



**HARYANA RIGHT TO SERVICE COMMISSION**  
S.C.O. No. 38 & 39 (2<sup>nd</sup> FLOOR), SECTOR 17-A, CHANDIGARH-160017  
E-mail: [rtsc-hry@gov.in](mailto:rtsc-hry@gov.in) Telephone: 0172-2711050

File No: HRSC-010004/31/2022 / 052

Dated: 03.01.2023

**FINAL ORDER**

To

1. The Executive Engineer-cum-  
Second Grievance Redressal Authority  
(Electricity)City Division  
DHBVN, Gurugram (M) 09540954931  
Email:- [xenocitygurugram@dhbvn.org.in](mailto:xenocitygurugram@dhbvn.org.in)
2. The Sub Divisional Officer-cum-  
First Grievance Redressal Authority,  
Electricity, Kadipur  
Gurugram, DHBVN  
E-mail: [sdoopkadipur@dhbvn.org.in](mailto:sdoopkadipur@dhbvn.org.in)  
(M) 09540954934
3. The Commercial Assistant-cum-  
Designated Officer, Electricity  
Kadipur, Gurugram, DHBVN  
O/o SDO, Kadipur  
E-mail: [sdoopkadipur@dhbvn.org.in](mailto:sdoopkadipur@dhbvn.org.in)  
(M) 09540954934

**Subject:- In respect of AAS Appeals no. AAS22/209635 of Akshay Jain for Billing complaints, DHBVN.**

I am directed to forward herewith a copy of the Final order dated 02.01.2023 passed by Sh. T.C. Gupta, Chief Commissioner, Haryana Right to Service Commission, Chandigarh in respect of above case for information and compliance.



*Skhan*  
(Sube Khan)

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

Endst. No. 053

Dated: 03.01.2023

A copy is forwarded to the Managing Director, DHBVN for information and necessary action please.

*Skhan*  
(Sube Khan)

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



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Website: haryana-rtsc.gov.in Telephone: 0172-2711050

**FINAL ORDERS**  
**(In respect of AAS Appeal no. AAS22/209635 of Akshay Jain for Billing Complaints, DHBVN)**

1. The Commission had received an appeal over AAS (Auto Appeal System) with the following details:

Sr. No.	Service Name	Application Ref. Id. (Submit Date)	Applicant Name & Reference ID	RTS Due Date	DO	FGRA	SGRA
1	Billing Complaints	AAS22/209635 05.08.2022	Akshay Jain & CMPG14000488978	19/08/ 2022	CA Kadipur	SDO - Kadipur	XEN -City Gurugram Division

The complainant's issue was simply that he hadn't received any bill post April, 2022. The RTS due date of the complaint was 19.08.22. Commercial Assistant, Kadipur Subdivision (Designated Officer) closed it on 30.08.22 with remarks that the same has been sent to the concerned JE to check the status of the matter. The First Grievance Redressal Authority (SDO, Kadipur) did not take any action on the appeal. The Second Grievance Redressal Authority (XEN, City Gurugram) closed the appeal with orders informing of a bill amount till August having been issued but hadn't attached any bill. On calling the appellant, he informed that he had not received any bill even as on 29.11.22. Therefore, a notice dated 12.12.22 under Section 17(1)(h) of the Haryana Right to Service Act, 2014 was issued to CA-Kadipur to explain why a penalty of Rs. 20,000 may not be imposed on him and a compensation of Rs. 5,000 may not be awarded to the appellant for his closure of the complaint without resolution and consequent delay in delivery of a notified service. A notice dated 12.12.22 under Section 17(1)(d) was also issued to SDO, Kadipur to explain why disciplinary action may not be recommended against him for not acting on the AAS appeal while it lay in his log in ID for 30 working days and thus breaching his duties under HRTSA, 2014. A letter dated 12.12.22 was also issued to XEN, City Gurugram to explain why the claim of the complainant was contradicting his orders on AAS. CA, Kadipur and SDO, Kadipur were asked to submit their replies by 26.10.22, failing which they were asked to appear before the Commission on 28.12.22. XEN, City Gurugram was directed to submit his reply by 27.12.22.

2. Replies from neither of the three officers was received by the stipulated timelines and hence, hearing in this case was done on 28.12.22. SDO, Kadipur, Sh. Vipin Yadav appeared for the hearing before the Commission on 28.12.22 through VC. On being asked why a simple matter of issuance of bill had not been resolved yet, he stated that they are facing some technical issue in creating the case of the complainant's account. He further stated that on the advice of the CBO, they had raised a ticket as well. He also stated that the sub-division has not had a CA posted for the last 2-3 months. He was told that a technical issue not getting resolved for almost 5 months is a major lapse and indicates a lack of seriousness in resolving complainant issues. Sh. Sattar Khan, XEN, City Gurugram was also called

telephonically to check why he had closed the appeal stating the issue has been resolved when even the SDO is now informing that the issue is pending. He stated that the same had been done on the basis of a report from the SDO only. He was asked to share the report from the SDO on the basis of which he had closed the appeal and also asked to ensure resolution of the issue immediately. He shared a report vide email dated 28.12.22, which informed that the resolution of the issue had been effected on 28.12.22 itself after coordinating the same with HCL and RAPDRP team. The report also had the bill of the appellant and the mail from SDO, Kadipur on the basis of which the appeal had been closed by XEN, City Gurugram enclosed. On calling the appellant telephonically, he also confirmed that his issue now stood resolved and he had been issued his bill.

3. The Commission has considered all the facts and submissions of the case. There has been a gross neglect in performance of his duties on the part of SDO, Kadipur, Sh. Vipin Yadav. It is clear from the hearing that even after being in the knowledge of the technical issue and receiving the appeal over AAS, he did not take adequate action on the appeal. In fact, he sent a faulty report regarding resolution to XEN, City Gurugram as well. The fact that the issue has been resolved on the very day of Commission directing XEN, City Gurugram to look into the same, highlights how trivial the matter was. This indicates either incompetency or sheer apathy on the part of Sh. Vipin Yadav, both of which are detrimental to public welfare. The appellant has been subjected to utterly unnecessary inconvenience. Even though he had been issued notice under Section 17(1)(d) of the Act, the Commission can impose penalty on any official involved in the process of providing this service. Therefore, exercising powers under Section 17(1)(h) of the Haryana Right to Service Act, 2014, the Commission imposes a penalty of Rs. 10,000 (ten thousand only) on Sh. Vipin Yadav. He is also directed to pay a compensation of Rs. 5,000 (five thousand only) to the appellant Sh. Akshay Jain from his own salary/savings. The appellant shall provide the following details to Sh. Vipin Yadav and the Commission through email for making this payment to his account:

- Name of the Bank
- Name of the account holder in the Bank
- Bank Account number
- Address of the Bank
- IFSC Code

Sh. Vipin Yadav is directed to deposit the penalty in the State Treasury under the Receipts head 0070-60-800-86-51 and pay the compensation to the appellant under intimation to the Commission along with photocopies of the Challan/Bank Transaction ID at [rtsc-hry@gov.in](mailto:rtsc-hry@gov.in). The penalty should be deposited and compensation be paid within 30 days of issuance of these orders. If the same does not happen, MD-DHBVN should deduct the amount out of his salary of February, 23, to be paid in March, 23 and deposit/transfer the same under intimation to the Commission, provided it does not exceed 1/3<sup>rd</sup> of his gross salary. Remaining amount, if any, be deducted in the next month and be deposited in the State Treasury. Information about the same be sent to the Commission in due course. XEN, City Gurugram is also advised that in future, they should ensure further checks before closing AAS appeals.

2<sup>nd</sup> January, 2023

