



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. 1338

Dated: 8th April 2025

To

The Managing Director,
DHBVN, Hisar,
Haryana.

The SGRA-cum-SE(Op),
Circle (Electricity), Bhiwani.
Contact: 9812063021
E-mail: seopbhiwani@dhbvn.org.in

The FGRA-cum-XEN(Op),
Division (Electricity), Sub-Urban, Bhiwani
Contact: 9812452743
E-mail: xenopsuburbanbhiwani@dhbvn.org.in

The FGRA-cum-SDO(Op),
Sub Division (Electricity), Jui, Bhiwani.
Contact: 9812452756
E-mail: sdoopjui@dhbvn.org.in

Subject:- Revision Details -AAS24/1180037 Name- Sh. OMPARKASH Service-Application for Enhancement of Load - LT [RTS - 37 Days] DHBVN Self Filed by Applicant on AAS Portal on 21.02.2025.

Sir,

I am directed to forward herewith a copy of the orders dated 02.04.2025 passed by Sh. T.C. Gupta, Chief Commissioner, Haryana Right to Service Commission, Chandigarh in respect of above case for information and compliance. **The SGRA-cum-SE** is directed to send compliance of these orders, to the Commission, by 25.04.2025 through email id (rtsc-hry@gov.in) only. **Physical copy of the same must not be sent. The reply must mention the name and designation of the signatory without which it shall not be entertained.**

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. 1339

Dated: 8th April 2025

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

- i. Sh. Vikas Kadian, XEN, DHBVN, Nodal Officer for RTS matters on behalf of DHBVN E-mail: kadianvikas@yahoo.com.
- ii. The appellant - Sh. Om Parkash Phone No. 9253008998 E-mail: Sachinbook63@gmail.com

(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 Details - AAS24/1180037, Name- Sh. OMPARKASH, Service- Application for Enhancement of Load - LT [RTS - 37 Days], DHBVN, Self Filed by Applicant on AAS Portal on 21.02.2025.)

Case type	Revision on AAS	
Department	DHBVN	
Name of Service	Application for Enhancement of Load - LT	
Date of application	13.07.2024	
RTS timeline	37 Days	
RTS Due Date	29.08.2024	
District	Bhiwani	
Name of the Appellant	Sh. Om Parkash	
Designated Officer	Designation	SDO, Sub Division (Electricity)-Jui
	Action taken with date	Application Rejected on 20.07.2024
	Remarks of DO	"Site verification for application number B is rejected PENDING THEFT AMOUNT VIDE L"
First Grievance Redressal Authority	Designation	XEN, Division (Electricity)-Sub-Urban Division, Bhiwani
	Date and mode of appeal submitted to FGRA	25.07.2024 (Self Filed by Applicant on Saral Portal)
	Remarks of the Appellant	"About Fixing Electricity Bill"
	Action taken by the FGRA with date	Final Judgement Delivered on 10.09.2024
	Remarks of FGRA	"After reviewing the statement submitted by the RESPONDENT and APPELLANT, it has been revealed that appellant requested for extension of load of his existing AP application on 13.07.2024 from 7.46 KW to 14.92 KW and the same cancelled on 19.07.2024 due to pending theft amount of Rs. 28000 vide LL1 No. 7 8542. Further, it was also observed that the theft amount of Rs. 28000 relates to user of said connection i.e. Sh. Vedparkash and appellant directly didnot involved in the theft resulting which respondent i.e. SDO OP S

		Divn. Jui directed to coordinate with vigilance wing and necessary direction issued to recover the amount of theft from Sh. Vedpal and take further action as per Honble court order. It is also directed that after shifting of said connection and recover the theft amount necessary action, case of extension of load of the appellant may be considered as per Nigam instructions. Respondent is hereby directed to release the services as per timelines prescribed in RTS Act 2014.”
Second Grievance Redressal Authority	Designation	SE, Circle (Electricity)-Bhiwani
	Date and mode of appeal submitted to SGRA	18.10.2024 (Self Filed by Applicant on Saral Portal)
	Remarks of the Appellant	“Application for Enhancement of Load And Canection Shifting.”
	Action taken by SGRA with date	Final Judgement Delivered on 29.11.2024
	Remarks of SGRA	“the application will be approved when he will be apply for EOL”
Commission	Date of filing of Revision	21.02.2025
	Mode of Revision	Self Filed by Applicant on Saral Portal
	Remarks of the Appellant	“Application for Enhancement of Load And Canection Shifting our fixing Electricity bill.”
	Whether Revision has been filed in time?	Yes
	Whether service has been applied under correct category?	Yes

2. Taking cognizance of the matter, the Commission sent a letter to SGRA-cum-SE, Circle (Electricity), Bhiwani, FGRA-cum-XEN (Op), Division (Electricity), Sub-Urban Division, Bhiwani and DO-cum-SDO (Op), Sub-Division (Electricity), Jui vide letter no. 803 dated 28.02.2025. They were directed to investigate the matter and send the action taken report by 13.03.2025 and a hearing was scheduled to be held before Sh. Vatsal Vashisht, Secretary, Haryana Right to Service Commission on 18.03.2025 at 10:30 am. In the meanwhile, a reply was received from FGRA-cum-XEN (Op), Division (Electricity), Sub-Urban Division, Bhiwani vide no. Ch.52/AAS-Vol-II on 13.03.2025 wherein it was informed that the applicant, Sh. Om Parkash, a resident of Village Jeetpura, applied for an extension of his agricultural load (from 7.46 KW to 14.92 KW) on 13.07.2024. However, due to a pending theft amount of Rs. 28,000/-, the application was cancelled by the concerned SDO on 19.07.2024. Further, it was informed that the theft was initially detected by the Vigilance Department under LL-1

No. 7/8542 in the name of Sh. Om Parkash s/o Sh. Nana Ram of Village Jeetpura. However, upon further scrutiny, it was found that the direct supply was actually being used by Sh. Ved Parkash, who had connected a 4/C cable from the transformer registered under the name of Sh. Om Parkash. Consequently, a penalty of Rs. 28,000/- was incorrectly imposed on Sh. Om Parkash instead of Sh. Ved Parkash. As per FGRA's decision on AAS appeal (Ref. ID AAS24/1180037) dated 25.07.2024, the SDO (OP), S/Division, DHBVN, Jui, was directed to recover the penalty amount from the actual user, i.e., Sh. Ved Parkash and to take further action in accordance with the verdict of the Hon'ble Punjab and Haryana High Court, Chandigarh, regarding the shifting of the existing AP tube well connection. Furthermore, on receiving the communication from the Commission, prompting a review of the progress, revealed that the SDO (OP), S/Division, DHBVN, Jui, had not complied with the FGRA's orders. Consequently, a draft show cause notice was forwarded by XEN (OP), S/Division, Bhiwani DHBVN to the higher authorities for issuance by the competent authority to the SDO (OP), S/Division, DHBVN, Jui. Subsequently, a communication was received from the SDO (OP), S/Division, DHBVN, Jui, through office memo No. 6199 on 12.03.2025. It was explicitly mentioned that the theft amount had been recovered from Sh. Ved Parkash and that the process of overhauling Sh. Om Parkash's account was approved by the office of CBO, DHBVN, Hisar.

3. The hearing took place as scheduled, which was attended by:

- i. Sh. Vikas Kadian, XEN, DHBVN, Nodal Officer for RTS matters on behalf of DHBVN
- ii. Sh. Vijender Lamla, SGRA-cum-SE, Circle (Electricity), Bhiwani.
- iii. Sh. Sanjay Ranga, FGRA-cum-XEN (Op), Division (Electricity), Sub-Urban Division, Bhiwani.
- iv. Sh. Sunil Verma, DO-cum-SDO (Op), Sub-Division (Electricity), Jui.
- v. Sh. Atul Ranga, the then DO-cum-SDO (Op), Sub-Division (Electricity), Jui.
- vi. Sh. Om Parkash, the appellant.

The hearing was held on the above mentioned date and time. There were some contradictions in the claims forwarded by the appellant and the officers. Since the same is crucial to the decision of the issue, both sides were allowed to substantiate their claims with additional inputs.

4. In view of above, a reply was received from XEN vide no. Ch.53/AAS-Vol-II on 20.03.2025 wherein it was informed that the AP connection in the name of Sh. Om Parkash has been in existence since 1986 with a sanctioned load of 10 BHP. Sh. Ved Parkash, brother of Sh. Om Parkash noted that during partition of their parental land having common sazra/jama bandi, the site where the tubewell connection existed was given to Sh. Ved Parkash. He wanted to transfer the tubewell in his name which was cancelled due to non-submission of affidavit from Sh. Om Parkash. Sh. Ved Parkash

filed a case which was dismissed by the Court on 19.01.2015 being bore failure. Sh. Om Parkash submitted a request to transfer of his tubewell connection for which estimates were sanctioned for Rs. 59,882 on 24.02.2015, out of which the consumer deposited Rs. 11,660 on 06.06.2016. Since, the case relates to dark zone, it was held in abeyance. Communication in this regard was made to Assistant Geology Ground Water Department, Bhiwani, after which directions were issued that no approval could be given for shifting of the same. Thereafter, Sh. Om Parkash filed a case in the Hon'ble High Court which decided it in his favour on 12.09.2023 with the directions to shift the connection. Legal Remembrancer directed them to comply with the orders of the HC on 11.10.2023. It was noted that a solar connection existed at the site where the tubewell connection was to be shifted. As per Sales Circular No. 31/2021, it was mentioned that notice be served to disconnect the same but compliance was not done. Paimaish reports were also sought from the Tehsildar which were not shared. The appellant applied for extension of load from 7.46KW to 14.92KW on 13.07.2024 but the same was cancelled on 19.07.2024 for non-deposition of the theft amount of Rs. 28,000 at the same site. VDS scheme was in existence from 01.07.2024 to 15.07.2024 but due to the defaulting amount, the benefits could not be provided. Show cause has been issued against the SDO for non-compliance of the orders of the FGRA. The same theft amount was recovered from the user of the said connection on 26.09.2024. A request letter was submitted by Sh. Ved Parkash for non-shifting of the existing transformer being connected to his DS connection. Revised estimates were framed for shifting the tubewell connection for Rs. 57,649. Tubewell connection was finally shifted on 14.09.2024 with the help of duty magistrate. The remaining estimated cost of Rs. 45,989 and the theft amount of Rs. 28,000 was added in the energy bill of Sh. Om Parkash. The theft amount of Rs. 28,000 was paid by Sh. Ved Parkash without intimation to the SDO/CA. A sundry has been prepared for Rs. 28,000 with surcharge which has been approved by the CBO and the same will be reflected in the May 2025 bill. Further, various submissions were also received from the appellant on 18.03.2025 while sharing the correspondences related to the case alongwith the judicial history.

5. The Commission has carefully considered all the facts and circumstances of the case. To begin with, the Commission notes that the revision was escalated on 21.02.2025, while the enhancement of load in the case of the AP connection was de-notified under the Haryana Right to Service Act, 2014, on 16.01.2025. However, the appellant had applied for the said service on 13.07.2024, when it was still notified, thereby empowering the Commission to take cognizance of the matter. It is noteworthy that, as per the LL-1 report dated 21.12.2021, it was explicitly stated that the user in this case was Sh. Ved Parkash under the connection of Sh. Om Parkash. Therefore, even though the connection was marked as defaulting, the Nigam had the option to impose the theft penalty on Sh. Ved Parkash's account. However, this was not done, thereby depriving the appellant of the opportunity to apply for a load extension under the VDS scheme. Furthermore, it is evident from the respondents' replies that the

penalty amount was paid by the user on 26.09.2024. Given this, it is illogical that the amount continued to remain in the account of Sh. Om Parkash. The respondents' argument that the petitioners did not inform the SDO/CA concerned about the payment of the theft amount does not hold up to scrutiny. It is the Nigam's responsibility to map the penalty payment to the account and update the records accordingly. Expecting the appellant to go from pillar to post to notify the deposition of a penalty amount—especially one paid by someone else—is unreasonable. Since the amount remained in the appellant's account since September 2024, the Nigam cannot deny culpability for this oversight.

It is noted that the appellant can still apply for an enhancement of load under the normal category. However, this does not absolve the respondents of their responsibility for denying him the opportunity to apply under the VDS category during the 15-day window when it was available. For the harassment that the appellant has been subjected to, the Commission in exercise of its powers under Section 17(1)(h) of the Haryana Right to Service Act, 2014 awards a compensation of Rs. 5,000 to the appellant. Sh. Om Parkash is requested to provide the following details to the office of MD, DHBVN (md@dhbvn.org.in), SGRA-cum-SE, Circle (Electricity), Bhiwani (seopbhiwani@dhbvn.org.in) and to the Commission (rtsc-hry@gov.in) for making the payment of the compensation:-

- (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 Nigam is free to recover the said amount from any official found responsible for the lapse after conducting an internal inquiry. It has been informed that a show cause notice was issued against the SDO in this case. Therefore, if the same official is found guilty, the amount may be recovered from him.

The SE is directed to intimate compliance to the Commission along with photocopies of the proof, at its email id rtsc-hry@gov.in by 25.04.2025.

With these orders, this revision is hereby allowed and disposed of.

02nd April, 2025

