



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.01/ 969 -2024
February 27, 2024

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

Subject:- **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. ASHFAQ,
UNDER SECTION 39 OF THE REGULATION OF GENERATION,
TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997
AGAINST PESCO REGARDING DETECTION BILLING (A/C# 30 26225
0016355)
PESCO-PSH-26930-07-23**

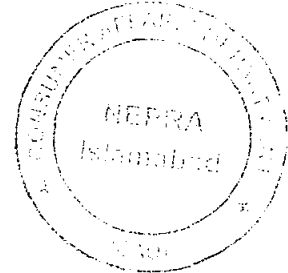
Please find enclosed herewith the decision of the NEPRA Consumer Complaints Tribunal dated February 27, 2024 regarding the subject matter for necessary action and compliance within fifteen (15) days, positively.

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. Imtiaz Khan (Deputy Director),
NEPRA Regional Office, 6th Saddar Road,
2nd Floor, Tasneem Plaza, Peshawar Cantt.
- 4) Mr. Ashfaq Khan,
Musa Marbles Factory, Industrial Area,
Risalpur, Nowshera, KPK.
Cell# 0311-9222174





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

Complaint No. PESCO-PSH-26930-07-23

Mr. Ashfaq Khan

Musa Marbles Factory, Industrial Area,
Risalpur, Nowshera , KPK

..... **Complainant**

Versus

Peshawar Electric Supply Company (PESCO)

WAPDA House, Sakhi Chashma Shami Road, Peshawar.

..... **Respondent**

Date of Hearing: February 21, 2024

On behalf of:

Complainant: Mr. Ashfaq Khan

Respondent:

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

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. ASHFAQ, UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST PESCO REGARDING DETECTION BILLING (A/C# 30 26225 0016355)

DECISION

This decision shall dispose of the complaint filed by Mr. Ashfaq Khan (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").

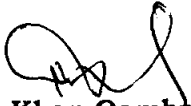
2. Brief facts of the case are that NEPRA received a complaint wherein the dispute agitated by the Complainant was that he was charged a detection bill amounting to Rs. 5,286,503 / - during the month of June, 2023 on the pretext of meter slowness despite the healthy consumption history. The Complainant requested NEPRA for withdrawal of the detection bill. The matter was taken up with PESCO whereby PESCO vide a letter dated November 20, 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 June 2023. PESCO charged detection bill for 77124 units for the period from May 08, 2021 to May 20, 2022. In order to analyze the matter, a hearing was held on February 21, 2024 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 08, 2021 to May 20, 2022 as per AMR data. The Complainant averred 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. The meter is installed outside the premises.

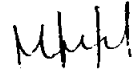
3. The case has been examined in detail in light of the record made so available by both the parties, arguments advanced during the hearing and applicable law. Following has been observed:




- (i) The Complainant's industrial premises having electricity connection installed against reference number (30-26225-0016355) with 320 kW sanctioned load was checked by PESCO on May 20, 2022 whereby the meter was found 33.3% slow due to carbonization of one CT. Accordingly, a supplementary bill of 77124 units (Peak 10693 and Off peak 66431 units and MDI of 505.6 kW) amounting to Rs. 5,286,503/- on account of the 33.3% meter slowness for the period i.e. May 08, 2021 to May 20, 2022 was charged by PESCO in June 2023 after lapse of more than one year. The discrepancy was removed and set right on May 20, 2022.
- (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 tantamount to mala fide intent of the concerned PESCO officials whereby the discrepancy was neither removed 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 with MDI were levied against the Complainant in an unjustified manner during the month of June, 2023. The supplementary bill should have been issued soon after checking which was carried out on May 20, 2022.
- (iii) The Complainant was charged supplementary bill on account of the slowness of billing meter for the extended time period i.e. (12) months and (12) days 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 (12) months and (12) days 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 supplementary bill is required to be revised only for two billing cycles as per clause 4.3.3 (c) (ii) of the CSM.

4۔ مندرجہ بالا حقائق کی روشنی میں، پیسکو کو ہدایت کی جاتی ہے کہ میٹر معائنے سے پیچھے دو ماہ کا سپلیمنٹری بل 33.3 فیصد سست روی کی بنیاد پر جاری کرے اور میٹر معائنہ سے لیکر میٹر کی درستگی تک جزو ضریبی کو بڑھائے تاکہ سست روی کی وجہ سے ہونے والے نقصان کو پورا کیا جاسکے۔ علاوہ ازیں قابل اطلاق FPA/LPS کو اسی کے مطابق درست کرے۔ مزید برآں، لاپرواہی برتنے پر متعلقہ ایس ڈی او کے خلاف پیسکو قوانین کی روشنی میں محکمانہ کارروائی کی جائے۔ تعمیل کی رپورٹ پندرہ (15) دنوں کے اندر پیش کی جائے۔


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


(Moqeem-ul-Hassan)
Member, Consumer Complaints Tribunal/
Assistant Legal Advisor (CAD)


(Naweed Illahi Shaikh)
Convener, Consumer Complaints Tribunal/
Director General (CAD)

Islamabad, February 27, 2024.

