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National Electric Power Regulatory Authority

Islamic Republic of Pakistan

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Registrar

No. NEPRA/TCD. 01.1 / 872 - 81

February 11, 2011

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

2. Dr. Akhtar Abbas S/O Niaz Hussain
R/o Mohallah Dr. Jalal Hussain Shah
Hydri Chowk, Dera Ismail Khan.

Subject: Complaint of Dr. Akhtar Abbas S/O Niaz Hussain under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 against PESCO regarding Shifting of HT Line Laying over the Roof of the Complainant
Complaint # PESCO-98-2010

Please find enclosed herewith the decision of Vice Chairman/Member (Consumer Affairs) on the subject matter for compliance within 90 days of the receipt of this letter by PESCO.

Encl: As above

sd/-
(Syed Safer Hussain)

Copy for information:

1. Chief Executive Officer, Islamabad Electric Supply Co. Ltd., Islamabad.
2. Chief Executive Officer, Gujranwala Electric Power Company Ltd., Gujranwala.
3. Chief Executive Officer, Faisalabad Electric Supply Company Ltd., Faisalabad.
4. Chief Executive Officer, Lahore Electric Supply Company Ltd., Lahore.
5. Chief Executive Officer, Multan Electric Power Company Ltd., Multan.
6. Chief Executive Officer, Hyderabad Electric Supply Co. Ltd., Hyderabad.
7. Chief Executive Officer, Quetta Electric Supply Company Ltd., Quetta.
8. Chief Executive Officer, Karachi Electric Supply Company Ltd., Karachi.

No. NEPRA/TCD/882

February 11, 2011

Forwarded for information, please.

Registrar

✓ Senior Advisor (CAD)

CC:

1. Chairman
2. Vice Chairman / Member (CA)

National Electric Power Regulatory Authority
(NEPRA)

ORDER SHEET

Date

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	Case No: PESCO # 98/2010
	Title: Dr. Akhtar Abbas Vs PESCO
11-01-2011	Present
	<p>Dr. Akhtar Abbas R/o Mohallah Dr Jalal Hussain Shah, Hydri Chowk, D.I. Khan - Complainant</p> <p>Mr. Muhammad Nasir, Deputy Manager (Operations), D.I. Khan Division - for Respondent / PESCO</p> <p>Mr. Habib ur Rehman, AMO, Mandra Sub-Division</p> <p>Mr. Rafique Javaid Lineman-II, D.I. Khan Division</p>
	<p style="text-align: center;">Order</p> <p>1. The Complainant filed a complaint dated August 23, 2010 with NEPRA alleging that high tension wires of PESCO are lying on the roof of his house causing a threat to their lives and that the stagnant water and other things contain electric current. He has further complained that he filed a complaint with Deputy Manager (Operations) D.I. Khan Division for removal of the said High Tension Wires which one Mr. Rafique Clerk of the Deputy Manager (Operations) office had kept pending with him with a malafide intent to force the complainant to sell his house to him.</p> <p>2. PESCO on being asked upon by Consumer Affairs Division informed NEPRA vide letter dated 04.01.2010 that the complainant has constructed his house below the HT lines of 11KV Mandra feeder located in Mandra Sub-Division D.I Khan, and that Assistant Manager (Operation) PESCO Mandra Sub-Division had prepared an estimate for shifting of HT line amounting to Rs. 26972/- but the complainant was not ready for its payment. On a query by Consumer Affairs Division it was informed by PESCO vide letter dated 01.11.2010 that the estimate was prepared by AMO PESCO Mandra Sub Division D.I. Khan during 2008 and at that time the complainant was not ready for payment, hence no demand notice was issued at that time. He further stated that if the complainant agrees to the payment regarding shifting of existing HT Line, a fresh estimate shall be prepared as per prevailing store rates and demand notice issued accordingly.</p>

3. Both the parties were called at NEPRA main office on January 11, 2011 for a hearing to present their case. After examining the photographs of the alleged location produced by the complainant and statement of Deputy Manager (Operations) during the hearing that he had personally visited the site and found that HT line was raised using bamboos, it is established that HT lines of Mandra feeder are passing over the roof of some of the houses and that the residents of the locality has raised the height of HT lines by using Bamboos and Pin-insulators which appears to have been carried out with the connivance of PESCO staff. The arrangements for raising HT lines on wooden bamboos and pin insulators are considered as highly dangerous, sub-standard, and pose safety hazards to human life.

4. As regard complainant's allegations that one Mr. Rafique Javaid, Clerk of the Deputy Manager (Operations) D.I. Khan has kept pending his file containing request for removal of said HT wire with malafide intent to force the complainant to sell his house to him, Mr. Rafique Javaid while explaining his position stated that allegations leveled against him by the complainant are baseless and explained that his family members purchased the plots in the surroundings in 1996 and built a mosque there from the amount which he drew from the pension of his father for the religious good and service of the people of the locality and in memory of their late father. On rest of the plots his family including himself has constructed nothing else and he is also not living there, and that it has never been his intention to purchase plot from the complainant nor has been the dealing staff with the case of the complainant nor has the authority to withhold his case file and approve or disapprove the request of the complainant. The Deputy Manager (Operations) D.I. Khan by defending Mr. Rafique Javaid stated that Mr. Rafique is working under him as Lineman-II and has nothing to do with office file work or request for removal of HT line. With this explanation I do not see any force in the arguments of the complainant and turn down his allegations against Mr. Rafique Javed Lineman - II,

5. After having heard both the parties it transpired that the complainant and few others have built houses underneath the existing High Tension Lines after the erection of the HT lines. As a matter of principle and policy the staff of the PESCO should not have allowed these people to build their houses under existing High Tension Lines and ought to have served notices on the people for not building houses under the existing High Tension Lines, but for reasons best known to the PESCO staff they did not serve notices to the owners of these houses to stop the construction forthwith. Had the PESCO staff taken prompt action against the builders of these houses the present situation could have been avoided.

6. In the light of the foregoing PESCO is directed as under:

- (i) CEO PESCO will order an inquiry as to why notices were not served at the time of construction of houses by concerned PESCO staff upon the people building their houses under existing High Tension Lines and under what circumstances the High Tension Lines were raised by using

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substandard material, and take strict action against the delinquent staff under PESCO's Service Rules.

- (ii) PESCO will remove the substandard material used in raising of the High Tension Lines and bring it in conformity with the prescribed standards, within 90 days and report compliance,
- (iii) PESCO will arrange to shift the High Tension Lines passing over the house of the complainant strictly as provided in Rule 70 of Electricity Rules-1937.

7. The case is disposed of with the above directions ↓

Shaukat Ali Kundi
 (Shaukat Ali Kundi)

Vice Chairman / Member (Consumer Affairs)

Announced