

HRTSC/ File no. 139/SM- 325 / 200

Dated: 16 .01.2023

To

1. Sh. Ranbir Deswal,
XEN (OP) Division UHBVN, Samalkha
2. Sh. Rajesh Rawal,
JE, Thermal, Panipat
3. Sh. Brijbhushan,
The then CA (through SDO(OP) S/Divn., UHBVN, Samalkha)
4. Sh. Amarjeet,
DEO (through SDO(OP) S/Divn., UHBVN, Samalkha)

Subject: - Final order regarding Suo-moto notice in case of Sh. Jasbir Singh on basis of monthly report of UHBVN Dept. for month of Aug-Nov,2021.

I am directed to forward herewith a copy of the order dated 12.01.2023 passed by Sh. T.C. Gupta, Chief Commissioner, Haryana Right to Service Commission, Chandigarh in respect of above case for information and compliance.

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

Encl: as above.



(Hitender Kumar, HCS)
Secretary
For Haryana Right to Service Commission
E-mail: rtsc-hry@gov.in

Endst. No. HRTSC/File no.139/SM-325 / 201

Dated: 16 .01.2023

A copy of the above is forwarded to MD,UHBVN for information and compliance.

(Hitender Kumar, HCS)
Secretary
For Haryana Right to Service Commission
E-mail: rtsc-hry@gov.in



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

FINAL ORDERS

**(In respect of case no. HRTSC/File No-139/SM-325/5194 dated 01.12.22
 against Sh. Rajesh Rawal, JE, UHBVN)**

1. On perusal of the October, 2021 monthly report of UHBVN, it was observed by the Commission that a meter complaint vide complaint no. CMPP22000485869 registered by Sh. Jasbir Singh on 30.10.21 had been delayed. The complainant had stated in his complaint that a wrong MCO had been registered against his account. A report dated 29.06.22 received from the UHBVN HQ on Commission's query informed that the issue was pending for resolution even then. On further follow-up by the Commission, UHBVN HQ resolved the matter and shared a report dated 28.09.22 from XEN, Samalkha addressed to SE, Monitoring. It informed of the resolution of the issue, had the satisfaction letter from the complainant attached and also stated that Data Entry Operator Sh. Amarjeet was responsible for the delayed dealing of the case. To get clarification of lapses, Sh. Amarjeet and the concerned SDO, Samalkha were called for a hearing before the Commission on 27.10.22. Sh. Amarjeet appeared for the hearing on 27.10.22 through VC. SDO, Barauli appeared on behalf of SDO, Samalkha, with the latter on leave. On being asked about the wrong MCO, Sh. Amarjeet stated that the same had been affected by the concerned JE. For the billing complaint too, he alleged that another Commercial Assistant was responsible. On being asked as to why XEN, Samalkha had pinned him for the lapses, he could not provide a clear answer. SDO, Barauli was asked to look into the matter and share two names with the Commission- name of the official responsible for the wrong MCO and the one responsible for delayed dealing of the meter complaint. A report dated 28.10.22 signed by SDO, Samalkha informed that Sh. Rajesh Rawal, JE was responsible for effecting the wrong MCO. Thus, a suo-moto notice was issued to Sh. Rajesh Rawal, JE, Panipat for wrongful delivery of a service notified under Haryana Right to Service Act, 2014, and causing inconvenience to the citizen to ascertain the reasons for the lapse and to decide as to why a penalty of Rs.20,000 may not be imposed upon him and a compensation of Rs.5,000 may not be paid to the applicant in this case for his act of omission. He was asked to submit his reply by 12.12.22 and appear before the Commission for a hearing on 14.12.22.

2. Sh. Rajesh Rawal shared his reply vide letter dated 12.12.22. It informed that during the material period, meter replacement work was going on at mass level through an external agency. The wrong MCO under question was also effected by them. It stated that on receiving the complaint from the complainant, he visited the site and submitted a Site Verification Report to the concerned CA Sh.



Brijbhushan and Data Entry Operator Sh. Amarajeet for making the required changes in the system, but the same was not done. He further made some written requests to the concerned SDO also regarding this matter, but the same were still not looked into. He was transferred out of the sub-division on 14.04.22. Copies of all these correspondences were also shared by him. During the hearing too, he stated that the issue was not resolved owing to lapse on the part of the Commercial Assistant Sh. Brijbhushan and Data Entry Operator Sh. Amarajeet. In view of these contradictory claims, another hearing was scheduled on 06.01.23 through VC and Sh. Brijbhushan, Sh. Amarajeet and Sh. Rajesh Rawal were asked to attend the same. XEN, Samalkha- Sh. Ranbir Deswal was also asked to attend the same, as it was his initial report on the basis of which this case had been initiated.

3. All four officers/officials appeared for the hearing dated 06.01.23. During the hearing, the attendees were told that in view of the copies of letters shared by Sh. Rajesh Rawal, action on his part seemed adequate. XEN, Sh. Ranbir Deswal was asked as to how he had found Sh. Amarajeet responsible for the lapse. He stated that he had received a report from the SDO that Sh. Amarajeet and one more Data Entry Operator in the subdivision were responsible for the wrong MCO and also not dealing with the complaint received from the JE. He stated that the other Data Entry Operator had been terminated from the job owing to less than satisfactory performance. On being asked to clarify on the same, Sh. Amarajeet stated that the same were being managed only by the now terminated Data Entry Operator and he was not involved in the same. Sh. Brijbhushan was also asked to explain his position as he is the Designated Officer for Billing complaints under HRTSA, 2014. He stated that he is an LDC and has been given the work of a Commercial Assistant. He further stated that he doesn't know the functioning of online systems and all such complaints are directed to the Data Entry Operators only. He also informed that he has already given a representation to this effect requesting for taking back of the CA charge from him.

4. The Commission has considered all the facts and submissions of the case. The most disheartening thing to note from this case is that even after the involvement of so many officers, the billing issue of the complainant was only resolved after the Commission's intervention. It is quite probable that many more such cases might be persisting, with citizens having to bear the brunt of apathy and at times, the incapacity of the public functionaries. Both XEN Sh. Ranbir Deswal and JE Sh. Rajesh Rawal have blamed the two Data Entry Operators for the lapse. Sh. Ranbir's report was also endorsed by UHBVN HQ. One of the DEOs has already been terminated from the job. In view of Sh. Amarajeet's constant assertion that the matter was being handled by the now terminated DEO, the Commission is taking a lenient view and imposing a token penalty of Rs. 3,000/- (Rs. Three thousands only) on him only. He is directed to deposit the penalty in the

State Treasury under the Receipts head 0070-60-800-86-51 and intimate the Commission along with photocopies of the Challan at its email ID- rtsc-hry@gov.in- within 30 days of issuance of these orders. In case this is not done, MD-UHBVN is directed to deduct the amount of penalty from his salary of February month to be paid in March and deposit the same in the State Treasury. Information about the same be sent to the Commission in due course. The concerned SDO and other officials/officers of the sub-division should ensure that in case any more similar cases of wrong billing owing to faulty MCO exist, the same should be resolved as soon as possible. In case the Commission receives a similar case from their area, they will be held responsible for the same. MD, UHBVN should also look into the placement of Sh. Brijbhusan as CA. He seems to be underqualified for the post of CA and does not seem too willing to upskill himself either. Such mapping of officers only leads to unnecessary inconvenience to the citizens. MD, UHBVN is also advised to organise a training session of all the DOs, FGRAs and SGRAs so as to sensitize them about their duties.

January 12th, 2023

