



National Electric Power Regulatory Authority
Islamic Republic of Pakistan

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REGISTRAR

No. NEPRA/R/TCD-04/13929-31

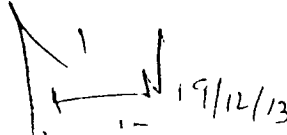
19-12-2013

Chief Executive Officer,
Faisalabad Electric Supply Company
Abdullahpur, Canal Bank Road
Faisalabad

Subject: Decision in the Matter of Complaint Filed By Mr. Allah Dad S/O Muhammad Khan under Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 Against FESCO Regarding Detection Bill
Complaint # FESCO-24-2013

Please find enclosed decision of Member (Consumer Affairs) in the subject matter for necessary action and compliance within 30 days of the receipt of this letter.

Encl : As Above


(Ifkhar Ali Khan)
Deputy Registrar

Copy to:

1. C.E/Customer Services Director, Faisalabad Electric Supply Company, Abdullahpur, Canal Bank Road Faisalabad
2. Mr. Allah Dad S/O Muhammad Khan, Mohallah Wanda Ralanwan Wala, Sultna Khel Post Office, Tehsil Essa Khel, District Mianwali



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA

Complaint No. FESCO-24-2013

Mr. Allah Dad S/o Muhammad Khan **Complainant**
Mohallah Wanda Ralanwan Wala,
Sultan Khel, Post Office,
Tehsil Essa Kel, District Mianwali.

Versus

Faisalabad Electric Supply Company Ltd. **Respondent**
Abdullah Pur, Canal Bank Road
Faisalabad.

Date of Decision: December 18, 2013

Date of Hearing: September 03, 2013
September 19, 2013

On behalf of:

Complainant: Mr. Allah Dad

Respondent: 1. Malik Ishfaq Ahmed, Superintending Engineer, Sargodha.
2. Said Rasool Khan, Sub Divisional Officer, Isa Khel

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. ALLAH DAD S/O MUHAMMAD KHAN UNDER REGULATUION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT 1997 AGAINST FESCO REGARDING DETECTION BILL**

Decision

1. This decision shall dispose of the complaint dated nil filed by Mr. Allah Dad s/o Muhammad Khan (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.



2. The Complainant in his complaint stated that he lodged complaint against the officials of WAPDA/FESCO in Anticorruption Department in past due to which FESCO charged him illegal detection bill amounting to Rs.256,329/- on account of theft of electricity. The detection bill was paid to avoid disconnection. The Complainant prayed to cancel the detection bill.
3. The matter was taken up with FESCO for submission of para-wise comments. In response, FESCO vide its letter dated May 17, 2013 reported that the energy meter of the Complainant was checked on January 22, 2013 by the Divisional Task Force team in association with SDO (Op) FESCO Isa Khel Sub Division and found LT Bushes of transformer tampered for stealing purpose. The SDO issued a notice to the Complainant on January 23, 2013 for charging of detection bill but the consumer did not give any response to it. The case was also referred to SHO Police Station for registration of FIR on January 23, 2013. Detection bill for the period of 10/2012 to 12/2012 (03 months) for 24529 units amounting to Rs.256,329/- was debited to the consumer's energy bill in the month of March 2013 which was paid by him on April 16, 2013.
4. The report of FESCO was sent to the Complainant for his information/comments. In response, the Complainant submitted a rejoinder vide his letter dated June 03, 2013 wherein he raised observations on the report of FESCO. He informed that he has not tampered the bushes of transformer rather the transformer was repaired by the lineman of FESCO. The tube well is used in intervals to get drinking water as there is no other alternative source of drinking water. The Complainant further stated that he has a 40 hp motor and its load becomes 30 kW, whereas, FESCO has been charging 38 kW load every month. The Complainant prayed for refund of detection bill and reflection of lower load.
5. The matter was again taken up with FESCO vide letter dated June 11, 2013 and FESCO was directed to get the matter investigated through a senior officer from the Head Office not below the rank of S.E and the Complainant or his representative be also associated in the investigation proceedings. In response, FESCO submitted its report dated July 11, 2013 wherein it was informed that the matter was investigated through Additional S.E (Operation) FESCO Mianwali Division in the presence of the Complainant, and during the inquiry, FESCO officials showed their innocence in the case while the Complainant left the office of FESCO Mianwali Division without any intimation and did not participate in inquiry and no statement was given by him.



6. The report of FESCO was sent to Complainant. In response, the Complainant again submitted a rejoinder vide his letter dated July 22, 2013 and reiterated his earlier version. To probe further into the matter, hearing was held on September 03, 2013 which was attended only by FESCO officials whereas the Complainant failed to attend the hearing. During the hearing, FESCO officials advanced their arguments that the Complainant was involved in illegal abstraction of electricity. To give an opportunity to the Complainant, another hearing was held on September 19, 2013 which was attended by him. During the hearing, the Complainant advanced his argument that he is illiterate and did not receive any notice of illegal abstraction of electricity and he has not tampered the bushes of the transformer. Further, FESCO has charged wrong detection bill, as he had filed the case against them in Anti-corruption Department.
7. The case has been analyzed in detail in light of documents provided by both the parties and applicable rules. The following has been concluded:
- i. As per the Complainant, a complaint was filed by him in Anticorruption Department in March 2012 against FESCO officials as a result of which an amount of Rs.132,000/- was recovered from FESCO officials and the instant detection bill has been issued by FESCO as a revenge.
 - ii. As per FESCO, the premises was checked on January 22, 2013 and LT bushes of the transformer were found tampered for stealing purpose. A notice was issued on January 23, 2013 by FESCO for submission of reply within 10 days. FESCO did not wait for the response of the Complainant and the matter was referred to the concerned police station for lodging FIR on the same day, i.e. January 23, 2013. The Complainant is of the view that he has not tampered the bushes of the transformer and he did not receive any notice from FESCO regarding theft of electricity.
 - iii. FESCO assessed the consumption of the Complainant as 49932 units for the period from 10/2012 to 12/2012 (3 months) and after deducting already charged 25403 units, FESCO charged a detection bill for the same period for 24529 units amounting to Rs.256,329/- in March 2013, which was paid by the Complainant.
 - iv. No proof has been placed on record by FESCO, from which it could be established that the Complainant was involved in theft of electricity through LT bushes of the transformer.
 - v. The billing data shows that the consumption of the Complainant for 9 months after checking i.e. February 2013 to October 2013 is 15953 units whereas for the same months of 2012 and 2011, the consumption was 57142 units and 49004 units respectively. As such the consumption is on much lower side after



checking. Consumption of the Complainant for 6 months prior to checking i.e. July 2012 to December 2012 was 31861 units and for the corresponding months of the year 2011 i.e. July 2011 to December 2011, the consumption was 42930 units. From above, it appears that the consumption of the Complainant has dropped after checking.

8. FESCO is directed to revise the detection bill on the basis of the consumption recorded during July 2011 to December 2011 (6 months) as per which 11069 units are payable by the Complainant. As the Complainant has already paid the detection bill therefore, 13460 are required to be credited as per the following working :

Consumption from July 2011 to December 2011 = 42930 units

Consumption from July 2012 to December 2012 = 31861 units

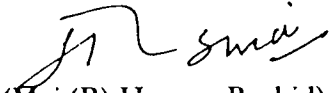
Difference = 42930 - 31861 = 11069 units payable

Detection bill already charged/paid = 24529 units

Units to be adjusted (credited) = 24529 - 11069 = 13460 units

9. Compliance report be submitted within 30 days.

Islamabad, December 18, 2013


(Maj (R) Haroon Rashid)

Member (Consumer Affairs)

