



National Electric Power Regulatory Authority
Islamic Republic of Pakistan

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Registrar

No. TCD 01/ 4850-52

May 29, 2012

Chief Executive Officer
Peshawar Electric Supply Company (PESCO)
WAPDA House
Sakhi Chashma Shami Road
Peshawar

Subject: **DECISION OF THE AUTHORITY IN THE MATTER OF A REVIEW PETITION
FILED BY PESHAWAR ELECTRIC SUPPLY COMPANY (PESCO) AGAINST THE
DECISION OF CONSUMER AFFAIRS DIVISION REGARDING COMPLAINT FILED
BY MS. RAZIA BEGUM V/S PESCO**
Complaint # PESCO-129/2011

Enclosed please find herewith decision of the Authority in the subject matter for compliance within 30 days of the receipt of this letter.

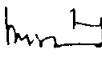
Encl: As above

Sd/-
(Syed Safeer Hussain)

Copy:-

1. C.E./Customer Services Director
Peshawar Electric Supply Company (PESCO)
WAPDA House
Sakhi Chashma Shami Road
Peshawar
2. Ms Razia Begum D/o Amir Ali Khan
R/o Lakhra Ratta Kulachi
Dera Ismail Khan

May 29, 2012


Registrar



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No: PESCO-129-2011

Peshawar Electric Supply Company

Petitioner

Versus

Ms. Razia Begum

Complainant

Date of Hearing: February 14, 2012

Date of Decision: April 10, 2012

Before :

1. Mr. Ghiasuddin Ahmed (Acting Chairman)
2. Mr. Shaukat Ali Kundi (Member)
3. Mr. Habibullah Khilji (Member)

On behalf of Petitioner:

- 1) Mr. Fida Ahmed Khan, Chief Engineer, CSD.
- 2) Mr. Nadeem Anvar, Manager Operation, Bannu.
- 3) Mr. M. Zubair Khan, Deputy Manager (Operation), City, DI Khan.
- 4) Mr. Ishtiaq Ali, Deputy Manager (Operation) Tank
- 5) Mr. Arif Mehmood Sadloza, Deputy Manager (Operation) Rural DI Khan

On behalf of the Complainant: Nil

DECISION OF THE AUTHORITY IN THE MATTER OF A REVIEW PETITION FILED BY PESHAWAR ELECTRIC SUPPLY COMPANY (PESCO) AGAINST THE DECISION OF THE AUTHORITY ON COMPLAINT FILED BY MS. RAZIA BEGUM

DECISION

1. This decision shall dispose of a review petition filed by Peshawar Electric Supply Company (PESCO) (hereinafter referred as "petitioner") against the decision of Consumer Affairs Division in the matter of Ms. Razia Begum.
2. The review petition was filed by the petitioner against the decisions of Consumer Affairs Division in four cases. The petitioner has raised the following contentions in the review petition:
 - i) "The complainant has taken direct connection from LT Line of PESCO and assessments Charges leveled upon the complainant. The case of FIR was properly reported by the PESCO field formation staff to concerned Police Station but the police authorities are not registering proper FIR against the complainant due to some other facts on the grounds. Moreover there are huge numbers of such like cases which are also difficult for police authorities to register FIRs and maintain it.

As per (S&T Clause 9.1.11), PISCC shall be authorized to recover its loss by raising detection bills as per its own procedure, hence the detections bills has been made accordingly.

(ii) The report of field formation to concerned police station may be considered as FIR, as in the said decision PISCC will sustain not only revenue loss but it will also open a Pandora Box for the PISCC as numerous cases exist who are approaching to NEPRA for their unjustified relief on the same grounds.

3. A hearing into the matter was conducted on 14.02.2012 wherein the representatives of the petitioner were present. However Mrs. Razia Begum did not attend the hearing.

4. The representatives on behalf of the petitioner in the hearing submitted that electricity supply of Mrs. Razia Begum was disconnected due to non payment and FIR was implemented on February 02, 2011. At the time of FIR an amount of Rs. 33429/- was outstanding against her. The complainant is involved in theft of electricity therefore, to recover the loss sustained by the petitioner, various detection bills were charged however, no payment has been made by her. Matter was reported to police for lodging of FIR on August 02, 2011 but police was reluctant to do so. Copy of the letter written to police has already been provided to the Authority.

5. Petitioner (PISCC) further submitted that the complainant is involved in theft of electricity by using direct hook. There are so many such like cases where theft is taking place but police is reluctant to lodge FIR despite best efforts by PISCC officials.

6. Having gone through the respective submissions of the petitioner, the Authority has observed that registration of FIRs is though difficult as the police is not cooperating with the PISCCs but it is mandatory as per the provision of Consumer Service Manual and the petitioner should try their best to lodge FIRs against the consumers involved in theft of electricity. The Authority is also of the view that PISCC is equally responsible for taking lenient approach towards lodging of FIRs.

7. The Authority has further observed that in this case, connection was permanently disconnected. Equipment Removal Order (FIR) implemented and P-Disc code allotted as such the complainant is no more consumer of the petitioner. PISCC has charged detection bills after the FIR taking the plea that the complainant was involved in theft of electricity. Further, the matter was reported to police by PISCC after receipt of complaint from NEPRA. In addition to that, no solid proof has been given by PISCC that the complainant was involved in theft of electricity.

8. In view of the foregoing, the Authority has decided to up-hold the para-5 (i) of the impugned decision. The complainant is liable to pay the amount of Rs.33429/- which was outstanding against her at the time of FIR on February 02, 2011. Revised bill accordingly be issued to the complainant for payment. The complainant be provided electricity connection as per the policy after recovering the arrears in case the complainant is interested for seeking reconnection/new connection.

(Habibullah Khatt) Member

15/5/2012

(Shaukat Ali Kundi) Member

Shaukat Ali Kundi

25.05.2012

(Ghiasuddin Ahmed) Acting Chairman

Ghiasuddin Ahmed