



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. 5064
To

Dated: 8/11/24

The Additional Chief Secretary to Govt. of Haryana,
Energy Department.

The Managing Director,
DHBVN.

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


FGRA-cum-SDO(Op),
Sub Division (Electricity), Kheri Kalan.
Contact: 09540954972
E-mail: sdoopkherikalan@dhbvn.org.in

DO-cum-CA(Op),
Sub Division (Electricity), Kheri Kalan.
Contact: 09540954972
E-mail: sdoopkherikalan@dhbvn.org.in

Subject:- Revision Details - AAS24/1102067 Name- Sh. Vikas Service- Billing Complaints [RTS - 7 Day] DHBVN Self Filed by Applicant on Saral Portal(Saral) on 21.07.2024.

I am directed to forward herewith a copy of the orders dated 05.11.2024 passed by Sh. T.C. Gupta Chief Commissioner, Haryana Right to Service Commission, Chandigarh for information and further necessary action.

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



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

Endst. No. 5065

Dated: 8/11/24

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

- Sh. Vikas Kadian, XEN, DHBVN, Nodal Officer for RTS matters on behalf of DHBVN E-mail: kadianvikas@yahoo.com
- the appellant – Sh. Vikas Phone No. 9991725407 (through AAS)


(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 - AAS24/1102067 Name- Sh. Vikas Service- Billing Complaints [RTS - 7 Day] DHBVN Self Filed by Applicant on Saral Portal(Saral) on 21.07.2024.]

Hearing Date: 30.09.2024

Time: 12.00 Noon

Case type	Revision on AAS	
Department	DHBVN	
Name of Service	Billing Complaints	
Date of application	05.05.2024	
RTS timeline	7 Days	
RTS Due Date	14.05.2024	
District	Faridabad	
Name of the Appellant	Sh. Vikas	
Designated Officer	Designation	CA, Sub-Division (Electricity)-Kheri Kalan
	Action taken with date	Closed on 10.05.2024
	Remarks of DO	"Closed"
First Grievance Redressal Authority	Designation	SDO, Sub-Division (Electricity)-Kheri Kalan
	Date and mode of appeal submitted to FGRA	14.05.2024 (Self Filed by Applicant on Saral Portal)
	Remarks of the Appellant	"Bill correction summary make by electricity department and last bill payment details attached. So I requeste to you kindly look into matter and resolve the bill issue."
	Action taken by the FGRA with date	Appeal Resolved on 17.05.2024
	Remarks of FGRA	"Please mention proper address so that this office can resolve your complaint timely if possible please attached electricity bill copy meter photo attached"
Second Grievance Redressal Authority	Designation	XEN, Division (Electricity)-Greater Faridabad
	Date and mode of appeal submitted to SGRA	19.05.2024 (Self Filed by Applicant on AAS Portal)
	Remarks of the Appellant	"Complaint Letter with full Details and Relevant documents are attached with address."
	Action taken by SGRA with date	Final Judgement Delivered on 23.05.2024
	Remarks of SGRA	"The complaint has been resolved as the consumer was called for hearing on dt. 23.05.2024. The facts discussed in detail and consumer was counseled, Further he was agreed with the action taken by concerned SDO and he submit his

		satisfaction report toward the redressal of his grievances. Hence the appeal is closed."
Commission	Date of filing of Revision	21.07.2024
	Mode of Revision	Self Filed by Applicant on AAS Portal
	Remarks of the Appellant	"full amount not correctly reversed. one month surcharge not reversed full details attached in application. kindly resolve."
	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 letter to FGRA-cum-SDO, Sub-Division (Electricity)-Kheri Kalan vide no. 3458 dated 14.08.2024. He was directed to investigate the matter and send the action taken report by 27.08.2024.

3. A response was received from FGRA-cum-SDO, Sub-Division (Electricity)-Kheri Kalan (reference no. SPL-1 dated 27.08.2024), indicating that an incorrect Maximum Demand Indicator (MDI) reading was observed in December 2022 and January 2023. The meter was subsequently inspected by the M&P team on 28.09.2023. A sundry amount of Rs. 33,03,219 (inclusive of surcharge) was calculated and adjusted in the bill dated 12.06.2024.

However, the Commission noted the following observations:

- i. The actions taken by FGRA were insufficient. The appeal was marked as resolved on 17.05.2024, directing the appellant to provide a proper address and a copy of the bill. The appeal had been received by FGRA on 14.05.2024. The appellant informed the Commission that the department was pressuring him to pay the dues.
- ii. The MT-1 report, conducted on 28.09.2023, indicated a meter error. Despite awareness of the issue, the department did not take proactive steps to address it.
- iii. The appellant reported that the surcharge for April 2024 was not included in the sundry calculation. According to the sundry, surcharges for March and April 2024 were Rs. 51,496 and Rs. 51,929, respectively. However, the appellant provided copies of his bills, showing that Rs. 51,929 was actually the surcharge for May 2024, while the surcharge for April 2024 was Rs. 50,282. The appellant also mentioned that he was contacted by the department on 27.08.2024 and was asked to submit a satisfaction report, promising that the issue would be rectified if he complied, which he declined.

4. These observations were conveyed to SGRA-cum-XEN, Division (Electricity)-Greater Faridabad; FGRA-cum-SDO, Sub-Division (Electricity)-Kheri Kalan; and DO-cum-CA (Office of SDO, Sub-Division (Electricity)-Kheri Kalan) vide letter no. 3916 dated 12.09.2024. A hearing was scheduled before Sh. T.C. Gupta, Chief Commissioner, Haryana Right to Service Commission, on 30.09.2024 at 12:00 noon.

5. The hearing was attended by Sh. Vikas Kadian, XEN, DHBVN and Nodal Officer for RTS matters on behalf of DHBVN; Sh. Pankaj Panwar, SGRA-cum-XEN, Division (Electricity)-Greater Faridabad; Sh. Sunil Kumar Chawla, FGRA-cum-SDO, Sub-Division

(Electricity)-Kheri Kalan; and the appellant, Sh. Vikas. Due to apparent confusion on the part of DHBVN authorities, the appellant was directed to visit the FGRA-cum-SDO office, which the XEN also planned to visit at 2:00 pm on 30.09.2024. Following this, the SDO was instructed to submit a revised response. If the reply is not received by 14.10.2024, the case will be revisited.

6. A response was received from FGRA-cum-SDO, Sub-Division (Electricity)-Kheri Kalan (memo no. 2989 dated 15.10.2024), stating that the complainant visited the SDO office. Upon reviewing the records, it was found that an amount of Rs. 70,497 was refundable, which has been adjusted in the October bill. It was further confirmed that the complainant had made a partial payment of Rs. 2 lakhs and expressed his satisfaction.

7. The Commission has carefully considered all the facts and circumstances of this case. It is noted that the respondents have misled the Commission by omitting information, which the Commission finds unacceptable. During the hearing, it was stated that all necessary adjustments had been made and no dues were pending. However, upon the Commission's direction during the hearing, as there appeared to be some confusion, the appellant was instructed to visit the sub-division office. Additionally, according to the revised reply received on 15.10.2024, a further adjustment of Rs. 70,497 has been made in the October 2024 bill. This bill also shows arrears of Rs. 28,32,750 and a provisional adjustment of Rs. 1,01,663. The Nigam has reversed its previous stance, in which it asserted during the hearing that the adjustments were accurate. The appellant has noted difficulty vacating the rented premises due to incorrect billing. There have been lapses at all levels of the respondent authorities. This matter could have been resolved if the respondents had provided the appellant with a proper hearing. For the harassment caused to the appellant, the Commission exercising its powers under Section 17(1)(h) of the Haryana Right to Service Act, 2014 (hereinafter referred to as the "Act"), awards a compensation of Rs. 5,000 to the appellant. 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. Vikas, is requested to provide the following details to the office of MD DHBVN (md@dhbvn.org.in) as well as to the Commission through **email only** at rtsc-hry@gov.in 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 XEN is directed to send compliance of these orders to the Commission by 30.11.2024 through email only.

8. The Commission also notes with displeasure the conduct of the FGRA who marked the appeal 'resolved' within three days of receipt with the following remark,

'Please mention proper address so that this office can resolve your complaint timely if possible please attached electricity bill copy meter photo attached'

The SDO had 30 working days to address this appeal, yet it was marked resolved without actual resolution for this trivial reason. The SDO could have reached out to the appellant for clarification or conducted a hearing, as mandated under Section 6 of the Act, which was not followed. Additionally, the fact that a revised adjustment was only made at the Commission's direction suggests that the grievance was never properly attended to before it reached the Commission. Consequently, the Commission, exercising its powers under Section 17(1)(d) of the Act, recommends that necessary disciplinary action be taken against the SDO by the State Government, i.e., the Additional Chief Secretary to the Government of Haryana, Energy Department. The ACS, Energy Department, is requested to inform the Commission of the action taken in this case within 30 days of receipt of these orders, as mandated in Section 18(1) of the Act which provides as under :-

"The State Government shall consider the recommendations made by the Commission under clauses (d), (e) and (f) of sub-section (1) of section 17 and send information to the Commission of action taken within thirty days or such longer time as may be decided in consultation with the Commission, In case the State Government decides not to implement any of the recommendations of the Commission, it shall communicate the reasons for not acting on the recommendations to the Commission".

9. As far as the role of Shri Pankaj Panwar, SGRA-cum-XEN is concerned, the Commission is not satisfied with the action taken by him. However, a lenient view is being taken and is being let go of with a warning. However, if similar lapses are seen on his part in future, this case will be clubbed while recommending necessary disciplinary action against him to the State Government. Hopefully, such a situation will not arise.

With these orders, this revision is hereby disposed of.

04th November, 2024


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