



**National Electric Power Regulatory Authority**  
Islamic Republic of Pakistan

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**Registrar**

No. NEPRA/R/TCD-09/4783-85

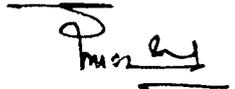
21-5-2013

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

Subject: - **Decision in the Matter of Complaint Filed By Mr. Muhammad Bilal Khan S/O Sher Bahadur Khan under Section 39 of The Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 Against FESCO Regarding Non-Provision of New Connection and Additional Demand Notice**  
Complaint # FESCO-82/2012

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

Encl: **As Above**

  
( Syed Safer Hussain )

Copy to:-

1. C.E / Customer Services Director  
Faisalabad Electric Supply Company (FESCO)  
Abdullah Pur, Canal Bank Road, Faisalabad
2. Mr. Muhammad Bilal S/O Sher Bahadar Khan  
Near Masjid Ghosia, Dak Khana Kundian City  
District Mianwali.



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

Complaint No: FESCO-82-2012

r. Muhammad Bilal Khan S/o Sher Bahadur Khan .....  
Near Masjid Ghousia Khana, Kundian City,  
District Mianwali.

Complainant

Versus

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

Respondent

Date of Decision: May 17, 2013

Date of Hearing: February 27, 2013

On Behalf Of:

Complainant: Mr. Muhammad Bilal Khan S/o Sher Bahadur Khan.

Respondent: Engr. Muhammad Munawar Khan, XEN (O), FESCO (Bhakkar).

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. MUHAMMAD BILAL KHAN S/O SHER BAHADUR KHAN UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST FESCO REGARDING NON PROVISION OF NEW CONNECTION AND ADDITIONAL DEMAND NOTICE

DECISION

1. This decision shall dispose off the complaint dated 20<sup>th</sup> December 2012 filed by Mr. Muhammad Bilal Khan S/o Sher Bahadur 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. Precisely, the Complainant in his complaint stated that he applied to FESCO for provision of electricity connection for his petrol pump. In this regard, a demand notice amounting to Rs.435,520/- was issued on 3<sup>rd</sup> July 2010 which was paid by him on 5<sup>th</sup> August 2010; however, the connection has not yet been provided even after a lapse of more than 02 years despite payment against the demand notice. The Complainant further stated that the concerned SDO had asked him to deposit an additional amount of Rs.136,000/- on account of escalation in the prices of material. It

ay occurred on part of FESCO which has caused the price(s) escalation. The Complainant prayed for provision of connection at the earliest to avoid further loss to his business.

3. The matter was taken up with FESCO for submission of para-wise comments. In response, FESCO, vide letter dated 17<sup>th</sup> January 2013 reported that the Complainant submitted his application for provision of connection at his petrol pump on 15<sup>th</sup> October 2009. After site verification, a demand notice amounting to Rs.411,520/- (capital cost) plus Rs.24,000/- (security amount) was issued to the Complainant which was paid on 5<sup>th</sup> August 2010. After checking the site by concerned Line Superintendent Incharge, a notice was served to the Complainant on 11<sup>th</sup> October 2010 that the load at site was not according to the test report and accordingly the remaining material could not be drawn. On the request of concerned SDO, the requirement of HT/PC poles (45 feet) was furnished. Due to revision of rate of material, the case was revised and the demand notice of difference of cost of material was issued to the Complainant on 23<sup>rd</sup> September 2011; however, the Complainant did not make the payment of the said (additional) demand notice.

4. FESCO's ibid report was sent to the Complainant for comments vide this office letter dated 21<sup>st</sup> January 2013. In response thereto, the Complainant vide his letter dated 31<sup>st</sup> January 2013 raised his observations against FESCO's report and further informed that he has not received the additional demand notice as stated by FESCO. To further explore the matter, it was decided to hold a hearing to finalize/settle the case. The said hearing was held on 27<sup>th</sup> February 2013 at NEPRA Office Islamabad which was attended by both the parties. Subsequent to the hearing, Consumer Affairs Division (CAD) NEPRA vide letter dated 6<sup>th</sup> March 2013 sought some information from FESCO regarding the case; a reminder was also issued in this regard vide this office letter dated 19<sup>th</sup> March 2013. FESCO vide letter dated 25<sup>th</sup> March 2013 submitted the requisite information. Later, CAD sought additional information from FESCO vide this office letter dated 5<sup>th</sup> April 2013 which was submitted by FESCO vide letter dated 10<sup>th</sup> April 2013.

5. After considering the facts of the case, hearing both the parties and analyzing the documents provided by the parties, following is concluded:

- i. That the Complainant applied for electricity connection on 15<sup>th</sup> October 2009 and FESCO issued demand notice on 8<sup>th</sup> July 2010 after a lapse of 265 days; whereas, as per NEPRA Performance Standards (Distribution) Rules 2005 (PSDR 2005), the time limit for provision of said connection is 53 days after registration of application.
- ii. That the site was checked by the Line Superintendent on 11<sup>th</sup> October 2010 after lapse of about 02 months of payment of demand notice and a notice was served to the consumer that the load at site was not according to the test report; whereas, as per WAPDA commercial procedure, verification of test report should have been carried out within 04 days after issuance of demand notice.
- iii. That the requested connection was not energized and additional demand notice was issued on 23<sup>rd</sup> September 2011 due to revision of rate of material/price escalation after a lapse of about 413 days of payment of initial demand notice; whereas, FESCO was obligated to provide the said connection in 53 days as per PSDR 2005. Price(s) of the requisite material escalated due to un-necessary delay by FESCO in provision of electricity connection to the Complainant. Had the case been processed by FESCO in light of the provisions of PSDR 2005, the additional demand notice amounting to Rs. 136,600/- could have been avoided. Since the delay is on part of FESCO, the additional charges/demand notice levied by FESCO have no legal justification as such.
- iv. That as per report of FESCO, it has initiated disciplinary action against the delinquent official(s) on the basis of procedural deviation / mis-management regarding installation of the said connection. The action taken by FESCO against the delinquent(s) is their internal issue and the Complainant should not be penalized for the lapse occurred due to mis-management of FESCO official(s).

6. In light of the foregoing, FESCO is directed to withdraw the additional demand notice amounting to Rs. 136,600/- raised against the Complainant, being unjustified and illegal and the Complainant be provided the required electricity connection at the earliest but not later than thirty (30) days of receipt of this Order. Compliance report in this regard shall be submitted within thirty (30) days.

  
Maj (R) Haroon Rashid  
Member (Consumer Affairs)

Islamabad, May 17, 2013