



National Electric Power Regulatory Authority

ISLAMIC REPUBLIC OF PAKISTAN

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

Ph:051-2013200, Fax: 051-2600021

**Consumer Affairs
Department**

TCD.05/ ³⁹⁰⁶ -2022
July 07, 2022

Chief Executive Officer,
22-A, Queen's Road Lahore.

Subject: **COMPLAINT FILED BY SYED MUHAMMAD JAWAD AHSAN, DIRECTOR FAMOUS BRANDS PVT LTD UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST LESCO REGARDING PROVISION OF SEPARATE CONNECTION (ID: 11535023056).**
LESCO-NHQ-6731-08-21

Please find enclosed herewith the decision of the NEPRA Consumer Complaints Tribunal dated July 07, 2022 regarding the subject matter for further necessary action and submission of compliance within thirty (30) days.


(Lashkar Khan Qambrani)
Director Consumer Affairs

Copy to:

1. Chief Engineer/Customer Services Director,
LESCO, 22-A, Queen's Road Lahore.
2. Chief Engineer (Planning), LESCO,
22-A, Queen's Road Lahore.
- 3. Manager (Commercial), LESCO,
22-A, Queen's Road Lahore.
4. Syed Muhammad Jawad Ahsan, Director,
Famous Brands Pvt Ltd, 31-KM, Ferozepur Road,
Lahore 042-111-741-741



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No. LESCO-NHQ-6731-08-21

Syed Muhammad Jawad Ahsan,
Director Famous Brand, Pvt Ltd, Lahore

.....Complainant

Versus

Lahore Electric Supply Company (LESCO)
22-A, Queens Road, Lahore.

.....Respondent

Date of Hearing: March 07, 2022

On behalf of:

Complainant: Syed Muhammad Jawad Ahsan, Director Famous Brand

Respondent: Mr. Fazal Masood, C.E (P&D), LESCO
Mr. Nasir Ali, Addl. Manager (P&D), LESCO

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY SYED MUHAMMAD JAWAD AHSAN, DIRECTOR FAMOUS BRANDS PVT LTD UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST LESCO REGARDING PROVISION OF SEPARATE CONNECTION (ID: 11535023056).

DECISION

Through this decision, the complaint filed by Syed Muhammad Jawad Ahsan, Director Famous Brand (hereinafter referred to as the "Complainant") against Lahore Electric Supply Company Limited (hereinafter referred to as the "Respondent" or "LESCO"), under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (hereinafter referred to as the "NEPRA Act").

2. Brief facts of the case are that the Complainant applied for new connection in the name of M/s Famous Brand Pvt. Ltd against load of 495 kW under B-II tariff, however, the application was rejected by LESCO on the basis that a connection already exists at the premises bearing reference No. 24 11535 9095000 U having sanctioned load of 981 kW which is energized from a Common Distribution System. In order to arrive at an informed decision a hearing was held on March 07, 2022 at NEPRA Head Office, Islamabad. The hearing was attended by both the parties (i.e. LESCO officials & the complainant) wherein the case was discussed in detail. The Complainant apprised that Irfan Textile Pvt Ltd is an entity of Irfan Group and due to adverse conditions, company closed its business operations and the premises was rented out to M/s Nizam Sons Pvt Ltd. The Complainant further submitted that the earlier connection is being used by the tenant i.e. M/s Nizam Sons Pvt Ltd being a separate entity, therefore, he requested for a new connection in the name of M/s Famous Brand Pvt Ltd which is another company of Irfan Group.

3. Clause-2.8.1(a) of Consumer Service Manual (CSM) provides that multiple connections can be allowed in the same premises subject to having different nature of industries and Clause-2.8.1(d) further explains that in case the consolidated load of the premises approaches the threshold required for an independent 11 kV feeder, then connection will be provided through an independent feeder on cost deposit basis and the existing connection will also be supplied from the independent feeder. Further, according to Clause-2.6 (6) of Consumer Service Manual (CSM) for industrial connection (s) where load is above 1 MW to 2.5 MW; the connection is required to be provided from dedicated 11 kV feeder or rehabilitation charges on actual basis (if any) are required to be paid by consumer if connection is provide from 11 kV distribution feeder.

4. Moreover, Consumer Eligibility Criteria (Distribution Licensees) Regulations – 2022 envisages that distribution licensee shall ensure that all applicants and consumers are treated in a non-discriminatory, fair, transparent and just manner.

5. 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.

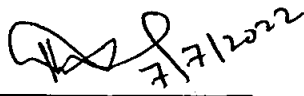
6. Foregoing in view, LESCO is directed to provide a separate connection to M/s Famous Brand Pvt Ltd. with following two options:

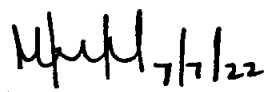
- (i) As the total load of the existing connection bearing reference No. 24 11535 9095000 U and new connection will become above 1 MW; therefore, the new connection be provided from an independent feeder on cost deposit basis and already installed connection be shifted on that independent feeder.


OR

- (ii) If the connection is provided from 11 kV distribution feeder, rehabilitation charges (if any) be recovered from the Complainant on actual basis

7. Report in this regard be submitted within thirty (30) days.


(Lashkar Khan Qambrani)
Director (Member)


(Moqem Ul Hassan)
Assistant Legal Advisor (Member)


(Naweed Illahi Shaikh)
Director General (Member)

Islamabad, July 07, 2022.