
(2002) 02 NCDRC CK 0052

In the National Consumer Disputes Redressal Commission

POWER TRANSMISSION CORPORATION LTD. KARNATAKA
ELECTRICITY BOARD, NOW KNOWN AS KARNATAKA

APPELLANT

Vs

SHARAVVA

RESPONDENT

Date of Decision : 11-02-2002

Acts Referred:

Citation : 2002 2 CPR 73 : 2002 3 CPJ 269 : 2003 2 CLT 162

Hon'ble Judges : D.P.Wadhwa , Rajyalakshmi Rao , B.K.Taimni J.

Final Decision : Revision Petition dismissed

Judgement

1. KARNATAKA Electricity Board, was the opposite party in the complaint filed by the respondents before the District Forum. Complainants are the legal representatives of the deceased Kuber who died on account of electrocution on 8.7.1996. On this day he came in contact with a live wire which had snapped from the electric pole supplying electricity to feed his pump set fitted to his borewell for irrigation of his land.

2. COMPLAINING deficiency in service in not supplying electricity properly and safely and causing death of their bread earner, complaint was filed seeking damages. It was contended before the District Forum that the power line which fed the pumpset of the deceased was loose and hung very low and it was precariously connected to the poles on either side. It was also alleged that power line was also broken at various places and mended them shoddily. Number of times complaint was made by the deceased and his neighbours to the officers of the Electricity Board but no action was taken. District Forum held in favour of the complainant-respondents and directed that opposite parties shall pay Rs. 1,70,000/- plus Rs. 5,000/- as compensation with interest @ 12% per annum from the date of complaint and further direction was given as to how the amount was to be shared among the legal representatives of Kuber. Electricity Board went in appeal before the State Commission which again examined the matter in-depth. State Commission referred to the various rules of the Indian Electricity Rules, 1956 as to what is the responsibility and care to be exercised by the

Electricity Board for safe supply of electricity to the consumers. Appeal was dismissed. However, a small modification that instead of Rs. 1,70,000/- + Rs. 5,000/- as compensation, Rs. 1,50,000/- would be paid with interest @ 12% per annum from the date of the complaint. A sum of Rs. 10,000/- was awarded for loss of consortium to complainant No. 1. There was also a direction as to how the amount was to be kept since some of the legal representatives were minor.

Aggrieved by the order of the State Commission dismissing the appeal, petitioner Electricity Board has come before us. We have again examined the matter and rather we are of the view that it was not a case for the State Commission to reduce the amount of compensation as awarded by the District Forum. It cannot be disputed that the deceased was not a consumer and there was no deficiency in service on the part of the petitioner for which it was liable to pay compensation. We do not find any merit in this petition. This revision petition is dismissed. Revision Petition dismissed.