



National Electric Power Regulatory Authority
Islamic Republic of Pakistan

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Registrar

No. NEPRA/R/TCD-03/10/40-42

18-12-2012

Chief Executive Officer,
Gujranwala Electric Power Company Ltd. (GEPCO)
565/A, Model Town
G.T. Road,
Gujranwala

Subject: **Decision of the Authority in the matter of Motion for Leave for Review filed by Gujranwala Electric Power Company Ltd. against the Decision Passed by Member (Consumer Affairs) with respect to Complaint filed by District Officer Building Division Hafizabad under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 against GEPCO regarding Delay in Provision of Electricity Connection**

Please find enclosed herewith Decision of the Authority regarding the subject matter for necessary action and compliance within 30 days of the receipt of this Decision.

Encl: As above

— SA —
(Syed Safer Hussain)

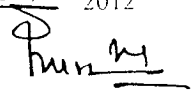
Copy:

1. C.E./Customer Services Director
Gujranwala Electric Power Company Ltd. (GEPCO)
565/A, Model Town
G.T. Road,
Gujranwala
2. District Officer
Building Division
Hafizabad

No. TCD 03/10/43

18-12-2012

Forwarded for information, please.

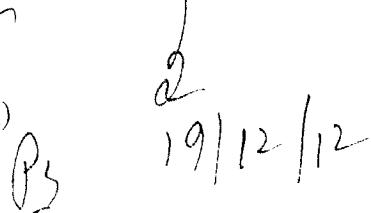

Registrar

Senior Advisor (CAD) [w.r.t. Dy. No. 1351 dated 17.12.2012]

Master File

CC:

1. Chairman
2. Member (Licensing)
3. Member (Tariff)
4. Member (C.A)



Member (L)

No.
Date 19-12-12



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

Complaint No: GEPCO-10-2012

Chief Executive Officer
Gujranwala Electric Power Company (GEPCO)
565/A, Model Town GT Road
Gujranwala.

..... Petitioner

Versus

District Officer
Building Division
Hafizabad.

..... Complainant

Date of Decision: November 6, 2012

Present: 1) Mr. Ghiasuddin Ahmed Chairman
2) Mr. Shaukat Ali Kundi Member (Licensing)
3) Mr. Habibullah Khilji Member (Monitoring & Enforcement)
4) Khawaja Muhammad Naeem Member (Tariff)

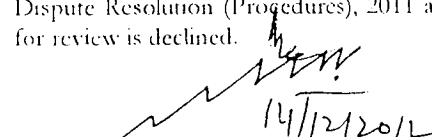
Subject: DECISION OF THE AUTHORITY IN THE MATTER OF MOTION FOR LEAVE FOR REVIEW FILED BY GUJRANWALA ELECTRIC POWER COMPANY (GEPCO) AGAINST THE DECISION PASSED BY MEMBER (CONSUMER AFFAIRS) WITH RESPECT TO COMPLAINT FILED BY DISTRICT OFFICER BUILDING DIVISION HAFIZABAD UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST GEPCO REGARDING DELAY IN PROVISION OF ELECTRICITY CONNECTION

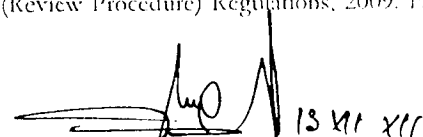
Decision

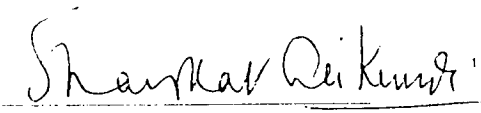
1. This decision shall dispose of the review motion dated September 11, 2012 filed by Gujranwala Electric Power Company (hereinafter referred to as 'GEPCO or petitioner'), against the decision of Member (Consumer Affairs) dated August 08, 2012 in the matter of complaint of District Officer Building Division Hafizabad (hereinafter referred to as 'Complainant') filed with NEPRA under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997.
2. The brief facts of the case are that NEPRA received a complaint on January 02, 2012 from District Officer Building Division Hafizabad wherein it was stated that the Demand Notice dated February 06, 2010 for sum of Rs.219,510/- (capital cost) & Rs.1,680/- (security) were deposited in Muslim Commercial Bank Hafizabad through cheque on March 09, 2010 for overhead electric connection. They approached Chief Executive Officer (GEPCO) Gujranwala vide letter dated December 01, 2011 for installation of energy meter but it had not been installed inspite of the lapse of 22 months. The Complainant requested to look into the matter and direct concerned agency for doing the needful.
3. To proceed in the matter, Consumer Affairs Division (CAD), NEPRA referred the complaint to GEPCO for a detailed report. GEPCO in response reported that the applicant deposited Rs. 219,510/- on March 09, 2010 as a capital cost and Rs.1,680/- as security. Accordingly Service Connection Order (SCO) was issued on March 17, 2010 and handed over to the concerned Line Superintendent (hereinafter referred to as "LS") to draw the

material for energization of connection. The LS misappropriated the documents as well as huge quantity of material including said connection, due to which official had been terminated from service. When consumer approached the Assistant Manager (Operation) GEPCO Vanike Tarrar Sub Division for installation of connection, the Assistant Manager (Operation) GEPCO collected the documents from LS on January 09, 2012 for further processing of the case. In the meanwhile material rates were enhanced, so the Deputy Manager (Operation) revised the case on the prevailing rates of material and a Demand Notice amounting to Rs.35,700/- on account of difference of capital cost was issued on January 18, 2012 for payment with due date February 18, 2012. The payment was still awaited. The connection would be installed without further delay as and when the payment was made.

4. To probe further into the matter, both the parties were called for hearing on June 19, 2012. The Complainant attended the hearing and reiterated his earlier version whereas GEPCO representatives failed to attend the hearing. GEPCO vide letter dated June 19, 2012 (received in NEPRA on June 25, 2012) requested to reschedule the hearing. Accordingly, GEPCO was called for hearing on July 10, 2012. GEPCO representatives reiterated their earlier version and further informed that the connection of the Complainant had been energized and the additional demand notice had been paid by the Complainant.
5. After due consideration of documents and arguments of parties, Member (Consumer Affairs) decided the matter whereby GEPCO was directed to withdraw the additional demand notice amounting to Rs.35,700/- being illegal and unjustified and adjust the same in future bills of the Complainant. Being aggrieved, GEPCO vide letter No: 13287/CE-GEPCO/DDCA dated September 11, 2012 filed review motion against the decision of Member (Consumer Affairs) dated August 08, 2012 communicated to GEPCO vide Registrar letter No. NEPRA/R/TCD-03/6442-44 dated August 16, 2012.
6. GEPCO in its review motion submitted that District Officer Building Division Hafizabad applied for a new connection under tariff A-I for Rural Dispensary Kharak Bhattian on January 23, 2010 against application No.01/A-I Govt. Accordingly a demand notice amounting to Rs.219,510/- was issued and deposited on March 09, 2010. The Service Connection Order (SCO) was issued on March 17, 2010 and handed over to Manzar Abbas, LS to draw the material for energization of connection. The LS misappropriated the documents as well as huge quantity of material including said connection, due to which official had been terminated from service. On consumer approach to Assistant Manager (Operation) GEPCO Vanike Tarrar Sub Division for installation of connection, Assistant Manager (Operation) GEPCO Vanike Tarrar Sub Division collected the documents from LS on January 09, 2012 for further processing of the case. Meanwhile material rates had increased, so Dy. Manager (Operation) Division Jalal Pur Bhattian, GEPCO revised the case on the prevailing rates of material and a demand notice amounting to Rs.35,700/- being difference for capital cost was issued on January 18, 2012 for payment with due date being February 18, 2012, which was accepted and also paid by the Buildings Department and connection was installed. The revised demand notice amounting to Rs.35,700/- is legitimate dues of GEPCO, which had already been paid by the Buildings Department, so GEPCO could not be deprived from recovering the legitimate dues, due to slackness of the official who had been taken to task under the rules. Keeping in view the facts, GEPCO has requested Authority for review of the decision of Member (Consumer Affairs).
7. The case was examined in detail and the Authority after detailed deliberations on the issue decided that in terms of Regulation 3(2) of the NEPRA (Review Procedure) Regulations, 2009, a motion seeking review of any order of the Authority is competent only upon 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 representation made were examined in detail and there is no occasion to amend the impugned decision. No error inviting indulgence as admissible in law has been pleaded out. Therefore, the Authority is convinced that the review would not result in the withdrawal or modification of the impugned decision. Moreover, the review motion is time barred under NEPRA Complaint Handling and Dispute Resolution (Procedures), 2011 and NEPRA (Review Procedure) Regulations, 2009. Hence the motion for review is declined.


14/12/2012
Member


13.12.12
Member


13.12.12
Member

(Retired)
Chairman