

## THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Harendra Singh Rawat  
S/o Shri Pushkar Singh Rawat  
Vill. & P.O. Devalchaur,  
Opp. Bihari Petrol Pump  
Rampur Road, Tehsil Haldwani  
Distt. Nainital, Uttarakhand

Vs

1. The Superintendent Engineer, Electricity Distribution Division, Uttarakhand Power Corporation Ltd. Srinagar (Garhwal), Distt. Pauri Garhwal, Uttarakhand.
2. Executive Engineer, Electricity Distribution Division, Uttarakhand Power Corporation Ltd. Narayanbagad, Distt. Chamoli, Uttarakhand

Representation No. 01/2017

### **Order**

The petitioner, Shri Harendra Singh Rawat has filed this petition against the order of the Consumer Grievance Redressal Forum, Garhwal zone (hereinafter referred to as Forum) dated 14.12.2016.

2. Petitioner had raised two complaints before the Forum namely no compensation has been paid in 32 years for the death of his buffalo on 14.06.1984 due to electrical accident. While this grievance has not been redressed, petitioner also feels threatened by the presence of a damaged pole near his house. The electricity line for his domestic connection was drawn from this damaged pole earlier but now there is no connection drawn from this pole but the pole has not been removed and petitioner apprehends this could lead to a similar repeat accident. Respondent UPCL had informed the Forum that the petitioner's line passing from above his house was shifted from the damaged pole to a new pole. Consequently the Forum observed that this grievance has been redressed. Forum also held that the matter for compensation for the dead buffalo cannot be heard in the Forum, being beyond jurisdiction. Accordingly the Forum disposed off this complaint.

3. Petitioner has in his petition before the Ombudsman claimed that while his connection was shifted to a new pole the damaged pole has been left standing close to his residence which causes apprehension of a similar accident again. Petitioner therefore requested that the damaged pole be removed in public interest. Further petitioner has also requested that matter of payment of compensation be forwarded to appropriate authority so that this matter, delayed for more than 32 years, is now settled and compensation paid.
4. Forum have in their order, directed for shifting of the line from the damaged pole to a new pole which has been complied with and as observed above have held the other request of payment of compensation to be beyond jurisdiction.
5. Respondent in their written statement have informed that no compensation could be paid to the petitioner for the electrical accident in 1984 in which his buffalo died, because of non availability of report of the Electrical Inspector. 32 years later when the matter has been freshly agitated, the Superintending Engineer, Srinagar has requested Electrical Inspector, Haldwani vide his letter dated 02.02.2017 to give his report. Appropriate action will be taken by the department on receipt of the report. Respondent have also informed that the other grievance of the petitioner of dangling overhead wires has been redressed and a new pole has been erected. While no connections have been given from this existing (damaged) pole for many years, respondent have claimed that since it is the departmental property that pole may be put to appropriate use in the future.
6. The matter was heard on 08.03.2017 and both parties argued their case. It is obvious that matter for compensation has been pending for 32 years. From the documents available on record it is clear that a report from the office of DM, Chamoli dated 04.08.1984 was issued indicating that an enquiry was got conducted regarding death of petitioner's buffalo on 14.06.1984 and it was found that the buffalo died due to an electric wire in the pond. DM, Chamoli had therefore requested the Executive Engineer, Electricity Distribution Division, Gopeshwar to pay compensation as per rules. Executive Engineer sent his recommendation for compensation to the SE on 11.11.1984 followed by reminder on 09.08.1985. Forum have in their order expressed their inability to intervene in this matter due to lack of jurisdiction. This order is as per law. However, the evidence lead before the Ombudsman may be forwarded to the

Senior Management of respondent to ascertain the causes for delay in dealing with this matter while a clear report of the DM was available on record, and to take further appropriate action in the matter in keeping with natural justice and based on evidence on record.

7. On the matter of damaged pole still standing close to the premises of the petitioner, which causes apprehension in his mind, respondent were directed during arguments to get the same removed by 30.04.2017 and confirm the same to this office. Forum order is upheld. Petition is allowed.

Dated: 31.03.2017

(Vibha Puri Das)  
Ombudsman