



**National Electric Power Regulatory Authority**

ISLAMIC REPUBLIC OF PAKISTAN  
NEPRA Head Office Attaturk Avenue (East),  
Sector G-5/1, Islamabad.  
Ph:051-2013200, Fax: 051-2600021

**Consumer Affairs  
Department**

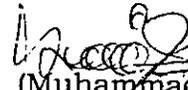
TCD. 71/4886-2024  
November 6, 2024

**Chief Executive Officer,**  
Islamabad Electric Supply Company (IESCO),  
Street No 40, G-7/4, Islamabad.

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. ABDUL RAZZAQUE & OTHERS UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT 1997 AGAINST IESCO REGARDING PROVISION OF ELECTRICITY CONNECTION(S)**  
Complaint No.IESCO-NHQ-44811-10-24

Please find enclosed herewith the decision of NEPRA Complaints Resolution Committee, dated November 6, 2024 and submit compliance report to be submitted within thirty (30) days.

**Encl: As above**

  
(Muhammad Abid)  
Assistant Director (CAD)  
NEPRA  
Islamabad  
# CONS #  
(CAD)

Copy:-

1. C.E/Customer Services Director  
Islamabad Electric Supply Company (IESCO),  
Street No 40, G-7/4, Islamabad.
2. Chief Engineer (Planning),  
Islamabad Electric Supply Company (IESCO),  
Street No 40, G-7/4, Islamabad.
3. Mr. Abdul Razzaque,  
R/o Near Masjid-e- Al-Qasim,  
Moza Bhadana & Noon, Islamabad.



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

**Complaint No. IESCO-NHQ-44811-10-24**

**Mr. Abdul Razzaque & Others,**  
R/o Near Masjid-e-Al-Qasim,  
Moza Bhadana & Noon  
Islamabad,

.....Complainants

**VERSUS**

**Islamabad Electric Supply Company Limited (IESCO)**  
Street No. 40, G-7/4, Islamabad,

.....Respondent

**Date of Hearing:** October 17, 2024

**Complainants:** (i) Mr. Abdul Razzaque  
(ii) Mr. Ishtiaq A. Malik  
(iii) Mr. Abdul Ghani

**Respondent:** (i) Mr. Saifullah Afridi XEN (Operation), IESCO  
(ii) Mr. Abdul Hayee Addl. Director (P&E), IESCO  
(iii) Mr. Mazhar Muhammad A.D (P&E), IESCO

**SUBJECT: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. ABDUL RAZZAQUE & OTHERS UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST IESCO REGARDING PROVISION OF ELECTRICITY CONNECTION(S)**

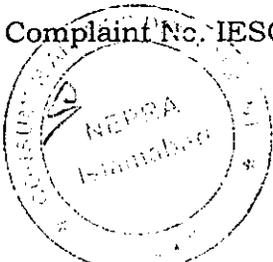
**DECISION**

Through this decision, the complaint filed by (i) Mr. Abdul Razzaque, (ii) Abdul Ghani and (iii) Mr. Ishtiaq Ahmed Malik (hereinafter referred to as the "Complainants") against Islamabad Electric Supply Company Limited (hereinafter referred to as the "IESCO") under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (hereinafter referred to as the "NEPRA Act") is being disposed of.

2. Brief facts of the case are that the Complainants filed a complaint dated 27.09.2024 before the NEPRA against IESCO for non-provision of new domestic connections to the newly constructed premises. In their complaint, the Complainants submitted that IESCO was approached for provision of new domestic connections but IESCO did not process their

Complaint No. IESCO-NHQ-44811-10-24

Page 1 of 4



applications despite repeated requests. The Complainants requested NEPRA to direct the IESCO to provide the electricity connections.

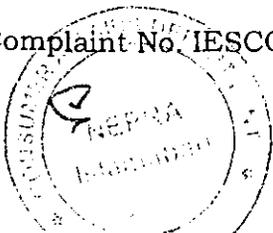
3. The matter was taken up with IESCO and a hearing was also held at NEPRA Head Office, Islamabad on 17.10.2024 wherein both parties tendered attendance. During the hearing, the representatives of IESCO admitted that several electricity connections are installed near the complainants' premises, which are being supplied through the distribution transformers in the vicinity and IESCO has no objection to grant the new connections to the Complainants subject to fulfillment of all necessary codal formalities as laid down in Chapter 2 of the Consumer Service Manual 2021 (the "CSM-2021"). After detailed deliberation, IESCO was directed to submit a comprehensive report in the instant case. In response, IESCO vide letter dated 23.10.2024 submitted reply, wherein, it was asserted that the premises of the complainants are situated in the society namely "Zamar Valley", which falls into the jurisdiction of two IESCO sub-divisions i.e. (Tarnol & Seham). As per IESCO, the said vicinity is being supplied through 15 distribution transformers, and 77 connections are already installed in the said area. IESCO further stated that scrutiny of files of above 77 connections confirmed that the individual fard/registry was issued by the ICT Administration and no any allotment letter was issued by any society. The said report of IESCO further revealed that the area is neither acquired by the Civic Authority nor any development is being carried out by the Civic Authority, hence both Clause 2.3.6 and 2.7.4 of the CSM-2021 are not applicable in the case. In its reply, IESCO also referred to the observation of Chief Engineer IESCO that the Zamar Valley society was declared illegal by the Capital Development Authority (the "CDA") in the year 2017. IESCO finally prayed that the management of Zamar Valley be advised to approach IESCO for the electrification of the housing society to avoid litigation at later stage.

4. Arguments of both parties were heard and the record was perused. Following has been observations:

4.1 The Complainants filed a complaint with NEPRA against IESCO for non-provision of new connections. In response, IESCO submitted its reply dated 23.10.2024, wherein investigations carried out by the Superintending Engineer IESCO and Chief Engineer Operation IESCO were referred. As per the report dated 25.09.2023 of SE IESCO, the area is being supplied through 15 distribution transformers and scrutiny of 77 connections confirmed that the individual fard/registry was issued by the ICT Administration and no allotment letter was issued by any society. The report of SE IESCO further revealed that the said area is neither acquired by the Civic Authority nor any development is being carried out by the Civic Authority, hence Clause 2.3.6 of the CSM-2021 is not applicable in the case. SE IESCO finally recommended to grant the connections to the complainants. On the other hand, the inquiry conducted by CE IESCO vide letter dated 04.01.2024 took the contradictory stance that the premises of the Complainants are situated in Zamar Valley, which was declared illegal by the CDA in the year 2017 and applications of the Complainants cannot be entertained.

4.2 To verify the contention of IESCO, the documents i.e. ownership proofs as provided by the Complainants were perused, which revealed that the premises of the Complainants are situated in the rural area of Islamabad i.e. Mouza Badana and Noon. To further verify the stance of IESCO, the jurisdiction of these properties was cross-checked through the notification dated 27.06.2022 of the Federal Board of Revenue, Government of Pakistan, details of which are as under:

Mouza No.	Mouza Name	Khasra	Owner
100	Bhadana Kalan	576	Abdul Ghani
102	Noon	1328	Abdul Razaq
102	Noon	1315	Ishtiaq Ahmed Malik



4.3As evident from the above table, the properties of the Complainants are situated in the rural area as claimed by IESCO. In such cases, Clause 2.3.6 of the CSM-2021 is relevant, which empowers DISCOs to entertain the applications of domestic and commercial consumers of the rural areas by relaxing the condition of approved map/layout plan or NOC, for the sake of convenience, the above-said clause of the CSM-2021 is reproduced below:

"Clause 2.3.6 of the CSM-2021:-

*Approved map or approved site plan or approved layout plan (LOP) or NOC by the Civic Agency/Authority. However, the condition of the approved map or approved site plan or approved layout plan or NOC for houses and shops can be relaxed by the DISCO in case of rural areas where map/ site plan /layout plan/NOC arc is not applicable/required.*

*i. There shall be no requirement of approved map or approved site plan or approved layout plan (LOP) or NOC by the Civic Agency/Authority for another connection or for extension<sup>1</sup> reduction of load where already any permanent/regular connection exists at the premises.*

*ii. There shall be no requirement of approved map or approved site plan or approved layout plan (LOP) or NOC by the Civic Agency/Authority for premises which are located inside approved housing schemes societies/plazas/multistorey buildings*

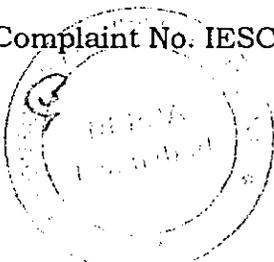
*iii. There shall be no requirement of an approved map or approved site plan or approved layout plan (LOP) or NOC by the Civic Agency/Authority in the areas where the land is either not acquired by the concerned Civic Agency/Authority or the area is not developed by concerned Civic Agency/Authority."*

4.4 Furthermore, the distribution network is already installed near the premises and the same provides a precedent and eligibility to obtain electricity connection at the premises of the Complainants essentially located in the proximity of the common electricity distribution infrastructure. However, an undertaking may be obtained from the Complainants that in future any objection w.r.t provision of the connection raised by the CDA, the electricity connections will be disconnected.

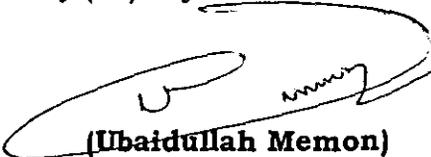
4.5 According to NEPRA Consumer Eligibility Criteria (Distribution Licensees) Regulations, 2022, a distribution licensee shall ensure that all applicants and consumers are treated in a non-discriminatory, fair, transparent, and just manner for provision of electricity.

4.6 Under Articles 9 and 14 of the Constitution of the Islamic Republic of Pakistan, provision of electricity is a Fundamental Right of all citizens. Non-supply of electricity to a citizen, tantamount to deprivation of this Fundamental Right as well as violation of Article 8 of the Constitution which says that any law, custom, or usage having the force of law that is inconsistent or abridges a Fundamental Right is void and inoperable. The provision of electricity has also been interpreted as a Fundamental right by the Supreme Court of Pakistan. Hence the applications of the complainants for new domestic connections may be entertained by IESCO as per the ibid Clause of the CSM-2021.

5. Foregoing in view, it is concluded that the distribution network of IESCO is already available in the said area, which is being supplied through 15 distribution transformers, and seventy-seven (77) connections are running through the said distribution network. Therefore,

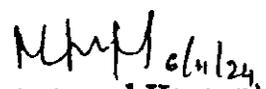


IESCO is directed to process the applications for new domestic connections filed by the complainants after the completion of all codal formalities as laid down in CSM-2021. However, the complainants are under obligation to pay the rehabilitation/upgradation charges, if an extension/reinforcement in the distribution network is required. It may be further noted that this decision is applicable to the complaint under adjudication and will not be treated as precedent in other cases. These connections shall be disconnected in case if any observation is raised by the CDA in future w.r.t provision of these connections. A report in this regard be sent within thirty (30) days.



**(Ubaidullah Memon)**

Member, Complaints Resolution Committee/  
Director (CAD)



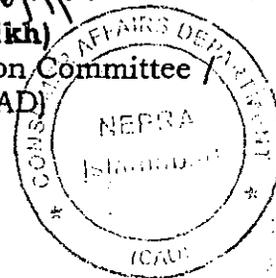
**(Moqem-ul-Hassan)**

Member, Complaints Resolution Committee/  
Assistant Legal Advisor (CAD)



**(Naweed Illahi Shaikh)**

Convener, Complaints Resolution Committee/  
Director General (CAD)



Islamabad, November 06 , 2024