



**National Electric Power Regulatory Authority**

ISLAMIC REPUBLIC OF PAKISTAN

Attaturk Avenue (East) Sector G-5/1, Islamabad.

Ph: 051-2013200 Fax: 051-2600021

**Consumer Affairs  
Department**

TCD.04/26146-2024  
May 29, 2024

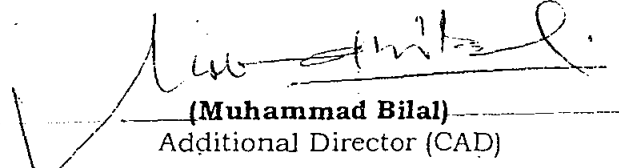
Chief Executive Officer  
Faisalabad Electric Supply Company Limited (FESCO)  
Abdullah Pur, Canal Bank Road, Faisalabad.

**Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY SARDAR WASIM AHMED S/O BASHIR AHMED UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST FESCO REGARDING EXCESSIVE BILLING (REF # 29-13465-2901800-R)**

**Case No. FESCO-FSD-30574-11-23**

Please find enclosed herewith the decision of the NEPRA Complaints Resolution Committee (CRC), dated May 22, 2024 regarding the subject matter for necessary action and compliance.

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. Mr. Ubaid Khan Rana, (Assistant Director),  
NEPRA Regional Office, Plaza C-6B, College Road  
Faisalabad.
4. Sardar Wasim Ahmed S/o Bashir Ahmed,  
Village Mangowal, Tehsil Shahpur, District Sargodha.
5. Mr. Asim Mehmood Malik (Advocate),  
Ghulam Fatima Building, 13-Fan Road, Lahore.  
Cell: 0301-4723233



**BEFORE THE**  
**NATIONAL ELECTRIC POWER REGULATORY AUTHORITY (NEPRA)**  
**Complaint No. FESCO-NHQ-30574-11-23**

**Sardar Waseem Ahmed**  
Mangowal Khurd, Tehsil Shahpur  
District Sargodha.

..... **Complainant**

**Versus**

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

..... **Respondent**

**Date of Hearing:** February 14, 2024

**On behalf of:**  
**Complainant:** 1) Muhammad Younas

**Respondent:** 1) Muhammad Zulfiqar SDO (Operation), FESCO

**Subject:** **DECISION IN THE MATTER OF COMPLAINT FILED BY SARDAR WASEEM AHMED UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST FESCO REGARDING EXCESSIVE BILLING**

**DECISION**

This decision shall dispose of the complaint filed by Sardar Waseem Ahmed (hereinafter referred to as the "Complainant") against Faisalabad Electric Supply Company (hereinafter referred to as the "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. The Complainant in his complaint submitted that his agricultural connection installed against reference number (29-13465-2901800) was charged excessive bills by FESCO based on the tempering of meter reading snaps over the period of couple of years while the electricity connection was also disconnected by FESCO on several counts due to nonpayment of such exorbitant bills by the Complainant. Upon approaching the Lahore High Court, Lahore a refund of 24528 units was credited by FESCO during the month of August, 2023 while the Complainant did not agree with the amount refunded by FESCO on the basis that the refunded amount has been devalued over the time and requested for the monetization of units based on the currently applicable rates along with the refund of corresponding amount of LPS.

3. The matter was taken up with FESCO whereby FESCO vide letter dated November 15, 2023 submitted that the Complainant's defective meter was replaced with healthy meter during June, 2022 while the same meter was again replaced with an AMI meter during December, 2022. FESCO added that correction of 24528 units has already been affected during September, 2023 as per the defective meter's data retrieval report while corresponding

amounts pertaining to FPA & LPS has now been afforded by FESCO. The report of FESCO was forwarded to the Complainant.

4. Meanwhile, the same matter was also raised before the Honorable Lahore High Court, Lahore vide writ petition number 3690/2024 by the Complainant which was disposed of vide Order dated January 18, 2024. The operative part of the decision is as under:

*"2. Subject to establishing legal right and entitlement by the Petitioner, Respondent No. 1 (Chairman NEPRA) is directed to either himself or through an authorized officer decide the above said Application, if pending before him, strictly in accordance with applicable provisions of law, rules and policy within a period of three weeks from the date of receipt of certified copy of this Order."*

5. In order to proceed further a hearing was held on February 14, 2024 at NEPRA Head office, Islamabad in attendance of both parties whereby the matter was discussed in detail. During the hearing, FESCO official submitted that the due credit as per the data retrieval report has already been afforded by FESCO while the Complainant reiterated his arguments and again prayed for the revision of refunded amount based on the new rates.

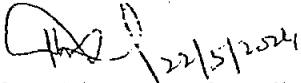
6. The case has been examined in detail in light of the record made so available by parties, arguments advanced during the hearing and applicable law. Following has been observed:

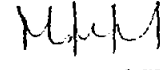
- i. The Complainant's agricultural connection installed against reference number (29-13465-2901800) located at Mangowal Khurd, Tehsil Shahpur, District Sargodha was charged excessive electricity bills by FESCO prior to year 2023 which were paid by the Complainant. Subsequently correction was made by FESCO during the month of September, 2023, however, the Complainant is of the view that the amount refunded by FESCO be revised as per unit rates applicable during the month of September, 2023 as the Complainant sustained irreparable financial loss due to excessive billing charged during the year 2021 & 2022 and further requested to initiate proceedings against the delinquent officials involved in the excessive billing.
- ii. Perusal of the documentary evidence reveals that the Complainant's meter got defective and was replaced by FESCO during June, 2022 of which data retrieval report suggest that the excessive electricity bills were charged to the Complainant prior to the meter replacement, however, excess units i.e. 24528 were refunded during September, 2023 to the Complainant. The record reflects that the corresponding FPA & LPS have also been adjusted against the Complainant's account. The newly installed meter was subsequently replaced by FESCO with an AMI meter during December, 2022 to avoid future dispute pertaining to billing while the difference in final reading of replaced meter i.e. 389 units was also credited by FESCO during November, 2023.
- iii. Scrutiny of the Complainant's billing history divulge that the Complainant's account has been overhauled as per the actual meter readings & data retrieval report. However, the Complainant has emphasized for revision of refunded amount as per the updated unit rates considering monetary devaluation of the refunded amount as the excess units were adjusted after lapse of considerable time period since accrual of the same over period of past several months/years. However, the same argument lacks regulatory precedent and is devoid of any case law while it is an established fact that any monetary dispute when decided at a belated stage derives its financial impact from the actual period of dispute. However, disciplinary proceedings can be initiated against the delinquent officials for posting wrong bills over the extended period of time.
- iv. Moreover, during the hearing, FESCO officials pointed that the complaint does not pertain to the person attending the hearing and the same person lodges complaints at different forums on behalf of other consumers as well. In this regard it is clarified that any person can lodged complaints. However, if Complainant is unable to attend the case proceedings, he/she can authorize


any other person as representative to participate at relevant forums to defend his case. In the instant case the Complainant has provided power of attorney to his representative as such objection of FESCO is baseless and hence rejected.

7. Foregoing in view, the instant prayer pertaining to revision of refunded amount as per the updated monetary value cannot be allowed and the case is being disposed of in accordance with the above mentioned terms. However, FESCO is directed to initiate disciplinary proceedings against the delinquent officials involved in charging of excessive bills to the Complainant.

7- مندرجہ بالا حقائق کے پیش نظر، شکایت کنندہ کے اس مطالبہ کو تسلیم نہیں کیا جاسکتا کہ یونٹس کے موجودہ قیمت کے مطابق رقم واپس کی جائے اس لئے کیس کو اوپر بیان کردہ وجوہات کی بنا پر بند کیا جاتا ہے۔ تاہم فیسکو کو ہدایت کی جاتی ہے کہ شکایت کنندہ کو زیادہ بل جاری کرنے میں تاخیر پائے جانے والے اہلکاروں کے خلاف فیسکو قوانین کی روشنی میں محکمہ کارروائی کی جائے۔

  
(Lashkar Khan Qambrani)  
Member, Complaints Resolution Committee/  
Director (CAD)

  
(Moqees-ul-Hassan)  
Member, Complaints Resolution Committee/  
Assistant Legal Advisor (CAD)

  
(Naveed Illahi Shaikh)  
Convenor, Complaints Resolution Committee/  
Director General (CAD)

Islamabad, May 22, 2024