Act, 2003, Consumer Protection Act, and principles of tort law. This disjointed approach often results in inconsistent liability standards, delayed justice, and unequal compensation for victims. Countries such as the UK, USA, and Australia have comprehensive electrical safety laws with clearly defined regulatory and liability frameworks. In U.K, The Electricity Safety, Quality and Continuity Regulations, 2002 provides legal framework for cases of electrocution. In USA, National Electrical Code and OSHA safety regulations provides with rules and regulations that deals with such cases. Also in Australia, Each state has uniform statutory obligations for public utilities related to electrical accidents. India can draw from these models while tailoring its approach to local infrastructure, socioeconomic conditions, and administrative capacity of our nation accordingly. Electrocutation related deaths and injuries are largely avoidable and stem from systemic negligence and regulatory gaps. A uniform national law would not only bring coherence to existing legal provisions but also serve as a powerful

tool to enforce accountability, provide timely justice, and safeguard human lives. It is both a legal necessity and a matter of public welfare.