

**ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR - 751 012**

Present: Shri S. P. Nanda Chairperson
Shri B. K. Misra, Member
Shri S. P. Swain, Member

Case No. 74/2012

M/s Krupalu Rice Industries Pvt. Ltd. ... **Petitioner**

- Vrs. -

EE, JED, Jajpur, NESCO ... **Respondent**

IN THE MATTER OF : An application under Section, 142 of the Electricity Act, 2003 for non-implementation of order dated 02.03.2012 of the Ombudsman-II passed in C.R. Case No. 77/2011.

For the Petitioner: Shri Falguni Rajguru Mohapatra, Advocate .

For the Respondent: Shri Ananta Narayan Senapati, Executive Engineer(Elect.),
Jajpur Electrical division, NESCO &
SK. Kamal Jumlat, Asst. Manager (Law), NESCO.

Date of Hearing: 28.09.2012

Date of Order: 01.10.2012

ORDER

The case is taken up today for hearing on question of admission as well as on merit. In the above case the respondent has not implemented the order passed by the Ombudsman-II in C.R. Case no.77 of 2011.

2. Heard the petitioner in the case on question of admission. From perusal of the case records, it is found that the petitioner has not given full and final acceptance of the orders/awards passed or direction issued by the Ombudsman-II passed in c.R. Case No.77 of 2011 within 30 days to the said forum and the licensee as per Regulation 10

(6) of the OERC (Grievance Redressal Forum and Ombudsman) Regulations, 2004.

The said Regulation is reproduced below:-

“ 10 (6). The consumer may furnish to the licensee, within a period of one month from the date of receipt of the award or within such period the Ombudsman may allow for reasons to be recorded, a letter of acceptance that the award is in full and final settlement of his claim.

10 (7). The licensee shall comply with the award within 15 days of the receipt of the acceptance letter under clause (6) and the licensee shall intimate the compliance to the Ombudsman.”

3. With the above observations, we disposed of the case by directing the petitioner to furnish the licensee and the Forum regarding full and final acceptance of the said order/direction of Ombudsman-II passed in C.R. Case No.77 of 2011 within seven days as per Reg.10(6) of the OERC (Grievance Redressal Forum and Ombudsman) Regulations, 2004 and the licensee -Respondent is also directed to comply with the aforesaid Order/direction of the Ombudsman-II passed in the above C.R.case within 15 days as per Reg.10(7) of the said Regulations,2004.

4. Accordingly, the above case is disposed of.

Sd/-

(S.P. Swain)
Member

Sd/-

(B.K. Misra)
Member

Sd/-

(S. P. Nanda)
Chairperson