



National Electric Power Regulatory Authority

ISLAMIC REPUBLIC OF PAKISTAN
NEPRA TOWER Ataturk Avenue (East),
Sector G-5/1, Islamabad.
Ph:051-2013200, Fax: 051-2600021

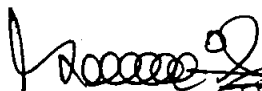
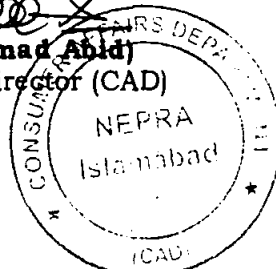
**Consumer Affairs
Department**

4864
TCD.03/ -2023
October 18, 2023

Chief Executive Officer
Faisalabad Electric Supply Company Limited (FESCO)
Abdullah Pur, Canal Bank Road, Faisalabad.

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. WARIS ALI S/O MUHAMMAD AYUB UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST FESCO REGARDING DELAY IN PROVISION OF CONNECTION**
Complaint No. **FESCO-FSD-19599-01-23**

Please find enclosed herewith the decision of the NEPRA Consumer Complaints Tribunal dated October 18, 2023 regarding the subject matter for necessary action. Compliance report be submitted within thirty (30) days.


(Muhammad Abid)
Assistant Director (CAD)


Copy to:

1. C. E / (Customer Services Director
FESCO, Abdullah Pur, Canal Bank Road Faisalabad.
2. Director (Commercial)
FESCO, Abdullah Pur, Canal Bank Road Faisalabad.
3. Assistant Director,
NEPRA Regional Office, 1st floor, Plaza No. C-6B,
Opposite National Bank, College (Hockey Stadium) Road,
Kohinoor City, Faisalabad
4. Mr. Waris Ali S/o M. Ayub,
Mughal Pura Gojra, Tehsil Gojra, District Toba Tek Singh.
Cell No. 0300-9799145



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No. **FESCO-FSD-19599-01-23**

Mr. Waris Ali S/o M. Ayub,

Mughal Pura Gojra, Tehsil Gojra, District Toba Tek Singh.
Cell No. 0300-9799145

..... **Complainant**

Versus

Faisalabad Electric Supply Company (FESCO)

Abdullah Pur, Canal Bank Road, Faisalabad.

..... **Respondent**

Date of Hearings: 25th July, 2023
August 10, 2023

On behalf of:

Complainant:

Mr. Waris Ali

Respondent:

Mr. Muhammad Afzal, SE (Ops), FESCO

Subject:

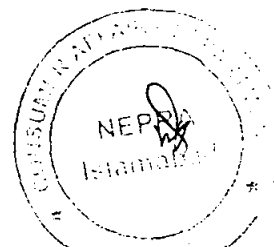
COMPLAINT FILED BY MR. WARIS ALI S/O MUHAMMAD AYUB UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST FESCO REGARDING DELAY IN PROVISION OF CONNECTION

DECISION

This decision shall dispose of the complaint filed by Mr. Waris Ali s/o Muhammad Ayub (hereinafter referred to as "the Complainant") against Faisalabad Electric Supply Company (hereinafter referred to as the "Respondent" or "FESCO"), under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (hereinafter referred to as the "NEPRA Act").

2. NEPRA received a complaint wherein the Complainant agitated the issue of delay in provision of connection by FESCO. In order to finalize the matter hearings were held at NEPRA Head Office, Islamabad wherein the case was discussed in detail. FESCO official apprised that demand notice amounting to Rs. 409,470/- was issued on March 09, 2020 and paid by the Complainant on April 04, 2020. Subsequently, material was drawn from concerned FESCO store for installation, however, execution of work was halted due to stay order by another resident. However, the Complainant submitted orders of District & Session Court, Gojra whereby the impugned stay orders has been rejected/dismissed. Moreover, the Complainant also submitted affidavit obtained from others neighbors/residents regarding right of way and No Objection Certificate (NOC) issued by concerned Municipal Corporation.

3. According to National Electric Power Regulatory Authority Consumer Eligibility Criteria (Distribution Licensees) Regulations, 2022 a distribution licensee shall ensure that all applicants and consumers are treated in a non-discriminatory, fair, transparent and just manner for provision of electricity. However, Clause-14.5 of Consumer Service Manual



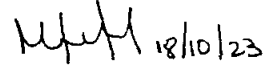
(CSM) provides that the right of way shall be the responsibility of the applicant/consumer. Moreover, under Article 9 and 14 of the Constitution of Islamic Republic of Pakistan provision of electricity is a Fundamental Right of all citizens. Non-supply of electricity to a citizen, tantamount to deprivation of this Fundamental Right as well as violation of Article 8 of the Constitution which says that any law, custom or usage having the force of law that is inconsistent or abridges a Fundamental Right is void and inoperable. The provision of electricity has also been interpreted as a Fundamental right by the Supreme Court of Pakistan.

4. Foregoing in view, FESCO is directed to provide connection to the Complainant, however, right of way is the responsibility of the Complainant. Compliance report be submitted within thirty (30) days.



(Lashkar Khan Qambrani)

Member, Consumer Complaints Tribunal/
Director (CAD)



(Moqem-ul-Hassan)

Member, Consumer Complaints Tribunal/
Assistant Legal Advisor (CAD)



(Naweed Hlali Shaikh)

Convener, Consumer Complaints Tribunal/
Director General (CAD)

Islamabad, October 18, 2023.

