



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**

5856
TCD.01/ -2022
November 03, 2022

Chief Executive Officer, PESCO,
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.

Subject:- **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. MIR
BADSHAH S/O BAKHTA KHAN, UNDER SECTION 39 OF THE
REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF
ELECTRIC POWER ACT, 1997 AGAINST PESCO REGARDING BILLING AT
VACANT PREMISES (A/C# 18 26632 0736500).**
PESCO-NHQ-11228-03-22

Please find enclosed herewith the decision of the NEPRA Consumer Complaints Tribunal dated November 03, 2022 regarding the subject matter for necessary action and compliance within twenty (20) days, positively.

Encl: As above


(Muhammad Abid)
Assistant Director (CAD)

Copy to:

- 1) Chief Commercial Officer, PESCO,
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.
- 2) Incharge Complaint Cell, PESCO,
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.
- 3) Mr. Mir Badshah S/o Bakhta Khan,
House No. C2267, Mohallah Ship Shah,
Dera Ismail Khan.
0341-7131410



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

Complaint No. PESCO-NHQ-11228-03-22

Mr. Mir Badshah S/o Bakhta Khan,
House No. C2267, Mohallah Ship Shah,
Dera Ismail Khan.

..... **Complainant**

VERSUS

Peshawar Electric Supply Company, (PESCO),
WAPDA House, Sakhi Chashma Shami Road, Peshawar.

..... **Respondent**

Date of Hearing: September 06, 2022
September 19, 2022

**On behalf of
Complainant:**

1) Mr. Mir Badshah

Respondent:

- 1) Mr. Inam Khan SDO (Operation), PESCO
- 2) Ch Muhammad Farooq, SDO, PESCO
- 3) Mr. Hamidullah, MRS, PESCO
- 4) Mr. Noman Javed, Revenue Officer, PESCO

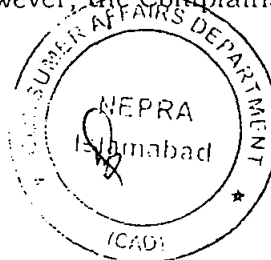
Subject:- **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. MIR BADSHAH S/O BAKHTA KHAN, UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST PESCO REGARDING BILLING AT VACANT PREMISES (A/C# 18 26632 0736500)**

DECISION

This decision shall dispose of the complaint filed by Mr. Mir Badshah S/o Bakhta Khan (hereinafter referred to as "the Complainant") against Peshawar Electric Supply Company (hereinafter referred to as the "Respondent" or "PESCO"), 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. Mir Badshah dated March 04, 2022 wherein the issue agitated by the Complainant was that PESCO issued him bills for the premises which is closed since seven (7) to eight (8) years and now the billing amount accumulated to the tune of Rs. 1,675,497/-, therefore, PESCO be directed to withdraw the unjustified amount and issue a correct bill.

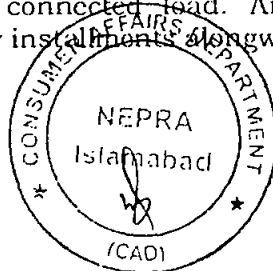
3. The subject matter was taken up with PESCO. In response, PESCO vide letter dated April 26, 2022 submitted that the Complainant was charged forty five (45) No. of detection bills from time to time during the period of July, 2012 to July, 2021. The meter of the Complainant was disconnected in July 2012 vide equipment removal order dated April 27, 2009. After removal of meter the Complainant used direct supply. PESCO further submitted that the Complainant is a habitual stealer and an FIR was also lodged against him regarding theft/direct supply of electricity. The report of PESCO was sent to the Complainant, however, the Complainant raised observations on the report of PESCO.



In order to probe into the matter, hearings were held at NEPRA Head Office wherein both the parties participated and advanced their respective arguments. The Complainant argued that his premises was closed but PESCO issued bills without confirming usage of electricity at site. PESCO officials argued that the consumer used direct supply, therefore, detection bills were charged to him. However, no documentary evidence was placed on record by PESCO officials to establish their claim regarding involvement of the Complainant in theft of electricity. In order to proceed further, the Complainant was asked to provide gas consumption statement in support of his version that the premises was closed. PESCO officials were also directed to check connected load of the Complainant. Subsequently, PESCO officials during the hearing held on September 19, 2022 informed that the connected load of the Complainant is about 1 kW. The gas consumption statement provided by the Complainant revealed that there was very low consumption of gas at the premises, however, there was no zero consumption of gas.

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

- (i) Perusal of the documentary evidence revealed that the consumer was charged bill normally upto February 2009 and bills had been paid by the Complainant regularly. PESCO charged excessive bills to the consumer w.e.f. March 2009, which were not paid by the Complainant. PESCO issued equipment removal order on April 27, 2009, therefore, the connection shall have been disconnected immediately, however, connection was disconnected on July 2012 after laps of more than three years.
- (ii) Clause-6.1 of Consumer Service Manual (CSM) provides mechanism of meter reading and Clause-6.2 envisages the procedure of percentage checking to ensure accuracy of meter reading. Therefore, recording of correct meter reading is the responsibility of PESCO. In the instant case PESCO officials failed to establish that the bills were charged as per actual meter readings at site.
- (iii) According to the relevant provisions of previous and current versions of Consumer Service Manual (CSM) meter readers are responsible to check irregularities/discrepancies in the metering system at the time of reading meters and report the same in the reading book/ discrepancy book or through any other appropriate method as per the practice. The concerned officer/official have to take corrective action to rectify these discrepancies, however, PESCO officials failed to take appropriate actions if there were any discrepancies. PESCO officials produced pictures/videos of the house with direct supply, however, the Complainant claimed that snaps/videos do not pertain to his house/premises.
- (iv) PESCO officials could not produce sufficient evidences to establish use of direct supply by the Complainant and also could not justify forty five (45) Nos. of detection bills issued on the basis of occupancy and use of direct supply. Moreover, the Complainant also could not provide concrete evidence in support of his claim that his premises was completely closed during the disputed period. The gas consumption statement provided by the Complainant revealed that there was very low consumption of gas at the premises, however, there was no zero consumption of gas. On the directions of NEPRA, PESCO intimated the connected load of the premises as 1KW.
- (v) In order to resolve the long outstanding issue, the account of the Complainant is required to be overhauled on monthly basis by revising detection bill and all other billing for the period from March-2009 to October-2022 as per the connected load. Amount so calculated be recovered in twelve (12) easy installments along with current bills.



Foregoing in view, PESCO is directed to withdraw all the bills including sections bills charged to the Complainant w.e.f. March-2009 to October-2022 and sue revised bills to the Complainant for the said period on the basis of 1kW connected load. The bills already paid by the Complainant during this period be adjusted accordingly. The revised bills be recovered in twelve (12) installments alongwith the current bills. Upon payment of first installment, the connection of the Complainant be restored. Compliance report be submitted within twenty (20) days.

(Lashkar Khan Qambrani)

Member Consumer Complaints Tribunal
Director (CAD)

(Moqem ul Hassan)

Member Consumer Complaints Tribunal
Assistant Legal Advisor (CAD)

(Naweed Illahi Shaikh)

Convener Consumer Complaints Tribunal
Director General (CAD)

Islamabad, November 03, 2022

