

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL No.10126 OF 2010

832993

CONSUMER PROTECTION COUNCIL, ROURKELA

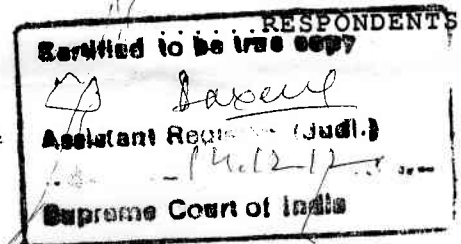
.....APPELLANT

VERSUS

INDIAN OIL CORPORATION LTD. AND ORS.

RESPONDENTS

O R D E R



Delay condoned.

This appeal is directed against order dated 16.08.2007 passed by the National Consumer Disputes Redressal Commission (for short, 'the National Commission'), the operative portion of which reads as under:

"1. The Ministry of Petroleum is given four years time as prayed for, in terms of the submissions and our observations mentioned hereinabove.

2. The Ministry of Petroleum as well as the Ministry of Consumer Affairs shall ensure that all Marketing Companies do issue necessary instructions that the Distributors will provide to deliveryman proper weighing scale for the purpose of weighing LPG Gas Cylinder in the presence of customers and they will give it due publicity by publishing the same in the vernacular language of each and every State as well as in English and Hindi newspapers apart from giving similar type of advertisement in TV for information of the consumers."

During the pendency of the special leave petition out of which this appeal arises, several orders were passed for ensuring compliance of the directions given by the National Commission. In compliance of the direction given by the Court, detailed counter affidavits were filed on behalf of respondent Nos.6, 7 and 8 apart from the impleaded respondent i.e. the Union of India through the

Ministry of Petroleum.

In para 16 of the affidavit filed by Smt. Sushma Rath in August, 2012, the deponent has furnished the particulars of the steps taken by various oil companies to modernise LPG bottling plants and instructions issued by them to the distributors to provide portable electronic/mechanical weighing scales to the deliveryman so that weight of the cylinders could be checked at the time of delivery. The Ministry of Petroleum and the oil companies have also issued advertisement in the newspapers and the electronic media for making the consumers aware about their rights to get the prescribed quantity of gas. Directions have also been issued to the dealers for ensuring that the deliveryman carry weighing machines at the time of delivery of cylinders.

In view of the steps taken by the Government of India and the oil companies, no further direction is required to be issued in the matter and the appeal is disposed of as infructuous.

However, it is made clear that if any individual consumer or group of consumers have any grievance against any company or the dealer, then he/they shall be free to avail appropriate remedy including the one by filing complaint under the Consumer Protection Act, 1986.

.....J.
(G.S.SINGHVI)

.....J.
(SUDHANSU JYOTI MUKHOPADHAYA)

NEW DELHI;
DECEMBER 5, 2012.