



**National Electric Power Regulatory Authority**  
ISLAMIC REPUBLIC OF PAKISTAN  
NEPRA Head Office Ataturk Avenue (East),  
Sector G-5/1, Islamabad.  
Ph: 051-2013200, Fax: 051-2600021

**Consumer Affairs  
Department**

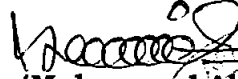
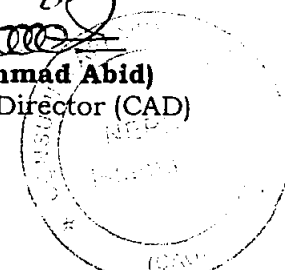
TCD.04/ <sup>5898</sup> -2023  
December 20, 2023

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

**Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. ALI KHURSHID MANGAT UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST FESCO REGARDING DELAY IN PROVISION OF ELECTRICITY CONNECTION**  
**FESCO-NHQ-19786-02-23**

Please find enclosed herewith decision of Consumer Complaints Tribunal dated December 20, 2023 regarding the subject matter and compliance report within thirty (30) days, positively.

Encl: As above

  
(Muhammad Abid)  
Assistant Director (CAD)  


**Copy to:**

1. GM (C&CS), FESCO, Abdullah Pur,  
Canal Bank Road, Faisalabad.
2. Mr. Ubaid Khan Rana, (Assistant Director),  
NEPRA Regional Office, Plaza C-6B, College Road  
Faisalabad.
3. Mr. Ali Khurshid Mangat,  
Mohalla Farooq Abad, Darya Khan,  
District Bhakkar  
Cell: 0302-3775151



**BEFORE THE  
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY  
(NEPRA)**

**Complaint No. FESCO-NHQ-19786-02-23**

**Mr. Ali Khurshid Mangat**  
Mohalla Farooq Abad, Tehsil Darya Khan  
District Bhakkar.

..... Complainant

**VERSUS**

**Faisalabad Electricity Supply Company (FESCO)**  
Abdullah Pur, Canal Bank Road, Faisalabad.

..... Respondent

**Date of Hearing:** March 21, 2023  
July 20, 2023

**On behalf of**

**Complainant:**

1) Ali Khurshid Mangat

**Respondent:**

1) Mr. Faisal Raza Marth Chief Engineer (P&D), FESCO

2) Mr. Muhammad Bilal Iqbal XEN (Operation), FESCO

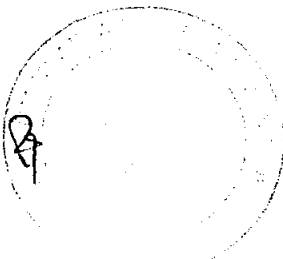
**SUBJECT: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. ALI KHURSHID MANGAT UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST FESCO REGARDING DELAY IN PROVISION OF CONNECTION**

**DECISION**

This decision shall dispose of the complaint filed by Mr. Ali Khurshid Mangat (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 from Mr. Ali Khurshid Mangat wherein the Complainant submitted that he applied to FESCO for an electricity connection at his premises located in Darya Khan which was rejected by FESCO on the pretext that a Housing Society could be developed by the Complainant on the same premises at later stage after obtaining the tentative electricity connection. The Complainant was of the view that delaying tactics are being employed by FESCO for provision of connection despite the fact that the premises covers only a small piece of land i.e. (7) kanals which hampers its ability to be developed as a housing society.

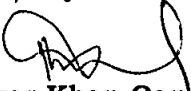
3. The matter was taken up with FESCO and hearings were held at NEPRA Head Office, Islamabad whereby the matter was discussed in detail. During the hearing, FESCO officials assured to resolve the matter amicably with the Complainant, however, the same remained unresolved despite the lapse of considerable time period. In order to proceed further a site inspection was carried out by the NEPRA officials on August 08, 2023 in presence of both the parties whereby it was noticed that the Complainant's premises is partially developed plotting area of around seven (07) kanals having semi paved roads which is carved out from a larger area with a boundary wall having similar structural properties & amenities. Moreover, the partial LT distribution network is also present in close vicinity of the premises.




4. The case has been examined in detail in light of the record made so available by parties, arguments advanced during the hearing and applicable law. Following has been concluded:

- (i) The Complainant approached FESCO for a new electricity connection at his premises located near Bilal Chowk, Daggar Sorani Road, Tehsil Darya Khan, District Bhakkar. In response, the application was rejected by FESCO citing the possible development of a housing society at the same premises by the Complainant after obtaining the electricity connection.
- (ii) Perusal of the documentary evidence submitted by the Complainant reveals that he owns only two plots of approximately (7) kanals each out of a larger piece of land i.e. 50-60 kanals which is distinguished from the premises with a boundary wall, however, having similar structural properties and amenities i.e. semi paved roads etc. It is pertinent to mention here that the same premises has not been considered a housing society by the District Council Bhakkar which supports the logical reasoning that the disputed premises i.e. (7) kanals is not conceptualized as a housing society at this stage.
- (iii) Furthermore, electricity poles and meters have been installed in close proximity of the disputed premises and the same infrastructure is also available beyond and around the location of the premises and the connections have been given to the consumers in a scattered manner. The same provides a precedent and eligibility to obtain electricity connection at Complainant's premises essentially located in close proximity of the common electricity distribution infrastructure. However, an undertaking may be obtained from the Complainant that the disputed premises shall not be converted into a housing society at any belated stage without proper external electrification.
- (iv) 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.
- (v) 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.

5. Foregoing in view, FESCO is directed to provide the electricity connection to the Complainant on cost deposit basis after completion of all the codal formalities by installing a 10 kVA transformer. FESCO is further directed to obtain an undertaking from the Complainant that the premises shall not be converted into a housing society/plotting area/land sub division at any stage without approval of the concerned civic agency and subsequent proper electrification. In case of any violation the electricity supply shall be disconnected immediately without serving any notice. Compliance report be submitted within thirty (30) days.

  
(Lashkar Khan Qambrani)

Member, Consumer Complaints Tribunal/  
Director (CAD)

  
(Muhammad Irfan Ul Haq)

Member, Consumer Complaints Tribunal/  
Assistant Legal Advisor

  
(Naweed Illahi Shaikh)

Convener, Consumer Complaints Tribunal/  
Director General (CAD)

Islamabad, December 20, 2023

