

HARYANA RIGHT TO SERVICE COMMISSION
S.C.O. No. 38 & 39 (2nd FLOOR), SECTOR 17-A, CHANDIGARH-160017
Website- <https://haryana-rtsc.gov.in/> Telephone: 0172-2711050

No. 3584

Dated: 23/8/24

To

The Managing Director,
DHBVN.

The XEN-cum-SGRA,
Division (Electricity)-Greater Faridabad (09718599180)
E-mail: xenopgreaterfaridabad@dhbvn.org.in

The SDO-cum-FGRA,
Division (Electricity)-Tilpat, Greater Faridabad (07290047249)
E-mail: sdooptilpat@dhbvn.org.in

The Commercial Assistant -DO,
(O/o SDO, Sub-Division (Electricity)-Tilpat) (07290047249)
E-mail: sdooptilpat@dhbvn.org.in

Subject:- Interim Orders Revision No. AAS24/1047159 Name- Sh. Binay Das Service- Billing Complaints (RTS-7Day) Department- (DHBVN) Filed through Self- on 13.04.2024.

I am directed to forward herewith a copy of the orders dated 20.08.2024 passed by Sh. T.C. Gupta Chief Commissioner, Haryana Right to Service Commission, Chandigarh in respect of above case for information and compliance.

BY THE ORDER OF THE HARYANA RIGHT TO SERVICE COMMISSION AT CHANDIGARH.

Encl: As above

(Sube Khan)
Under Secretary-cum-Registrar,
Haryana Right to Service Commission
E-mail: rtsc-hry@gov.in

Endst. No. 3585

Dated: 23/8/24

A copy of the above is forwarded to the following for information:-

- i. Sh. Vikas Kadian, XEN, DHBVN, Nodal Officer for RTS matters on behalf of DHBVN
E-mail: kadianvikas@yahoo.com.
- ii. the appellent Sh. Binay Das (9891927698) for information.

(Sube Khan)
Under Secretary-cum-Registrar,
Haryana Right to Service Commission
E-mail: rtsc-hry@gov.in



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Final Orders

(In respect of Revision No. AAS24/1047159 Name- Sh. Binay Das Service- Billing Complaints (RTS-7 Days) Department- (DHBVN) Filed through Self- on 13.04.2024.

1. These orders are in continuation of the earlier orders of this Commission passed on 06.05.2024, the operative part of which is as follows: -

"The Commission has carefully considered all facts and circumstances of this case. It is really strange that the meter F code is appearing in the bill for last 7 years and the power utility is not bothered about it. It was stated by the respondents that when the F Code appears, even if the meter reading is given in the bill and the status of meter is ok, instead of calculating the exact amount of bill, the bill will be prepared by the software on the basis of monthly minimum charges (MMC). Therefore, in this case though the average bill is approximately on account of 150 units per month but it was billed on a lesser side and the amount kept on getting accumulated with the result that when the meter reading of the meter was downloaded, the amount payable is Rs. 21,660/- after deduction of payments already paid by the consumer. Since, there is fault on the part of Nigam, they can at best, provide a facility of making this payment in 3-4 installments without any surcharge but because the bill is as per the meter reading, the consumer is liable to pay that. Tough the contention of the respondents is as per record but the CA and the SDO have failed to answer the query as to why no action was taken on the complaints submitted by the consumer in the sub division earlier. The appellant stated that he has got all the receipts with him and therefore, he was directed during the hearing to send scanned copies of all such representations/ complaints which he had submitted in the sub division so that responsibility for inaction can be fixed. The Commission cannot ignore the pleas of the consumer that he is a poor person and cannot afford to pay this much amount in lump sum. Therefore, the consumer is directed to get in touch with the SDO and get the installments of this amount made besides sending the above information after which a final view will be taken."

2. In reference to the same, an email was received from the appellant on 03.05.2024, stating that the calculations in his bills were incorrect and that the SDO tried to hide evidence to obtain additional payment. He mentioned that he reviewed the billing history and found the following:

- i. The meter status first appeared on the bill in June 2015, which was when the meter was installed. However, the department calculated it starting from 11.05.2017, as detailed below:

Date	Paid by the customer (Rs.)
27.02.2017	693
02.01.2017	10,235
22.08.2016	4,000
22.01.2016	1,435
16.11.2015	2,468
25.06.2015	51
Total	18,882

- ii. Slab calculation was not correct.
iii. The total payment made by him since 25.06.2015 is Rs. 42,172

Furthermore, the appellant attached complaints dated 02.04.2015 and 27.08.2016. Additionally, another email was received from the appellant, in which he mentioned that he had made multiple complaints on 02.02.2015, 22.08.2016, 29.08.2016, 18.09.2016, 20.02.2017, 27.02.2017, 07.04.2017, 02.12.2022, and 12.05.2023.

3. Considering the above, a report was sought from the XEN vide no. 2846 dated 03.07.2024, based on the consumer's plea. A response was received from the XEN vide no. CH-34/GC-207 dated 12.07.2024, stating the following:

- (i) Regarding the allegations of incorrect calculations, it was informed that, according to the CCB record, the consumer's faulty meter was replaced on 05.09.2016 with an initial reading of 1 KWH, and the old meter's final reading was 6785 KWH.
- (ii) After the replacement, regular reading bills were issued to the consumer up to May 2017, with the meter showing an OK status and a reading of 3445 KWH.
- (iii) The bill was revised by the CBO office for the period from May 2017 to January 2024 (2435 days), with a reading difference of 12259.9 KWH. The calculations are as follows:
- (a) Total consumption: 12259.9 KWH
- (b) Total period: 2435 days
- (c) Bimonthly average consumption: $(12259.9 / 2435) * 60 = 302.09$ KWH
- (iv) The consumer requested to adjust the amount he paid against the electricity bills issued to him, but the actual reading was 3445 KWH, taken up to May 2017, which was in OK status.
- (v) As of now, the payable amount is Rs. 17,868 (after a payment of Rs. 5,000 made by the consumer on 25.06.2024, after the due date).
- (vi) The SDO had called the complainant twice for a hearing, on 08.07.2024 and 10.07.2024, but he did not attend.

Additionally, an email was received from the appellant stating that the faulty meter was not replaced on 05.09.2016, as informed by the XEN. Instead, he had filed a complaint on 02.04.2015 regarding the faulty meter, after which a new meter was installed in June 2015. He mentioned that in 2015 and 2016, the department did not capture the meter number and generated bills on an average basis, for which he raised multiple complaints. He paid Rs. 10,235 in November 2016 without any reading being captured. He requested the SDO office to consider the total units, which is 15,762 units, and the total payment of Rs. 42,172 + Rs. 5,000 (recently paid) = Rs. 47,172.

4. The Commission has carefully considered all the facts and circumstances of this case. This is yet another instance where DHBVN has harassed the consumer without any fault on his part. The Commission would like to quote from its earlier order dated 31.05.2024 in the case of Ms. Asha Bakshi Surinder (AAS24/1033046): -

“This is yet another case where a consumer has been harassed by UHBVN claiming itself to be ‘A’ plus category power utility in the Integrated Rating of Discoms. Unfortunately, the bills are not being checked by the power utility and it seems that there is no monitoring mechanism at the higher management level. The computer can easily sort not only the number of consumers but also the names of the consumers whose bills are being raised on an average basis having codes R1 or F for a long time, say more than 2-3 billing cycles. This kind of report can easily be generated from the RAPDRP system which is fully computerized. The consumers are being harassed without any fault on their part. If they monitor it periodically, they can take corrective action. How would a consumer feel if he suddenly gets a huge bill even after paying all the received bills regularly?”

In this particular case, average bills were generated from **September, 2017 to January 2024**, spanning for more than 6 years. This raises concerns about the monitoring being conducted not only at the subdivision level but also at higher management levels. The complainant in this case received a bill of Rs. 21,660 after paying charges as demanded by DHBVN for years. This situation of demand of a huge amount suddenly constitutes harassment of the consumer, who has to live in a constant state of anxiety over this substantial amount. Simultaneously, it is an embarrassment for the department, which, despite having all the necessary monitoring tools at its disposal, has failed to correct this issue.

5. The XEN and the SDO, in their replies dated 24.04.2024 and 23.04.2024, respectively, conceded that bills were being generated on an average basis from April 2020 to January 2024. However, they stated that the issue has now been corrected, and the consumer is liable to pay Rs. 21,660 as per actual readings. The point remains that incorrect bills were generated for such an extended period, as admitted by the officers of DHBVN. Therefore, in light of this significant lapse in the delivery of a notified service, the Commission, exercising its powers under Section 17(1)(h) of the Haryana Right to Service Act, 2014, awards a compensation of Rs. 5,000 for the incorrect bills generated during the aforementioned period. This amount should either be adjusted in the consumer's account by DHBVN out of its own funds or paid into the consumer's

bank account. DHBVN may recover this amount from the officers responsible for these lapses after getting inquiry conducted . The appellant, Sh. Binay Das, is requested to provide the following details to the office of MD, DHBVN (md@dhbvn.org.in) as well as to the Commission for processing the compensation payment:

- (a) Name of the Bank
- (b) Name of the Account Holder in the Bank
- (c) Bank Account Number
- (d) Address of the Bank
- (e) IFSC Code

The SDO is directed to send compliance of these orders to the Commission by 20.09.2024. The Commission also orders the SDO to explain to the consumer whenever he visits them, the entire adjustments and slab calculations with regard to the latest payable bill.

6. The Commission, in its interim orders dated 28.06.2024, pertaining to Sh. Sultan Singh (AAS24/1001873), had urged both the MDs of the Nigam to minimize the issuance of bills on an average basis. It was noted in the reply from CE (Commercial), DHBVN, vide memo no. CH-08/SE/C/370/2015/Vol. 9/L dated 09.08.2024, that as of 25.07.2024, there are still 50,003 pending cases where billing was done on an average basis within DHBVN's jurisdiction. The Commission hopes that the Nigam will take prompt and take corrective measures, leading to a reduction in complaints related to average billing in future. It is reiterated that it is neither in the interest of the Nigams nor the Commission for the latter to micro manage the monitoring of such cases. However, if significant improvement is not seen in the coming months, the Commission will not hesitate to penalise senior officers after holding reviews with the Nigams to fulfil its mandate.


20th August, 2024



-sd-
(T.C. Gupta)
CC, HRTSC

Revision No. AAS24/1047159 Name- Sh. Binay Das Service- Billing Complaints (RTS-7Day) Department- (DHBVN) Filed through Self- on 13.04.2024.

From : Haryana Right to Service Commission <rtsc-hry@gov.in> Fri, Aug 23, 2024 12:33 PM

Subject : Revision No. AAS24/1047159 Name- Sh. Binay Das Service- Billing Complaints (RTS-7Day) Department- (DHBVN) Filed through Self- on 13.04.2024.  1 attachment

To : MD DHBVN <md@dhbvn.org.in>, xenopgreaterfaridabad <xenopgreaterfaridabad@dhbvn.org.in>, sdooptilpat <sdooptilpat@dhbvn.org.in>

Cc : kadianvikas <kadianvikas@yahoo.com>, ranjand84@gmail.com

Respected Sir/Ma'am,

Please see the attached file.

HRTSC

Thank you

 **3584 (1).pdf**
3 MB
