National Electric Power Regulatory Authority
ISLAMIC REPUBLIC OF PAKISTAN
Regional Office
Plaza C-6B, College (Hockey Stadium) Road
Kohinoor City, Faisalabad
Ph: 041-8727800

Consumer Affairs Department

ROF.04/2420-2024
October 31, 2024

Chief Executive Officer
Faisalabad Electric Supply Company (FESCO)
Abdullah Pur, Canal Bank Road, Faisalabad.

Subject: COMPLAINT FILED BY MR. FAKHAR ABBAS S/O LIAQAT ALI UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST FESCO REGARDING DETECTION BILL (Ref # 02-13254-0100011 R).
Complaint No. FESCO-FSD-26411-07-23

Please find enclosed herewith the decision of Complaints Resolution Committee dated October 31, 2024 regarding the subject matter.

Encl: As above

(Ubaid Khan)
Assistant Director (CAD)

NEPRA Faisalabad. (C-9)

Copy to:

1. GM (C&CS), FESCO, Abdullah Pur, Canal Bank Road, Faisalabad.
2. Director Customer Services, FESCO, Abdullah Pur, Canal Bank Road, Faisalabad.
3. Mr. Fakhar Abbas S/o Liaqat Ali
   Chah Wali Dad, Post Office Garh, Jali Fatyana
   Tehsil Tandlianwala, District Faisalabad.
   Cell # 0301-8489989.

BEFORE THE

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY

(NEPRA)

Complaint No. FESCO-FSD-26411-07-23

Mr. Fakhar Abbas ..... **Complainant**
Chah Wali Dad, Post Office Garh, Jali Fatyana
Tehsil Tandianwala, District Faisalabad.

VERSUS

Faisalabad Electric Supply Company (FESCO) ..... **Respondent**
Abdullah Pur, Canal Bank Road, Faisalabad.

Date of Hearing: September 07, 2023

On behalf of Complainant: Mr. Fakhar Abbas

Respondent: 1) Mr. Amir Nawaz Khan, SDO (Operation), FESCO
2) Mr. Riaz Masood, Revenue Officer, FESCO

Subject: COMPLAINT FILED BY MR. FAKHAR ABBAS UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST FESCO REGARDING DETECTION BILL

DECISION

This decision shall dispose of complaint filed by Mr. Fakhar Abbas (hereinafter referred to as the "Complainant") against Faisalabad Electric Supply Company (hereinafter referred to as the "Respondent" or "FESCO") under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (hereinafter referred to as the "NEPRA Act").

2. NEPRA received a complaint from Mr. Fakhar Abbas dated nil received in this office on July 07, 2023 wherein the Complainant submitted that he was charged a detection bill by FESCO derig May, 2023 and prayed for withdrawl of detection bill. The matter was taken up with FESCO whereby FESCO vide a letter dated July 24, 2023 submitted that a detection bill of 1752 units was charged to the Complainant as the Complainant was found involved in direct electricity theft through LT line & an FIR based on theft has also been registered against the Complainant. In order to analyze the matter, a hearing was held at NEPRA Regional Office, Faisalabad on September 07, 2023 whereby the matter was discussed in detail in attendance of both the parties.

3. Following the hearing, FESCO was directed to defer the disputed amount and a joint site inspection was, later, carried out by NEPRA officials on September 25, 2024 in presence of the Complainant & concerned FESCO officials to ascertain the ground facts. Accordingly, it was observed that video graphic evidence pertaining to direct theft of electricity submitted by FESCO does relate to the Complainant's premises, however, other service cables of some nearby electricity connections also pass over the roof of Complainant's premises. The same

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situation also cast suspicion on act of electricity theft by the Complainant, however, affirm the assistance in commission of the theft by other electricity consumers. It is of note that the circumstantial evidence i.e. degraded and dubious condition of service cables having several joints used by the Complainant along with the convenient approach to the LT line from the roof of premises raises conjecture for theft of electricity also by the Complainant.

4. The case has been examined in detail in light of record made so available by both the parties, arguments advanced during hearing and applicable law. Following has been observed:

i. The Complainant's electricity connection installed against reference number (02-13254-0100011) located at Chah Wali Dad, Jali Fatyana, Tehsil Tandlianwala, District Faisalabad was charged a detection bill of (1752) units amounting to Rs. 54,906/- by FESCO during May, 2023 on account of the direct theft of electricity through LT line. The dispute raised by the Complainant was that the detection bill has been charged with the mala fide intent without any evidence.

ii. Perusal of the documentary evidence reveals that the Complainant was charged a detection bill for the period of six months i.e. November, 2022 to April, 2023 on the basis of connected load while the same is consistent with clause 9.1.3 (b) of CSM for charging detection bill against a registered consumer involved in direct theft of electricity as per which FESCO is restricted to charge detection bill for a maximum period of (6) months in the order of priority i.e. previous consumption history etc. as envisaged in the same clause. However, the analysis of detection bill also divulges that that the units already charged in routine billing during the detection bill period have not been adjusted by FESCO which is mandatory as per the above mentioned clause.

iii. Scrutiny of the Complainant's previous electricity consumption for corresponding months of previous year does not provide any clearer context as the consumption recorded was unhealthy in terms of sanctioned load. Moreover, future consumption during year 2024, as per the available record, have remained disputed between both parties lacking reasonable comparison. However, future consumption during the year 2023 remained elevated in comparison with the consumption recorded during detection period. Further, the videographic evidence correlated with circumstantial evidence checked during site inspection as narrated above, is primed on fact that the roof of Complainant's premises was undisputedly being used as the source of aiding direct theft of electricity for other electricity consumers. The same act of theft is also attributable predominantly to the Complainant as his own premises/roof was critically involved in theft. Moreover, considering the fact that the consumption recorded during detection period also remained unhealthy in comparison with the connected load, implicates the Complainant in the direct theft of electricity.

5. Foregoing in view, the detection bill charged to the Complainant by FESCO is valid, however, the same is to be revised by adjusting the units charged in the routine billing during the detection period i.e. November, 2022 to April, 2023 as per which FESCO is directed to charge only 1455 units instead of 1752 units. Moreover, FESCO is also directed to shift the Complainant's meter on a feasible location in front of his premises along with shifting of all connections installed in the vicinity of Complainant's premises to locations of respective usages to avoid untoward incident in the future. Compliance report be submitted within (10) days.

(Ubaid Khan)
Member, Complaints Resolution Committee/Assistant Director (CAD)

(Engr. Dr. Bilal Masood)
Member, Complaints Resolution Committee/Additional Director (CAD)

CONSUMER AFFAIRS DEPARTMENT NEPRA Faisalabad. (CAD)

Faisalabad, October 31, 2024