

Registrar

# National Electric Power Regulatory Authority Islamic Republic of Pakistan

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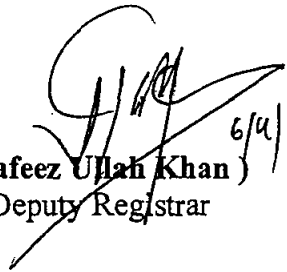
April 06, 2020

Chief Executive Officer,  
Gujranwala Electric Power Company (GEPCO),  
565/A, Model Town GT Road, Gujranwala.

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. AAMIR SHAHZAD UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST GEPCO REGARDING NON PROVISION OF CONNECTION**

Please find enclosed herewith the Decision of Member (Consumer Affairs) (03 Pages) regarding the subject matter for necessary action and compliance within thirty (30) days, please.

Encl: As above

  
(Hafeez Ullah Khan)  
Deputy Registrar  
6/4/2020

Copy to:

1. C.E/ Customer Services Director,  
Gujranwala Electric Power Company (GEPCO),  
565/A, Model Town GT Road, Gujranwala.
2. Mr. Aamir Shehzad S/o Muhammad Nawaz,  
Sakna Bhabara, Tehsil Kot Momin, District Sarghoda  
Cell # 0341-5989228.



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

**Complaint No. GEPCO-21/02/2019**

**Mr. Aamir Shehzad**  
S/O Muhammad Nawaz  
R/o Bhabara, Tehsil Kot Momin,  
District Sarghoda

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**Complainant**

**VERSUS**

**Chief Executive Officer**  
Gujranwala Electric Power Company Limited (GEPCO)  
Gujranwala.

.....

**Respondent**

**Dates of Hearing:** July 13, 2019  
September 18, 2019  
October 19, 2019

**On behalf of**

**Complainant:**

- i) Mr. Altaf Ahmed
- ii) Mr. Aamir Shahzad

**Respondent:**

- i) Mr. Ahmed Ali, SDO
- ii) Mr. Zaka Ullah, SDO

**Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. AAMIR SHAHZAD UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST GEPCO REGARDING NON PROVISION OF CONNECTION**

**DECISION**

Through this Decision a complaint filed by Mr. Aamir Shahzad R/o Bhabara, Tehsil Kot Momin, District Sarghoda (hereinafter referred to as the "Complainant") against Gujranwala Electric Power Company (hereinafter referred to as the "Respondent" or "GEPCO"), under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (hereinafter referred to as the "NEPRA Act") is being disposed of.

2. Brief facts of the case are that the Complainant in his complaint submitted that an HT line is passing nearby his premises and he applied to GEPCO for provision of an industrial connection. Accordingly, GEPCO officers visited the site and informed him verbally that the connection cannot

be given, however no written observation was conveyed to him. The Complainant requested that GEPCO be directed to register his application and issue him demand notice accordingly.

3. The matter was taken up with GEPCO on February 25, 2019. In response, GEPCO vide letter dated April 01, 2019 reported that the Complainant neither applied for connection nor the premises was surveyed by GEPCO officials rather an application in the name of Mrs. Naseem Akhtar (mother of the Complainant) was registered on March 25, 2019 vide application No. 24/B-2 and demand notice will be issued after completion of departmental formalities. The report of GEPCO was shared with the Complainant. In response, the Complainant submitted that GEPCO issued demand notice to him; which has been paid accordingly. The Complainant requested for energization of the connection at the earliest.

4. In order to proceed further into the matter, various hearings conducted. Initially GEPCO officials informed that installation of a 25 kVA transformer is involved in this case; which is not available in the store and assured to install connection once the material becomes available. Later, GEPCO officials took another plea that the Complainant has constructed building illegally under the HT line; therefore connection of the Complainant cannot be energized. During the hearing held on March 17, 2020 GEPCO officials changed their stance and submitted that actually the Complainant intends to electrify the plotting area nearby his premises, therefore, connection cannot be provided to him. The Complainant denied any such intend and assured to use supply for industrial purpose only. The Complainant also provided pictures which show that there was no hazard point. The Complainant added that no new construction has been made and the building existed at that time when he applied to GEPCO for connection.

5. The case has been analyzed in detail in light of the documents made so available by the parties, arguments advanced in the hearings and applicable law. The following has been concluded:

- (i) The Regulation of Generation, Transmission and Distribution of Electric Power Act (the NEPRA Act) obligates the distribution companies to supply power to all consumers on a non-discriminatory basis. NEPRA has prescribed the Consumer Eligibility Criteria 2003 which provides that every person has the right to be supplied with electric power, subject to fulfillment of prescribed eligibility criteria.
- (ii) The Complainant applied to GEPCO for an industrial connection under B-2 category. GEPCO issued demand notices on April 03, 2019 which was paid by the Complainant on April 12, 2019.
- (iii) According to NEPRA Performance Standards (Distribution) Rules, 2005 a period of 38 days is required after payment of demand notice for energization of connection for load above 15 kW but not exceeding 70 kW. In the instant case, the Complainant

having load of 17 kW; paid the demand notice on April 12, 2019 but GEPCO has failed to energize the connection even after lapse of more than eleven (11) months; which is sheer violation of the ibid rules.

- (iv) The provision of electricity is a fundamental right guaranteed to all citizens under Article 9 of the Constitution of Pakistan.
  - (v) Initially GEPCO informed that installation of a 25 kVA transformer is involved in this case; which is not available in the store. GEPCO officials assured to install connection of the Complainant once the material becomes available. Later, GEPCO officials took another plea that the Complainant has constructed building illegally under the HT line. Finally GEPCO officials submitted another instance that the Complainant intends to electrify the nearby plotting area which is being developed by him. In this regard, the concerned XEN was advised to obtain an undertaking from the Complainant to the effect that the connection will only be utilized for the industrial purpose for which it has been sanctioned and in case of misuse, GEPCO is at liberty to disconnect the electricity supply.
  - (vi) The Complainant has provided pictures as per which no safety hazard appears in installation of the connection. There is maximum clearance between the building and HT line. However, if GEPCO considers that there is any safety issue, then GEPCO is required to shift its HT line at its own cost to avoid any accident at any time.
6. Foregoing in view, the complaint is accepted and GEPCO is directed to provide connection to the Complainant without further delay.
7. Compliance report in the matter be submitted within thirty (30) days.

  
**Rehmatullah Baloch**  
**Member (Consumer Affairs)**

**Islamabad, April 06, 2020**