



National Electric Power Regulatory Authority

ISLAMIC REPUBLIC OF PAKISTAN

NEPRA Head Office

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

Ph:051-2013200, Fax: 051-2600021

**Consumer Affairs
Department**

TCD.01/ 927 -2025
March 4, 2025

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

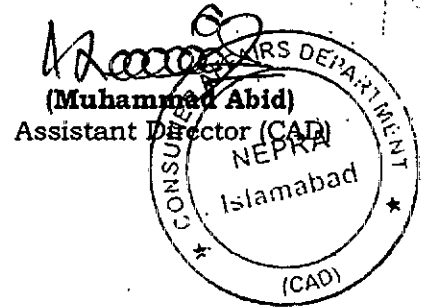
Subject: DECISION IN THE MATTER OF REVIEW MOTION FOR LEAVE FILED BY PESHAWAR ELECTRIC SUPPLY COMPANY AGAINST THE DECISION OF NEPRA CONSUMER COMPLAINTS TRIBUNAL DATED DECEMBER 11, 2023 IN THE MATTER OF COMPLAINT FILED BY LT. COL. (RTD.) SHDDIQUILLAH - ADMINISTRATOR ON BEHALF OF M/S MUHAMMAD TEACHING HOSPITAL. PESHAWAR UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997, AGAINST PESCO REGARDING ADJUSTMENT OF LOAD (A/C# AC 30261-120412702-U). PESCO-NHQ-26395-07-23

Please find enclosed herewith the decision of NEPRA Complaints Resolution Committee (CRC) dated March 4, 2025, regarding the subject matter for necessary action.

Encl: As above

Copy: -

1. Chief Commercial Officer, PESCO,
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.
2. Mr. Imtiaz Khan (Deputy Director),
NEPRA Regional Office, 6th Saddar Road,
2nd Floor, Tasneem Plaza, Peshawar Cantt.
3. Incharge Complaint Cell, PESCO,
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.
4. Lt. Col. Siddiquillah (Administrator),
M/s Muhammad Teaching Hospital,
Main GT Road, Chughal Pura, Peshawar.
Cell: 0300-8585655





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

Review Petition No. 02/02/2025

In the matter of

Complaint No. PESCO-NHQ-26395-07-23

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

Versus

Lt. Col. (R) Siddiquillah (Administrator), **Complainant**
M/s Muhammad Teaching Hospital,
Main GT Road, Chughal Pura, Peshawar.
Cell: 0300-8585655

Date of Hearing(s): October 17, 2023
January 09, 2025

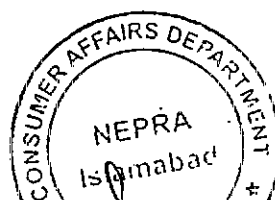
Petitioner: Mr. Tufail Mohammad, Director Commercial, PESCO
Mr. Arshad Siddiqui, Finance Manager
Mr. Abdul Hashmat, SDO Operations, PESCO

On behalf of:
Complainant: Mr. Saeed Khan (Counsel)

Subject: DECISION IN THE MATTER OF REVIEW MOTION FOR LEAVE FILED BY PESHAWAR ELECTRIC SUPPLY COMPANY AGAINST THE DECISION OF NEPRA CONSUMER COMPLAINTS TRIBUNAL DATED DECEMBER 11, 2023 IN THE MATTER OF COMPLAINT FILED BY LT. COL. (RTD.) SIDDIQUILLAH - ADMINISTRATOR ON BEHALF OF M/S MUHAMMAD TEACHING HOSPITAL. PESHAWAR UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997, AGAINST PESCO REGARDING ADJUSTMENT OF LOAD (A/C# AC 30261-120412702-U).

DECISION

The decision shall dispose of the review petition filed by Peshawar Electric Supply Company (hereinafter referred to as the "Petitioner") against the decision of Consumer Complaints Tribunal regarding the complaint filed by Lt. Col. (Rtd.) Siddiquillah - Administrator (hereinafter referred to as the "Complainant") on behalf of M/S Muhammad Teaching Hospital, Peshawar under Section 39 of the Regulation

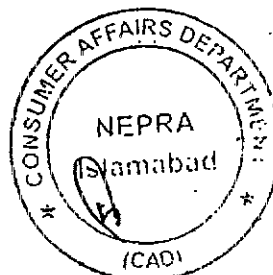


of Generation, Transmission and Distribution of Electric Power Act, 1997, hereinafter referred to as the "NEPRA Act".

2. Brief facts of the case are that NEPRA received a complaint wherein it was submitted that PESCO installed 400/5 Amp CT against the already installed 100/5 Amp CT and failed to update the Multiplying Factor (MF) from 20 to 80. An audit party discovered the anomaly, leading PESCO to issue a detection bill of Rs. 12,385,148/- for the period from September 2020 to March 2023 (31-months). The Complainant sought NEPRA's intervention to withdraw the detection bill. In this regard, NEPRA's Consumer Complaints Tribunal ruled that PESCO's charging of the multiplying factor for over 2 years is unjustified, as it violates the provision of Consumer Service Manual (CSM). The Consumer Complaints Tribunal (NEPRA) decided that the multiplying factor should only be applied from April 20, 2022, when the issue was raised by the Complainant. Being aggrieved with the decision, PESCO has filed a motion for leave for review. In order to proceed further into the matter a hearing was held at NEPRA Head office, Islamabad which was attended by the Complainant and representative of PESCO wherein the matter was discussed in detail.

3. 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. The following has been concluded:

- i. PESCO installed 400/5 Amp CT against the already installed 100/5 Amp CT upon extension of load, however, PESCO skipped change of Multiplying Factor from 20 to 80. Subsequently, the audit party pointed out this anomaly, therefore, PESCO charged a detection bill amounting to Rs. 12,385,148/- for 390480 units (329100 off-peak & 61380 peak) and difference of 1440kW MDI for the period of 31-months from September, 2020 to March, 2023.
- ii. The CSM read with clarifications issued vide letter dated March 26, 2023 provides that if due to any reason the charges i.e. MDI, fixed charges, multiplying factor, power factor penalty, tariff category etc. have been skipped by DISCO; the difference of these charges can be raised within one year for maximum period of six months, retrospectively.
- iii. Moreover, Clause 6.1 of 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. Furthermore, according to Clause 6.1.4 of 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 failed to point out at any stage about the discrepancy.
- iv. The consumers have legitimate expectancy that what is being billed is actual cost of electricity and it is correct. In view of above, penalizing the Complainant on part of incompetency of PESCO officials for the period from September, 2020 to March, 2023 is not justified. However, in this case, the Complainant himself approached PESCO on April 20, 2022 for updation of record, this shows that charging of wrong/less billing by PESCO was in the knowledge of the Complainant.
- v. In view of the said, charging of multiplying factor for more than 02 years is in violation of relevant provisions of CSM, therefore, PESCO should



charge multiplying factor from April 20, 2022 onwards when the issue was highlighted by the Complainant.

4. A motion seeking review of any order is competent only upon the discovery of new and important matter of evidence or on account of some mistake or error apparent on the face of record. The perusal of the decision sought to be reviewed clearly indicates that all material facts and representations made were examined in detail and there is neither any occasion to amend the impugned decision nor any error inviting indulgence, as admissible in law, has been pointed out. Therefore, we are convinced that the review would not result in withdrawal or modification of the impugned decision; therefore, there is no ground to modify the decision of the Consumer Complaints Tribunal (CRC) dated December 11, 2023.

5. In view of the said, the decision of the NEPRA Complaints Resolution Committee dated December 11, 2023 is upheld and this review is dismissed. PESCO is directed to implement the said decision and charge the supplementary bill from April 20, 2022 to March, 2023.


(Lashkar Khan Qambrani)

Member, Complaints Resolution Committee/
Director (CAD)


(Muhammad Irfan-ul-Haq)

Member, Complaints Resolution Committee/
Assistant Legal Advisor


(Naweed Ulahi Shaikh)

Convener, Complaints Resolution Committee/
Director General (CAD)

Islamabad, March 04, 2025.

