



Consumer Affairs  
Department

**National Electric Power Regulatory Authority**

ISLAMIC REPUBLIC OF PAKISTAN

NEPRA Head Office

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

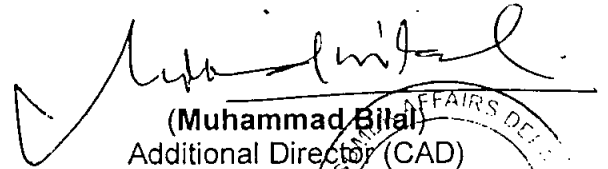
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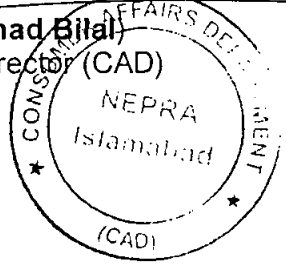
TCD 01/ 2158 -2023  
June 05, 2023

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

Subject:- DECISION IN THE MATTER OF COMPLAINT FILED BY MR. JANAB ALI S/O CHAMAN ROZ KHAN, UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST PESCO REGARDING CORRECTION OF BILL (A/C# 30 26221 0000310).  
PESCO-NHQ-13964-07-22

Please find enclosed herewith the decision of the NEPRA Consumer Complaints Tribunal dated June 05, 2023 regarding the subject matter for necessary action.

  
(Muhammad Bilal)  
Additional Director (CAD)



Copy:-

- 1) Chief Commercial Officer,  
PESCO Head Quarters,  
Peshawar Electric Supply Company (PESCO),  
WAPDA House, Sakhi Chashma Shami Road,  
Peshawar.
- 2) Incharge Complaint Cell,  
Peshawar Electric Supply Company (PESCO),  
WAPDA House, Sakhi Chashma Shami Road,  
Peshawar.
- 3) Mr. Imtiaz Khan (Deputy Director),  
NEPRA Regional Office, 6<sup>th</sup> Saddar Road,  
2<sup>nd</sup> Floor, Tasneem Plaza, Peshawar Cantt.
- 4) Mr. Janab Ali S/o Chaman Roz Khan,  
Rahat Ice Factory, Adjacent to Ghazi Public School,  
Main G.T. Road, Pabbi, District Nowshera.  
0332-5751861



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

**Complaint No. PESCO-NHQ-13964-07-2022**

**Mr. Janab Ali**

Rahat Ice Factory, Pashtoon Ghar, GT Road  
Pabbi, Nowshera, Peshawar.

.....Complainant

**VERSUS**

**Peshawar Electric Supply Company (PESCO)**

WAPDA House, Sakhi Chashma, Shami Road  
Peshawar.

.....Respondent

**Date of Hearing:** February 16, 2023  
March 13, 2023

**On behalf of  
Complainant:**

1. Mr. Janab Ali
2. Mr. Umer Saeed Advocate

**Respondent:**

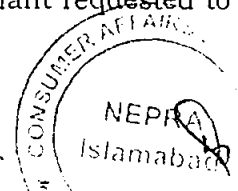
1. Mian Tahir Moeen (Chief Commercial Officer), PESCO
2. Mr. Tufail Muhammad (Director Commercial), PESCO
3. Mr. Khurshid (SDO, Pabbi-1), PESCO
4. Mr. Fakhr-e-Alam (Revenue Officer), PESCO

**Subject:- DECISION IN THE MATTER OF COMPLAINT FILED BY MR. JANAB ALI UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST PESCO REGARDING CORRECTION OF BILL (A/C NO. 30 26221 0000310)**

**DECISION**

This decision shall dispose of the complaint filed by Mr. Janab Ali (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. The Complainant apprised through the above complaint that he owns an ice factory in the name of Rahat Ice Factory and business is carried out during summer season only as it is not in use during winter season due to low demand of ice. The complainant also submitted that he pays his bills regularly and there were no arrears against him. The Complainant informed that during April 2022, PESCO charged him with excessive bill of 74158 units amounting to Rs. 1,732,937/- on the pretext of the meter being dead stop. The same meter was also removed from the premises by PESCO on the above noted reason during March, 2022. Despite the very low consumption during the corresponding month of previous years and during April, 2022, the Complainant was charged with excessive bill on the assumption of high electricity consumption during winter season with mala-fide intention. The electricity meter bearing No. 3431 was replaced in March 2022 due to display wash. During the month of April 2022 PESCO charged 74158 units despite the fact that the factory was closed. The Complainant agitated that the act of charging the exorbitant bill by PESCO is based on wrongful intent and has caused irreparable financial loss being a seasonal electricity consumer. Therefore the Complainant requested to direct PESCO to withdraw the disputed bill.

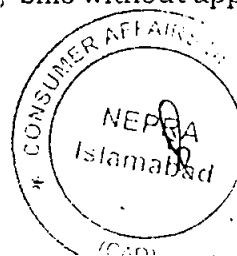


3. The matter was taken up with PESCO. In response, PESCO submitted that the Complainant was billed for actual consumed units i.e. 74158 in the month of April 2022 as per AMR data i.e. Cosmos Galaxy and no over and assessed bill was charged by PESCO. The report of PESCO was sent to the Complainant for comments. In response the Complainant, submitted a rejoinder wherein he retained his earlier version. Thereafter, hearing was held on February 16, 2023 at NEPRA Head Office, Islamabad whereby both the parties advanced their respective arguments. After detailed deliberation, PESCO was directed to provide additional information for further scrutiny of the case. PESCO was also directed for restoration of Complainant's electricity connection after payment of provisional bill amounting to Rs. 500,000/- by the Complainant. In response, PESCO vide letter dated March 01, 2023 requested NEPRA to review the above directions on the plea that the dues/charges imposed by PESCO in the instant case were actual and legitimate. In order to reach at an informed decision, another hearing was held on March 13, 2023 at NEPRA Head Office, Islamabad wherein the matter was again discussed in detail.

4. After the hearing, PESCO vide letter dated March 16, 2023 submitted a detail report wherein it was informed that the disputed AMR TOU meter bearing No. 3431 was installed at the Complainant's premises on August 16, 2021 and the said meter recorded and duly communicated 103224 units until it became defective/mute. However, the Complainant was only billed 29040 units due to the connivance of the concerned PESCO officials and the less units i.e. (74158) were consequently charged to the Complainant during the month April, 2022. The defective meter was subsequently replaced with new AMR TOU meter No. 3557 on March 28, 2022 which also became defective/mute due to illegal abstraction, therefore a detection bill of 35770 units has been charged to the Complainant. (This issue has not been agitated by the Complainant in his complaint). In the meanwhile, the Complainant approached Peshawar High Court vide Writ Petition No. 1662-P/2022 with IRCMs No. 363-P/2023 and No. 63-P/2023 whereby the Court vide order dated April 19, 2023 directed NEPRA to decide the complaint in accordance with law within a period of one month after receipt of the complaint. The Complainant provided orders of the Court on May 08, 2023.

5. 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 is a consumer of PESCO under Tariff B-2. According to Complainant his connection is seasonal (F Tariff) whereas the applied tariff is of normal industry i.e. B-2.
- ii. An AMR meter bearing No. 3431 was installed at premises of the Complainant on August 16, 2021. The said meter became defective and was sent to M&T for data retrieval on March 29, 2022 and another meter bearing No. 3557 was installed at site. According to M&T report dated May 19, 2022, the data of the impugned meter could not be retrieved due to EEPROM error.
- iii. The AMR data provided by PESCO reveals that the meter communicated consumption up to 1089.179 (off peak) and 201.131 (Peak) consumption totaling 1290.31 index and after applying multiplying factor of 80, the total consumption up to February 15, 2022 was 103224 units. PESCO charged bills to the Complainant up to 308 (off peak) and 55 (Peak) totaling 363 index and after applying multiplying factor of 80, the total units charged to the Complainant were 29040 units. In view of the said, PESCO issued a bill of 74158 units in the month of April 2022. In this regard PESCO submitted that the actual consumed units were not charged to the complainant because of connivance of concerned Revenue Office and meter supervisor of PESCO. Further, during the hearing PESCO submitted that the complainant illegally made instalments of electricity bills without approval of PESCO by affixing bogus stamps of PESCO.




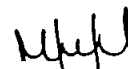
- iv. The Complainant is of the view that charging of bill to the tune of 74158 units in the month of April 2022 is not justified. In order to arrive at a prudent decision, billing history of the Complainant provided by PESCO was examined. The billing history for last 4 years is as under:


Month	2019	2020	2021	2022
January	240	0	0	0
February	0	0	0	0
March	80	0	0	0
April	0	0	0	74158
May	52560	160	14320	51607
June	39840	23360	47680	38993
July	49360	35520	33680	41680
August	49280	52080	19920	32204
September	49200	47040	0	35480
October	39840	32160	18520	23659
November	5680	10880	20000	4798
December	0	0	0	169
Average (May to November)	40823	28743	22017	32632

The above billing data shows average consumption of 40823 units and 28743 units for the years 2019 and 2020 respectively. The bills were not charged to the Complainant as per actual consumption during 2021 and the consumer was charged less units which is evident from the above table i.e. 22017 units on average in the year 2021. However, the average consumption for the period from May 2021 to November 2021 and April 2022 to November 2022 is 30447 which includes 74158 units pending to be charged by PESCO. This consumption commensurate to the earlier healthy consumption charged in the years 2019 and 2020.

- v. Consumer Service Manual (CSM) provides that meter reading of all consumers is to be carried out on a routine basis each month to record the consumption of energy consumed by a consumer during a given period. In the instant case the actual consumed units were not charged to the Complainant intentionally and a total of 74158 units remained unchanged, which are payable by the Complainant.
6. Foregoing in view, it is concluded that the bill charged by PESCO for 74158 units in the month of April 2022 is justified. PESCO is directed to initiate disciplinary proceedings under its service rules against officials who had intentionally charged less units to the Complainant instead of charging actual units consumed. The Complainant may file a separate complaint regarding issuance of detection bill by PESCO in accordance with relevant rules and regulations.

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

  
(Moqees Ul Hassan)  
Assistant Legal Advisor  
(Member Consumer Complaints Tribunal)

  
(Naveed Illahi Shaikh)  
Director General (CAD)  
(Convener Consumer Complaints Tribunal)

Islamabad, June 05, 2023

