

**Before the Ombudsman**

KPFC BHAVAN, C.V.Raman Pillai Road , Vellayambalam,  
Thiruvananthapuram-695 010.

**Order Dated 07-12-2006.**

Present: M.Sivathanu Pillai, Ombudsman-in Charge.

**Appeal petition No 2 of 2006.**

CGRF order No.CGRF-CR/COMP.71/2006-07/213 DATED 19-10-06.

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Sri.Reji Issac ,  
Kuzhivelikudiyil,Punnopady,  
Thrikkalathoor.P.O, Moovattupuzha.

Appellant

Vs

Assistant Executive Engineer, KSEB,  
Electrical Sub Division, Velloorkunnam,  
Moovattupuzha.

Respondent

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Date of hearing: 07-12-2006.

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Petitioner is a resident of Punnoppady in Moovattupuzha. Petitioner has registered for a agricultural connection on 27.6.02 with Electrical Section, Velloorkunnam, Moovattupuzha. It is stated that the connection was for irrigation of 1.64 acres of land with crops. The application was registered as T-5970 on 27.06.02. Petitioner has stated that though his connection was due in April 2006, as per the order of priority, the connection was not given. On enquiry with Kerala State Electricity Board (hereinafter called "Board"), it was intimated that a fresh report from Agricultural Officer is necessary. Then the petitioner has made a request on 22.07.06 with Assistant Executive Engineer to provide a connection under any category. But the request was rejected vide letter dated 08.08.06. **Petitioner has sought for direction to Board to give connection considering the priority of application-dated 22.07.06.**

CGRF in the order-dated 18.10.06 has stated that the application for agricultural connection was registered and CD accepted on 27.06.02.The connection was registered as T-5970. Meanwhile during Oct.2004, petitioner

dismantled the old pump house and constructed a new pump house near his house and covered the old well. A new well was dug up near the house. The completion report was submitted on 01.03.06. The connection was due for effecting in April 2006. While efforts were on the way for effecting the connection, a complaint was received stating that the petitioner is not eligible for agricultural connection. The Assistant Engineer (AE) wrote for clarification from the Agricultural Officer (AO) Paipra. The AO inspected the site and submitted a report. As per the report the petitioner cannot be given a connection for agricultural purpose.

CGRF has stated to have conducted an inspection of the site on 16.10.06. During inspection it was found that the complete area of the petitioner's land is a rubber estate, full of *aged trees*. It is further concluded that the AE has not verified the bonafides of the premises before registering the connection.

The petition was heard on 7<sup>th</sup> December 2006. The AE of Electrical Section, Velloorkunnam, represented the respondent.

Petitioner while presenting his case stated that the location of the well was shifted to a new location in order to meet the requirements as per Vastu. The new location is in the same survey number. Petitioner pointed out that even as per the report of the Agricultural Officer furnished on 31-07-2006, there are about 20 Nos coconut trees and other trees and hence the purpose is clearly *agricultural*.

CGRF in report dated 22-11-2006 has stated that no crop requiring irrigation could be found on inspecting the site.

The certificate issued by Agricultural Officer in June 2002 clearly mentions the cultivation of coconut, pepper and banana and has recommended giving a connection for agricultural purpose. But in the letter dated 31-07-2006 though the Agricultural Officer admits presence of coconut trees and banana trees, the recommendation is different. The report dated 22-11-2006 of CGRF mentions that the rubber trees are aged ones. This clearly means that no new rubber tree has been noted. Hence the status of the field remains the same. In the letter dated 31-07-2006 issued by the Agricultural Officer, the change of stand has not been properly justified. From the report of CGRF and that of the Agricultural Officer, it can be concluded that no new rubber tree has been planted and hence there is no change in status.

The issue is whether the purpose of the electric connection sought for is for agricultural purpose. This is an issue to be looked in to by the Agricultural Department. Petitioner has to get a clear statement from the Agricultural Department by taking up the case with higher ups in the Department. Electricity Board can go only by the certificate issued by the Agricultural Department.

Hence petitioner has to take up the issue with Agricultural Department and if the Agricultural Department clears the ambiguities, petitioner can take up the matter of giving the connection with Board. Petitioner's request for giving a connection under any other category can be handled by Board only as per rules and hence the seniority cannot be taken from the date of application given under another category.

The petition is disposed off as above.

**Sd/-  
OMBUDSMAN**

**P2/2006/.....Dated**

Forwarded to

Sri.Reji Issac ,  
Kuzhivelikudiyil,  
Punnopady, Thrikkalathoor.P.O,  
Moovattupuzha.

The Chief Engineer (Electrical)  
Distribution (Central), KSEB,  
Vytilla,Kochi

Assistant Executive Engineer, KSEB,  
Electrical Sub Division, Velloorkunnam,  
Moovattupuzha.

Secretary-in-Charge