

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION
BAYS No. 33-36, SECTOR-4, PANCHKULA- 134112, HARYANA**

Case No. HERC/PRO – 10 of 2021

**DATE OF HEARING : 30.06.2021
DATE OF ORDER : 02.07.2021**

IN THE MATTER OF:

Suo Motu petition regarding non-implementation of orders dated 31.12.2020 of CGRF / Kurukshetra in complaint no. 285/2020 by Sh. Ashok Bhatia, Resident of H.no. 593/4 Panchkula: 'Show cause notice under section 142 of Electricity Act, 2003 for non-implementation'.

Petitioner SUO-MOTU

Respondents UHBVNL

Present 1. Sh. B.S. Kamboj, XEN/RA, UHBVN
2. Sh. Sanjiv Siwach, XEN/ 'OP', Divn, UHBVN

Quorum **Shri R.K.Pachnanda, Chairman**
Shri Pravindra Singh, Member
Shri Naresh Sardana, Member

ORDER

1. That Sh. Ashok Bhatia, Resident of H. No. 593/4, Panchkula represented to the Commission that the orders dated 31.12.2020 passed by CGRF Kurukshetra were to be implemented within 21 days by the SDO 'OP' Sub Urban, Subdivision UHBVN, Panchkula but have not implemented even after a lapse of 3 months. He requested to get the orders implemented with explanation from the delinquent officers/officials who are harassing him by not complying with orders meticulously.

2. On the above representation of the consumer, the Commission has taken the cognizance of contumacious conduct of officers/officials concerned towards the consumer and issued notice under Section-142 of The Electricity Act, 2003 to MD/UHBVN vide memo dated 06.05.2021 wherein the concerned official(s)/officer were thereby called upon to explain their position for non-implementing the orders of CGRF on the following issue:

“After examining the reply of the Respondent SDO, the Record available on the file and hearing both the parties, the Forum has observed that old meter was replaced without installing check meter and also without sending to M&T Lab to check the accuracy of the reading i.e. 6876 which is abnormally high. So, the benefit of doubt goes in favour of the Complainant. Hence the SDO/Respondent is directed to over haul the Complaint account the difference of 6876 units i.e. for the period 06.08.2019 (84036 reading) to 10.10.2019 (90912 reading) (65 days) by taking ensuing months reading basis. Therefore, the case is disposed of without cost to either parties.

As prrequired under the HERC (Forum & Ombudsman) Regulations 2020, the implementation of this decision may be intimated to the Office within 21 days from the date of its receipt.”

3. In the reply dated 02.06.2021, UHBVN has submitted that the decision of CGRF was received on 04.01.2021. An adjustment of Rs 53,930/- was made by the subdivision office and sent to CBO. However, CBO office raised objection to seek legal advice to implement the orders. When requested, legal cell advised to implement the orders. Then, sundry of adjustment of Rs 53,930 was approved by Commercial Back office on

29.04.2021 and adjustment of same was reflected in the consumer bill issued on 04.06.2021 which was paid by consumer on 09.06.2021.

4. UHBVN has further submitted that, after observing delay in initiation of process of implementation of Orders from 04.01.2021 to 12.02.2021, Charge sheet was framed against Sh. Vikas Kumar, UDC O/o SDO 'OP' S/Divn UHBVN, Panchkula and Show cause Notice was issued to Sh. R.K Rohila, SDO'OP' UHBVN, Panchkula for negligence.
5. The Case was heard by the Commission on 30.06.2021, as scheduled, through video conferencing in view of Covid-19 Pandemic.

The Commission has carefully examined the reply/ submissions made in writing, submissions made during the course of hearing as well as perused the filings placed on record by the respondent. The Commission observes as under:

The respondent has admitted the delay and has not come forth with any explanation for cause of such delay. Even after the directions of CGRF on 31.12.2020, the bill of the consumer was not corrected up to 29.04.2021 and corrected bill was finally issued on 04.06.2021 involving inordinate delay of approximately 129 days from the passing of the order dated 31.12.2020. The bill, which should have been corrected within 7 days from the date of application by consumer as per HERC Standards of Performance (SoP) Regulations, 2020, dated 24/04/2020, took more than 3 months after passing of the CGRF's order. Even Schedule-1 under the SOP Regulations, 2020 also specifies timeline for implementation of the Orders pronounced by CGRF failing which penalty of Rs.100/- per day of delay limited to Rs. 10,000/- can be imposed. It is observed that conduct of the officers/officials in implementation of the orders passed by the

Forums/Courts is totally indifferent, causing great harassment to consumers and is not being monitored seriously. These officers are not bothered at all and are oblivious to the fact that it is their bounden duty i.e. consumer satisfaction, instead of consumer harassment.

Keeping in mind, the lackadaisical attitude of the concerned officers on such a crucial issue, the Commission decides to impose a fine of Rs.10000/- as per provisions of SoP Regulations on the concerned officers/officials who have failed to comply with CGRF's order dated 31.12.2020 within the due timeline. This amount would be deposited in the office of the Commission by Drawing and Disbursing Officer (DDO) of Distribution Licensee within two weeks of issue of this order. An action taken report shall be sent by the licensee to the Commission in three weeks.

This Order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 02/07/2021.

Date: 02.07.2021
Place: Panchkula

(Naresh Sardana)
Member

(Pravindra Singh)
Member

(R.K. Pachnanda)
Chairman