



**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/ <sup>3512</sup> -2025  
August 26, 2025

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

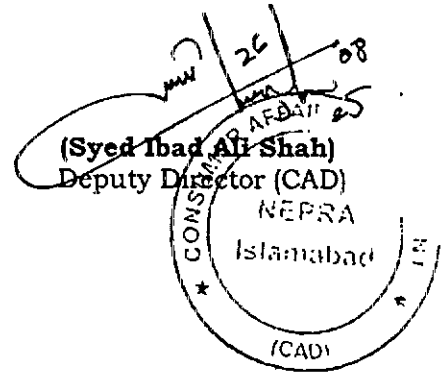
Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. WAQAS KHAN, ADVOCATE, UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION & DISTRIBUTION OF ELECTRIC POWER ACT, 1997, AGAINST PESCO, REGARDING LOADSHEDDING.**  
**PESCO-NHQ-39299-06-24**

Please find enclosed herewith the decision of the NEPRA Complaints Resolution Committee (CRC) dated August 26, 2025, regarding the subject matter for necessary action.

**Encl: As above**

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. Waqas Khan, Advocate,  
Chamkani, District Peshawar.  
0333-9175051





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

Complaint No. PESCO-NHQ-39299-06-24

**Mr. Waqas Khan, Advocate**  
Chamkani, District Peshawar.  
0333-9175051

..... Complainant

**Versus**

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

..... Respondent

**Date of Hearing(s):** August 05, 2024  
May 22, 2025

**On behalf of:**  
**Complainant:** Mr. Waqas Khan

**Respondent:** 1) Mr. Alam Zeb, XEN, (PESCO)  
2) Mr. Abul-Hasanat, SDO (PESCO)

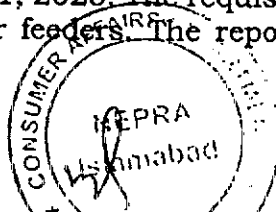
**Subject:** **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. WAQAS KHAN, ADVOCATE, UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION & DISTRIBUTION OF ELECTRIC POWER ACT, 1997, AGAINST PESCO, REGARDING LOADSHEDDING.**

This decision shall dispose of the Complaint filed by Mr. Waqas Khan, Advocate, resident of Chamkani, District Peshawar (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. Brief facts of the case are that NEPRA received a complaint wherein the dispute agitated by the Complainant was that PESCO has been conducting frequent & prolonged unscheduled load shedding on the Chughal Pura Feeder and requested that PESCO be directed to resolve the matter. The matter was taken-up with PESCO for submission of parawise comments/report.

3. In this regard, a hearing was held on August 05, 2024 at NEPRA Head Office, Islamabad which was attended by the Complainant and representative of PESCO. During the hearing, the representative of PESCO submitted that electricity to the complainant's area is supplied from "Chughal Pura" Feeder and load shedding is based on its Aggregate Technical and Commercial (AT&C) Losses. Whereas, the Complainant submitted that there is no load shedding on other feeders.

4. In light of discussion and detailed deliberations, PESCO was directed to provide load shedding schedule of 11kV Chamkani and 11kV Jagara Feeders for the period from June 25, 2024 to June 30, 2024 and July 25, 2024 to July 31, 2025. The requisite data revealed that load shedding was also carried out on the other feeders. The report submitted by PESCO was sent to the Complainant.



5. In order to proceed further into the matter, another hearing was held at NEPRA Head Office Islamabad on May 22, 2025 which was attended by both the Complainant online and PESCO official physically attended the hearing wherein the matter was discussed in detail. During the hearing, the Complainant informed that PESCO is conducting 07 to 08 hours load shedding on Chughal Pura Feeder. In addition, the fault time load shedding is not being accommodated or adjusted with load shedding time. The representative of PESCO informed that load shedding on the 11kV Chughal Pura Feeder has been made as its AT&C (losses) and there is no forced load shedding on the said feeder. The AT&C losses of the Chughal Pura Feeder for the month 04/2025 is 28% and 06 to 07 hours load management is being carried out on the feeder by the PESCO. Moreover, the relief in load shedding after fault was also given to those feeders where long time fault occurred. On inquiry, the representative of PESCO informed that anti-theft campaign has been started on the feeder and 144 x Nos. FIRs were reported to the local police station while 52322 units were also billed to electricity stealers.

6. 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 observed:

- (i) The instant matter pertains to load shedding by PESCO on 11 kV Chughal Pura Feeder.
- (ii) The Complainant is of the view of that PESCO has been conducting frequent & prolonged unscheduled load shedding on the Chughal Pura Feeder. PESCO is of the view that the Complainant's premises is supplied from Chughal Pura Feeder and load shedding is based on its Aggregate Technical and Commercial Losses as per the instructions of Govt. of Pakistan.
- (iii) Rule 4(f) of NEPRA Performance Standards (Distribution) Rules, 2005 envisages the priorities and principles of load shedding, however, PESCO has violated the prescribed standard given in said Rules while conducting load shedding.
- (iv) Section 23F(2)(b) of the NEPRA Act, 1997 (to be read with successive amendments) stipulates that all licensees shall be responsible to make sales of electric power within its territory on a non-discriminatory basis to all the consumers who meet the eligibility criteria laid down by the Authority. Additionally, NEPRA Licensing (Electric Power Supplier) Regulations, 2022 impose an obligation on electric power supplier/ licensee to provide safe, secured, reliable and efficient electric power supply on a non-discriminatory basis to all persons who meet the consumer eligibility criteria. Moreover, Article 2 of the Supplier License expressly mandates that the PESCO/Licensee shall comply with the Applicable Law (i.e. NEPRA Act and Applicable Documents) and shall be obligated to comply with the NEPRA Licensing (Electric Power Supplier) Regulations, 2022.
- (v) Clause 5.8.7 of the National Electricity Policy 2021, talks about progressive elimination of loadshedding in all areas, including rural areas, for consumers who pay their electricity bill, in accordance with the legal framework of the country (emphasis added). The Strategic Directive 5(b) of the National Electricity Plan states that the government, at any time, may decide to incorporate commercial load management quantum in demand for cost based, inter alia, (i) position and incremental impact on circular debt; (ii) adjustment in capital AT&C losses; and (iii) XW-DISCOs' preparedness in accordance with Strategic Directive 026. When the relevant provision of the National Electricity Plan read in conjunction with the National Electricity Policy, it authorises XW-DISCOs to undertake commercial/economic based loadshedding but subject to legal framework. Since, there is no legal framework placed for commercial/economic based loadshedding, therefore the AT&C based loadshedding is illegal.
- (vi) It is also observed that the complainant is a regular payee of electricity bills of PESCO. The Authority also allowed Operation and Maintenance (O&M) costs under the head of Distribution Margin to the PESCO in its tariff for the

purpose of supplying electric power to its consumers on non-discriminatory basis which is then passed onto the consumers through monthly electricity bills. The consumers who regularly pay their electricity bills have a legitimate expectation of receiving uninterrupted electricity supply around the clock. It is, therefore, obligatory on the PESCO to supply uninterrupted electric power to its consumers including the complainant. Furthermore, the consumer/complainant cannot be held liable and punished on account of AT&C losses. The provision of electricity is declared as right to life under the Constitution of the Islamic Republic of Pakistan 1973 which is also held by the Honourable Supreme Court of Pakistan in its reported judgments 2012 SCMR 773, 2014 PTD 243 and 2020 SCMR 1488.

7. Foregoing in view, PESCO is directed to stop the load shedding and supply uninterrupted electricity to the premises of the Complainant. In parallel, PESCO is also directed to upgrade the distribution system in the area of the Complainant if required besides installation of ABC cable to curtail theft of electricity to ensure uninterrupted electric power supply to the Consumers within a period of two (02) month.

(Lashkar Khan Qambrani)

Member, Complaints Resolution Committee/  
Director, (CAD)

(Muhammad Irfan-ul-Haq)

Member, Complaints Resolution Committee/  
Assistant Legal Advisor

(Naweed Illahi Shaikh)

Convener, Complaints Resolution Committee/  
Director General (CAD)

Islamabad, August 26, 2025

