

National Electric Power Regulatory Authority

ISLAMIC REPUBLIC OF PAKISTAN

Consumer Affairs Department, NEPRA TOWER
Attaturk Avenue (East) Sector G-5/1, Islamabad.
Ph:051-2013200, Fax: 051-2600021

**Consumer Affairs
Department**

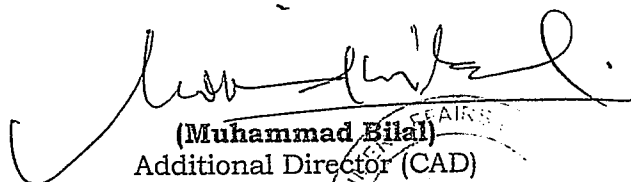
TCD 08/ ⁴²⁹ -2024
January 25, 2024

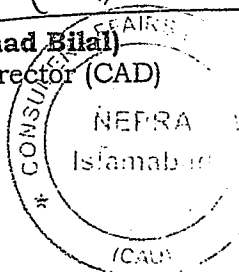
Chief Executive Officer,
Quetta Electric Supply Company (QESCO)
Zarghoon Road, Quetta.

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. NABEEL AHMED
UNDER SECTION 39 OF THE REGULATION OF GENERATION TRANSMISSION
AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST QESCO
REGARDING PROVISION OF CONFISCATED TRANSFORMER (REF# 02-48134-
0706925)
QESCO-QET-31306-11-23**

Please find enclosed herewith decision of the NEPRA Consumer Complaints Tribunal dated January 17, 2024 regarding the subject matter for necessary action and compliance within thirty (30) days.

Encl: As above


(Muhammad Bilal)
Additional Director (CAD)



Copy to:

- 1) C.E/ Customer Services Director,
Quetta Electric Supply Company (QESCO),
Zarghoon Road, Quetta.
- 2) Director (Commercial)
Quetta Electric Supply Company (QESCO),
Zarghoon Road, Quetta
- 3) Mr. Muhammad Rehan, (AD -CAD),
NEPRA Regional Office, Room#1, 2nd Floor,
Rehman Plaza 7A, Opp. Nadra Office,
Model Town, Hali Road, Quetta.
- 4) Mr. Mr. Nabeel Ahmed,
Bismillah Sweets and Bakers,
Opp. Peer Sahab Pump,
Near PTC Sibi Road, Quetta.
Contact# 0322-2230420, 0336-3112156



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No. QESCO-QET-31306-11-23

Mr. Nabeel Ahmed,
Bismillah Sweets and Bakers,
Opp. Peer Sahab Pump,
Near PTC Sibi Road, Quetta.
Contact# 0322-2230420, 0336-3112156

.....Complainant

Versus

Quetta Electric Supply Company (QESCO)
Zarghoon Road, Quetta.

..... Respondent

Date of Hearing(s):

- 1) November 29, 2023
- 2) December 29, 2023

On behalf of:

Complainant: Mr. Nabeel Ahmed

Respondent:

- 1) Syed Ali Shah, Executive Engineer (Operation)
- 2) Mr. Hassan Ali Magsi, SubDivision Officer (Operation)
- 3) Mr. Abdul Hadi, Line Superintendent

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. NABEEL AHMED UNDER SECTION 39 OF THE REGULATION OF GENERATION TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST QESCO REGARDING PROVISION OF CONFISCATED TRANSFORMER (REF# 02-48134-0706925)**

DECISION

This decision shall dispose of the complaint filed by Mr. Nabeel Ahmed (hereinafter referred to as the "Complainant") against Quetta Electric Supply Company (hereinafter referred to as the "Respondent" or "QESCO"), 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 brief facts of the case are that the Complainant filed a complaint before NEPRA wherein the Complainant apprised that he applied for a commercial connection for which QESCO issued a demand notice amounting to Rs. 349,920/- which was paid on October 13, 2021. The connection was energized on June 30, 2022 and QESCO started billing as well which were being paid regularly. However, on November 8, 2023, QESCO officials disconnected the electricity supply and confiscated the transformer without any valid reason or justification. The Complainant requested to issue orders to QESCO to reconnect the electricity supply.

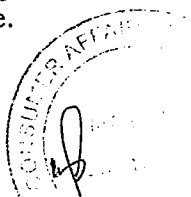


3. The subject matter was taken up with QESCO and a hearing was held on November 28, 2023 at NEPRA Regional Office Quetta which was attended by both the parties i.e. QESCO as well as the Complainant wherein the issue was discussed in detail. During the hearing, QESCO submitted that the Complainant had paid demand notice amounting to Rs. 349,920/- against the connection, for installation of 25KVA transformer, 1 HT pole and allied material on October 13, 2021. However, due to the unavailability of transformers at the store, the connection was energized through stopgap arrangement on June 30, 2022, by installing a transformer of another connection whose transformer was lying with QESCO due to default in payment of bills. The connection of the Complainant was disconnected on November 08, 2023, when the original owner of the transformer paid the outstanding dues and requested for the energization of the connection. QESCO officials were directed to provide store record regarding availability of 25KVA transformers at the time of payment of demand notice, copy of NOC issued to the Complainant to purchase 25KVA transformer in case transformers were not available at QESCO store, copy of SCO issued and copy of store requisition etc. In response QESCO provided partial information.

4. In order to finalize the matter, another hearing was held on December 28, 2023 at NEPRA Regional Office Quetta which was attended by both the parties. During the hearing, QESCO officials confirmed that the transformer along with some allied materials against the Complainant's connection have not been drawn from the store as of yet. QESCO further apprised that due to escalation of rates the consumer has to pay additional cost. The Complainant submitted that he cannot pay the additional amount as the delay was due to constraints of QESCO, furthermore QESCO had not informed him that the transformer installed at site belonged to some other consumer.

5. 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. Following has been observed:

- (i) The Complainant is a consumer of QESCO having a connection with a sanctioned load of 2 kW under A2a(4) tariff running with reference No. 02-48134-0706925. The Complainant had paid demand note amounting to Rs. 349,920/- on October 13, 2021 for a 25 kVA transformer and other allied material. However, due to unavailability of transformers at the store, the connection was energized on June 30, 2022 by installing a transformer of another consumer which was lying at QESCO due to default in payment. The connection of the Complainant was disconnected on November 08, 2023, when the original owner of the transformer paid the outstanding dues and requested for restoration of electricity supply.
- (ii) The total load of the Complainant's connection was 2kW. Due to non-availability of Common Distribution transformer in the vicinity, an independent transformer was proposed by QESCO. According to the time frame for new connections given in NEPRA Performance Standards (Distribution) Rules 2005 read with the Consumer Service Manual (CSM), QESCO was required to provide electricity within twenty (20) days after payment of demand notice. The demand notice was fully paid on October 13, 2021, therefore, according to the said provision of CSM; the connection should have been installed by November 02, 2021. However, the same was not energized.
- (iii) According to QESCO, the connection was not installed due to non-availability of transformers in the stores. As per Clause 2.7.1 of the CSM, *"In case of shortage of material DISCO may ask applicant to procure required material as per the specifications of DISCO at its own from approved vendors of DISCO."* QESCO failed to inform the Complainant regarding unavailability of 25KVA transformers at store and failed to provide NOC to the Complainant to procure required material from the approved vendors of QESCO. During the hearing, the Complainant submitted that he completed the civil work and purchased conductor at his own and QESCO did not install all the material for which he had paid the demand notice.



- (iv) QESCO installed the connection after lapse of 260 days by installing a transformer of some other consumer. The demand of QESCO for payment of additional cost for installation of a new 25 kVA transformer is baseless. The Complainant paid the amount for contract works and conductors to QESCO through demand notice but QESCO did not carry out the required work and the same was arranged by the complainant himself, therefore the cost of contract work and cost of conductors are required to be refunded to the Complainant. The demand note amounting to Rs. 349,920/- included Rs. 138,773/- for 25kVA transformer, Rs. 31,887/- for contract works and Rs. 23,450/- for ACSR rabbit conductors.

6. The complainant paid the Demand Notice amounting to Rs. 349,920/- on October 13, 2021 for 2 kW load. As per provisions of Consumer Service Manual read with NEPRA Performance Standards (Distribution) Rules, 2005, the connection was required to be installed within twenty (20) days i.e. by November 02, 2021 however, the same was not energized. QESCO energized the connection on June 30, 2022 by installing a transformer of another consumer and the Complainant was made to arrange contract work and conductor himself though. Subsequently, the said transformer was removed from site and electricity supply of the Complainant was disconnected. The original transformer of the Complainant has not yet been drawn from the store. QESCO is of the view that due to escalation in cost of transformers, the Complainant has to pay additional demand notice. During the hearing, the complainant agreed for installation of a reclaimed transformer. Foregoing in view, QESCO is directed to energize the connection of the Complainant through a reclaimed transformer and refund the extra cost paid by the Complainant (if any) over and above the cost of a 25 kVA reclaimed transformer. QESCO is further directed to refund the cost of contract work and conductor cost which was recovered from the Complainant. Compliance report be submitted within thirty (30) days.


17/1/2024

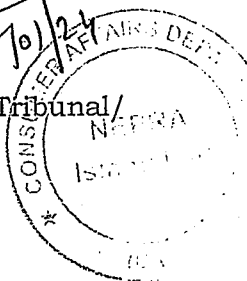
(Lashkar Khan Qambrani)
Member Consumer Complaints Tribunal
Director (CAD)



(Muhammad Irfan Ul Haq)
Member Consumer Complaints Tribunal
Assistant Legal Advisor



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



Islamabad, January 17, 2024