



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**

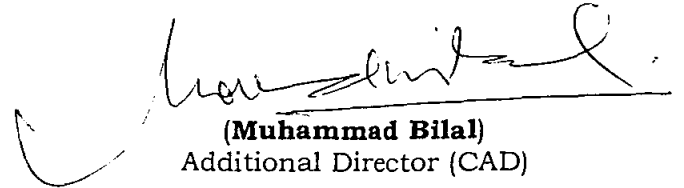
TCD.04/1135-2024
March 6, 2024

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. MUHAMMAD ASHRAF KHAN UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST FESCO REGARDING DISCONNECTION (REF # 27-13443-5344700).
FESCO-FSD-16329-09-22

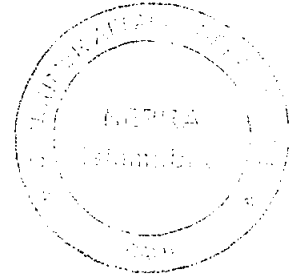
Please find enclosed herewith the Decision of the NEPRA Consumer Complaints Tribunal dated March 06, 2024 regarding the subject matter for necessary action. A compliance report be submitted within fifteen (15) days.

Encl: As above


(Muhammad Bilal)
Additional Director (CAD)

Copy to:

1. GM (Customer Services & Commercial)
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. Muhammad Ashraf Khan
House No. 21 near Post Office Quaidabad
District Khushab.
0302-9594506





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

Complaint No. FESCO-FSD-16329-09-22

Mr. Muhammad Ashraf Khan,
House No. 21 near Post Office Quaidabad
District Khushab.
Contact: 0302-9594506

..... **Complainant**

VERSUS

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

..... **Respondent**

Date of Hearing: December 07, 2023
January 11, 2024

**On behalf of
Complainant:** Mr. Ashraf Khan

Respondent: Mr. Muhammad Sohail Kamran XEN (Operation), FESCO
Mr. Ghulam Mustafa, XEN (Ops), FESCO
Mr. Saddam Hussain Baloch, SDO FESCO

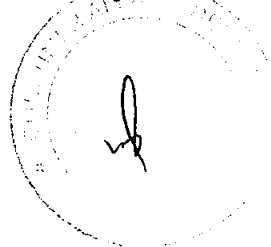
SUBJECT: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. MUHAMMAD ASHRAF KHAN UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST FESCO REGARDING DISCONNECTION (REF # 27-13443-5344700).

DECISION

This decision shall dispose of the complaint filed by Mr. Ashraf Khan (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. Ashraf Khan wherein the issue agitated by the Complainant was that FESCO disconnected his electricity connection on default of current month i.e. May, 2022 bill amounting to Rs. 12,995/-. He cleared outstanding dues of both months i.e. May & June, 2022 amounting to Rs. 17,494/- before the due date and approached concerned Sub Division for restoration of electricity supply. Instead of restoration of electricity supply, FESCO allotted Permanent Disconnection Code (P.Disc) in the bill for the month of July, 2022 and removed the transformer & allied material from site in violation of Clause-8.2.3 of Consumer Service Manual (CSM) which provides that no connection shall be disconnected on default of one month bill. Being aggrieved with non-restoration of supply, the Complainant requested NEPRA to direct FESCO for restoration of electricity supply.

3. The matter was taken up with FESCO whereby FESCO vide report dated December 08, 2022 submitted that electricity connection of the Complainant was disconnected due to non-payment of Rs. 13,934/- for the month of June, 2022 and Equipment Removal Order (ERO) was effected vide number 2022052700207 dated June 14, 2022. After disconnection, the Complainant approached FESCO office for restoration of electricity after payment of the said bill. Meanwhile another person namely Mr. Ghulam Nabi filed a case at District Courts against installation/connection meter in lieu of a property dispute. The court granted stay order against installation/connection of meter, therefore, electricity connection was not restored.




4. In order to proceed further, hearings were held at NEPRA Head Office, Islamabad which were attended by both the parties and matter was discussed in detail. At the outset, the Complainant apprised that the Civil Suit pertaining to the disputed premises has now been vacated. The Complainant further submitted that his electricity connection was disconnected and the material was subsequently removed by the concerned FESCO officials during the month of July, 2022 against default of bill of one month only. In response, FESCO official submitted that ERO was effected due to nonpayment of bill for the month of May, 2022.

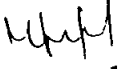
5. Perusal of the documentary evidence reveals that the Complainant did not pay electricity bill for the month of May, 2022 but clear bill of the next month i.e. June, 2022 alongwith arrears of previous month before due date i.e. June 22, 2022. However, FESCO effected ERO vide number 2022052700207 dated June 14, 2022 and electricity connection was disconnected/ equipment was removed on July 05, 2022 on the basis of default of one month only which stand in direct violation of Clause-8.2.3 of Consumer Service Manual (CSM) which provides that no connection shall be disconnected on default of one month bill. During the hearing held on January 11, 2024; FESCO officials also raised objection on ownership proof submitted by the Complainant at the time of grant of the said connection. FESCO official(s) further submitted that revenue department has declared bogus the ownership proof (Fard-e-Malkiat) initially submitted by the Complainant for grant of connection. Moreover, FESCO official(s) provided copies of letter of explanations issued to the concerned SDO and LS for provision of connection to the Complainant on the basis of bogus ownership proof.


6. According to Clause-8.8 of Consumer Service Manual (CSM) if a connection is disconnected by DISCO and subsequently such action is declared as null and void by NEPRA/POI/Court of Law or any other competent forum, no fee/charges on account of reconnection fees/fixed charges/ minimum charges / security deposit or cost of material is chargeable to the consumer, therefore, FESCO is required to restore the electricity connection of the Complainant without charging any kind of reconnection charges if ownership proof submitted by the Complainant are found genuine.

7. Foregoing in view, it is concluded that FESCO officials disconnected the connection of the Complainant and removed equipment on account of default of current bill only which is sheer violation of Clause-8.2.3 of Consumer Service Manual (CSM), therefore, FESCO is directed to take disciplinary action against the delinquent official(s) according to FESCO service rules/regulations. FESCO is further directed to energize the electricity connection of the Complainant by providing all required material at its own cost without charging any reconnection fee/charges subject to verification of ownership proof. Compliance report be submitted within fifteen (15) days.

7- مندرجہ بالا حقائق سے یہ نتیجہ اخذ کیا جاتا ہے کہ فیسکو کے اہلکاروں نے کنزیومر سروس مینوئل کی شق 8.2.3 کی صریحاً خلاف ورزی کرتے ہوئے ایک مہینہ کے نادہندہ ہونے پر شکایت کنندہ کی بجلی کی ترسیل منقطع کر دی اور سامان بھی اتار لیا۔ لہذا فیسکو کو ہدایت کی جاتی ہے کہ قانون سے روگردانی کرنے والے اہلکاروں کے خلاف فیسکو کے قواعد ملازمت / ضوابط کے مطابق سخت تادیبی کارروائی کی جائے۔ مزید یہ کہ کاغذات ملکیت کے اصل ہونے کی جانچ پڑتال مکمل کرنے کے بعد فیسکو بنا کسی واجبات و فیس کے شکایت کنندہ کی بجلی کی ترسیل بحال کرے۔ مندرجہ بالا احکامات پر تعمیل کی رپورٹ پندرہ (15) دن کے اندر جمع کی جائے۔


(Lashkar Khan Qambrani)
Member, Consumer Complaints Tribunal/
Director (CAD)


(Moqees-ul-Hassan)
Member, Consumer Complaints Tribunal/
Assistant Legal Advisor (CAD)


(Naweed Ishaq Shaikh) 06/03/24
Convener, Consumer Complaints Tribunal/
Director General (CAD)

Islamabad, March 06, 2024

