



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

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**Registrar**

No. NEPRA/CAD/TCD-07 / 6924-26

May 9, 2017

Chief Executive Officer  
Hyderabad Electric Supply Co. Ltd. (HESCO)  
WAPDA Offices Complex,  
Hussainabad, Hyderabad.

**Subject: Order in the matter of Complaint filed by National Agro Industries under Section 39 of the NEPRA Act, 1997 against HESCO regarding Disconnection of Electricity**

Please find enclosed herewith the Order of Member (Consumer Affairs) (03 pages) dated 09.05.2017 regarding the subject matter for necessary action and compliance within 30 days please.

Encl: As above

( Iftikhar Ali Khan )

Director  
Registrar Office

Copy to:

1. C.E./Customer Services Director,  
Hyderabad Electric Supply Co. Ltd.  
WAPDA Offices Complex,  
Hussainabad,  
Hyderabad
2. National Agro Industries  
Hyderabad By-Pass  
Adjacent Sindh Small Industries  
Tando Adam, District Sanghar



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

Complaint No. HESCO-319/2016

**National Agro Industries** ..... **Complainant**  
Hyderabad By-Pass Adjacent Sindh Small Industries  
Tando Adam, Dist: Sanghar, Sindh.

**Versus**

**Hyderabad Electric Supply Company,** ..... **Respondent**  
WAPDA Water Wing Complex,  
Hussainabad, Hyderabad.

**Date of Hearing:** March 25, 2017

**Date of Order:** May 9, 2017

**On behalf of**  
**Complainant:** Mr. Muhammad Anwar, Manager National Agro Industries

**Respondent:** Nemo

**Subject:** **ORDER IN THE MATTER OF COMPLAINT FILED BY NATIONAL AGRO INDUSTRIES UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST HESCO REGARDING DISCONNECTION OF ELECTRICITY**

**ORDER**

This Order shall dispose of the complaint dated October 01, 2016 filed by National Agro Industries, Tando Adam (hereinafter referred to as the "Complainant") under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997

(hereinafter referred to as the "NEPRA Act") against Hyderabad Electric Supply Company (hereinafter referred to as the "Respondent" or "HESCO").

2. The Complainant in the complaint submitted that he received electricity bill for the month of September 2016 having due date for payment as September 26, 2016. For some reason, the Complainant could not pay the said bill and approached the XEN, Tando Adam for getting the due date extended, however, he was advised to approach the Revenue Officer (RO). Upon approaching the RO office, the RO refused to extend the date stating that he has no power to extend the date, thereon, on the next day his connection was disconnected regardless of the fact that no dues were outstanding against him except the current bill for the month of September, 2016 amounting to Rs.7,65,342/-. The Complainant paid the impugned bill with late payment surcharge (LPS) and then his connection was restored. The Complainant prayed for intervention of the Authority for taking action against the officials involved in illegal disconnection of electricity supply in violation of provisions of Consumer Service Manual (CSM).

3. The matter was taken up with HESCO for submission of para-wise comments. In response, HESCO vide letter dated November 10, 2016 submitted that the Complainant did not pay his electricity bill of September 2016 within due date and approached Sub Division/Division office/Revenue Office for extension of due date. Since these officers i.e. XEN & RO have no power to extend the date, therefore the Complainant was advised to approach HESCO Head Quarters for extension, but the Complainant was reluctant to do so. Owing to non-payment and as per instructions of higher authority, his connection was temporarily disconnected, however, the connection was restored forthwith when the Complainant paid his bill including LPS.

4. In order to probe further into the matter, a hearing was held on March 25, 2017 at Karachi which was attended only by representative(s) of the Complainant, whereas HESCO officials failed to put appearance in the hearing.

5. The case has been analyzed in detail in light of documents made so available by the parties, arguments advanced during the hearing and applicable law. Following has been concluded:

- i. The Complainant is an industrial consumer of HESCO under tariff category B-2(b) having sanctioned load of 330 kW. The Complainant has been paying his bills regularly. In the month of September 2016, the electricity bill amounting to Rs.7,65,342/- was issued to the Complainant. For some reason the Complainant could not pay the said



bill and approached HESCO for extension in due date. However, his request was neither considered nor the Complainant was properly guided about the competent authority for extension of due date. In line with the relevant provisions of Consumer Service Manual (CSM) the Complainant decided to pay the impugned bill in next month with Late Payment Surcharge (LPS). However, HESCO disconnected the electricity supply of the Complainant on September 30, 2016 without any prior notice and coerced the complainant to pay the bill with late payment surcharge (LPS).

- ii. As per the relevant provisions of CSM the consumer shall be bound to pay his energy bill within due date specified in the bill or with the late payment surcharge, if paid after due date, before the issuance of the next month bill. However, in the instant case HESCO official(s) did not follow the said provisions of CSM.
- iii. The procedure for disconnection of electricity supply of defaulting consumer is clearly laid down in clause 8.1(b) of the CSM; whereby, in case of non-payment of the previous month electricity bill, the DISCO shall serve a clear (07) seven days prior notice to the defaulting consumer to either clear the outstanding dues with the current bill or face disconnection and penal action. In the instant case, no prior notice was served upon the Complainant.

6. In view of foregoing, the impugned disconnection of electricity supply of the Complainant by HESCO was unjustified. In view of the said, HESCO is directed to:

- a) Take action against the concerned official(s) for not following the provisions envisaged in CSM prior to disconnection.
- b) Direct all the field formations to ensure compliance with the procedures laid down in CSM in true letter and spirit in future.

7. A report with respect to Para 6(a) be submitted within thirty (30) days.

  
Member (Consumer Affairs)

Islamabad, May 9, 2017