



National Electric Power Regulatory Authority

ISLAMIC REPUBLIC OF PAKISTAN

NEPRA Head Office

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

Ph:051-2013200, Fax: 051-2600021

**Consumer Affairs
Department**

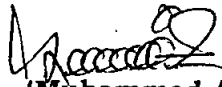
TCD 01/ **5901** -2023
December 22, 2023

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

Subject:-**DECISION IN THE MATTER OF COMPLAINT FILED BY MR. HAYATULLAH,
UNDER SECTION 39 OF THE REGULATION OF GENERATION,
TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997
AGAINST PESCO REGARDING ARREARS IN THE BILL (A/C# 30 26225
0163801).**
PESCO-NHQ-28994-09-23

Please find enclosed herewith the decision of NEPRA Consumer Complaints Tribunal dated December 22, 2023, regarding the subject matter for necessary action and compliance within fifteen (15) days.

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. Hayatullah,
Marbles Factory, Industrial Area,
Risalpur, Nowshera.
0330-59399??



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

Complaint No. PESCO-NHQ-28994-09-23

Mr. Hayatullah,
Marbles Factory, Industrial Area
Risalpur, Nowshera.

..... Complainant

Versus

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

..... Respondent

Date of Hearing: October 23, 2023

**On behalf of:
Complainant:** Mr. Hayatullah

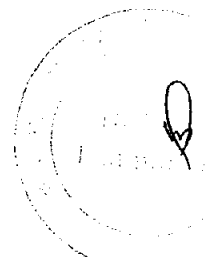
Respondent: Mr. Muhammad Saleem, SDO (Operation), PESCO
Mr. Fakhar-e-Alam, Revenue Officer, PESCO

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. HAYATULLAH,
UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION
AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST PESCO
REGARDING ARREARS IN BILL (Ref # 30-26225-0163801)

DECISION

This decision shall dispose of the complaint filed by Mr. Hayatullah (hereinafter referred to as the "Complainant") against Peshawar Electric Supply Company Limited (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. Brief facts of the case are that NEPRA received a complaint wherein the dispute agitated by the Complainant was that he was charged a detection bill amounting to Rs. 3,468,484/- during the month of August, 2023 on the pretext of meter slowness despite the healthy consumption history commensurate with the load sanctioned against his premises. The Complainant requested NEPRA to intervene in the matter and instruct PESCO for withdrawal of the detection bill. The matter was taken up with PESCO whereby PESCO vide a letter dated October 23, 2023 submitted that detection bill has been charged to the Complainant on account of 33.3% slowness of the meter as per the M&T report during the month of August 2023. PESCO charged detection bill for 63507 units for the period from May 31, 2022 to April 05, 2023. In order to analyze the matter, a hearing was held on October 23, 2023 at NEPRA Head Office, Islamabad which was attended by both the parties i.e. PESCO & the Complainant wherein the matter was discussed in detail. During the hearing, PESCO representatives submitted that one phase of the meter was not working w.e.f. May 31, 2022 to April 04, 2023 as evident from AMR data. In contrast, the Complainant submitted that issuance of correct bills is the responsibility of PESCO. If the meter was not recording the actual consumption, PESCO should have checked the metering installations and should have removed the discrepancy.



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

- (i) The Complainant's industrial premises having electricity connection installed against reference number (30-26225-0163801) with 159 kW sanctioned load was checked on March 22, 2023 whereby the meter was found 33.3% slow. Accordingly, PESCO charged a detection bill of 63507 units (Peak 4859 and Off peak 58640 units) amounting to Rs. 3,427,154/- on account of the 33.3% meter slowness for the period i.e. May 31, 2022 to April 05, 2023. The discrepancy was removed and set right on April 25, 2023.
- (ii) Moreover, it was also revealed that an AMR meter i.e. the impugned meter was installed against the Complainant's premises which essentially provides the greater extent of facility to the concerned PESCO officials in order to ascertain the accuracy of the meter in a prompt manner. However, the same was not checked by PESCO for a considerable time period which suggest the mala fide intent of the concerned PESCO officials whereby the Complainant's defective meter was neither replaced nor the multiplying factor was enhanced for slowness while the wrong/less electricity consumption was allowed to accumulate over several months and suddenly an exorbitant number of units were levied against the Complainant in an unjustified manner during the month of August, 2023.
- (iii) The Complainant was charged detection bill on account of the slowness of billing meter for the extended time period i.e. (11) months while the same is inconsistent with the clause 4.3.3 of Consumer Service Manual (CSM) which provides that in case slowness is established, DISCO is required to replace the defective meter immediately and to enhance multiplying factor for charging of actual consumption till replacement of the defective meter. Further, charging of a bill for the quantum of energy lost if any, because of malfunctioning of metering installation shall not be more than two billing cycles.
- (iv) Hence, penalizing the Complainant on the basis of the meter slowness for the extended period of (11) months due to the advertent delay on the part of concerned PESCO officials and despite the installation of AMR meter against the Complainant's premises is unwarranted and a clear violation of CSM. Thus in view of the said, the detection bill is required to be revised only for two billing cycles as per clause 4.3.3 (c)(ii) of the CSM.

4. Foregoing in view, PESCO is directed to revise the detection bill from eleven (11) months to two (02) months i.e. February and March, 2023 on the basis of 33.3% meter slowness along with all the adjustments i.e. FPA, LPS etc. PESCO is further directed to remain vigilant in ascertaining any discrepancy of metering equipment especially AMR meters installed in its distribution jurisdiction for undisputed and judicious billing of its consumers.

5. Compliance report be submitted within fifteen (15) days.



(Lashkar Khan Qambrani)

Member, Consumer Complaints Tribunal/
Director (CAD)



(Muhammad Irfan Ul Haq)

Member, Consumer Complaints Tribunal/
Assistant Legal Advisor



(Naweed Illahi Shaikh)

Convener, Consumer Complaints Tribunal/
Director General (CAD)

Islamabad, December 22, 2023.

