## Jharkhand State Electricity Regulatory Commission, Ranchi Form of Proceedings

## Suo Motu Case No. 08 of 2016

In the matter of

Chairman, Damodar Valley Corporation & Ors

For the Respondents : None

1 2 3 4   05 31.03.2017 This Suo Motu proceeding was initiated on the basis of the report of inspection of Consumer Grievance Redressal Forum (CGRF) of DVC, Maithon dated 2.7.2016. In course of inspection of the CGRF by the Commission, no fixed location/office/ seat of the CGRF was found by the Commission. Besides, post of Member (Accounts) of CGRF was vacant, there was no fixed chamber or fixed seating place for the Chairperson and Members of CGRF, there was no hearing room and required infrastructures, the named Secretary of the CGRF was working elsewhere and occasionally visiting the CGRF, there was no waiting room for lawyers and parties. Case diary, record room office space and office	Sl.No	Date of Proceeding	Proceeding of the Commission with signature	Office action taken with
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It is pertinent to mention that the inspection was made after giving notices and reminders for taking steps to properly establish the CGRF as per the requirement of law. But despite the notices and reminders, those deficiencies were found on spot inspection by the Commission.

This proceeding was then initiated under Sections 142, 146 read with Section 149 of the Electricity Act 2003 against (i) Chairman of Damodar Valley Corporation, Kolkata (ii) Executive Director (Commercial) of Damodar Valley Corporation, Kolkata and (iii) Chief Engineer-cum-Project Head of Damodar Valley Corporation, Maithon.

The proceedees appeared before the Commission and filed their respective reply – almost on similar line.

It has been stated, inter alia, that they had no intention to violate the provision of law but due to process of shifting of CGRF from 1<sup>st</sup> floor of Goswami Bhawan, DVC to ground floor of Disposal Building, DVC, opposite to B.P. Neogi Hospital, Maithon, the things were not found in proper order on inspection. It has been categorically mentioned that all the deficiencies have been taken care of immediately thereafter and the CGRF is now in complete shape. Some photographs have also been annexed in support of the statement.

The Proceedees have also tendered unqualified apology.

Though the reply regarding shifting process of CGRF appears to be unfounded in view of the situation found on inspection, the Commission does not wish to take harsh view considering the subsequent conduct and immediate revival steps taken for proper functioning of CGRF, as also the unqualified apology tendered by them. The Commission is more interested in proper implementation of provisions of law than penalizing for violation, unless compelled under the circumstances.

The proceedee – Project Head – B.D. Sahu, who appeared in person, expressed his remorse and assured that they shall be vigilant in future and there shall be no lapse on their part in future.

Considering the above, we discharge the Rule issued against the proceedees and drop the proceeding.

It is made clear that though liberal view has been taken this time, any lapse in compliance of legal provisions in future shall be seriously viewed and dealt with accordingly.

The case stands disposed of.

Sd/-Member (E) Sd/-Chairperson