



**REPUBLIC OF MALAWI**

**INQUIRY BY THE OMBUDSMAN**

**IN THE MATTER**

**BETWEEN**

**JIMMY JUGA ..... COMPLAINANT**

**AND**

**ESCOM ..... RESPONDENT**

**INQUIRY NUMBER: 88/2019**

**FILE NUMBER- OMB/BT/C/73/09**

**DIRECTIVES**

**CORAM**

- Martha Chizuma - Ombudsman
- Jimmy Juga - Complainant
- ESCOM - Respondents

## DIRECTIVES

1. On 19<sup>th</sup> Day, 2019 I made a determination in the above complaint in which I directed the Respondent ESCOM to pay the Complainant for the loss he suffered as a result of the high voltage which was supplied to his house by the transformer. I had further directed that both parties should obtain quotations for the electrical appliance which got damaged. Such appliances being television screen, Daewoo DVD Player, fridge 210 litres and Samsung 3 CD changer radio upon which I would make final directive on the amount to be paid by the Respondents.
2. Three quotations have been obtained from three suppliers ranging from K1, 509,000.00; K1, 603,000.00 and K1, 950,000.00. The Respondent has indicated that some quotations for some of the items were not obtained due to the fact that most shops no longer supply them. As stated the Complainant himself participated in this process and it is therefore assumed that he confirmed the quoted goods to be of the same quality as the ones that he lost through the actions of the Respondent.
3. In view of all this and also taking into consideration the Government procurement guidelines, I hereby direct that the Respondent should pay the Complainant the sum of K1, 200,000.00 being value of the all the items that was damaged due to the Respondent's actions. This money should be paid in instalments and be fully paid by 31<sup>st</sup> May, 2020.
4. Right of Review  
Any dissatisfied party may apply for review of this directive to the High Court pursuant to section 123 (2) of the Constitution within 3 months from the date hereof.

Dated this 13<sup>th</sup> day of March, 2020.

  
Martha Chizuma

**OMBUDSMAN**