



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

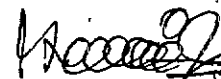
TCD.05/ 1548 -2025
April 21, 2025

Chief Executive Officer, PESCO,
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. NABI SHER
UNDER SECTION 39 OF THE REGULATION OF GENERATION
TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT 1997,
AGAINST PESCO, REGARDING CORRECTION OF BILL (A/C # 15 26473
0134820, 13 26473 3011720, 13 26453 0117920).
PESCO-64-A/03/2019, PESCO-09/01/2020 & PESCO-90/05/2021**

Please find enclosed herewith the decision of NEPRA Complaints Resolution Committee dated April 21, 2025, regarding the subject matter for necessary action and compliance within thirty (30) days.

Encl: As above


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

Copy to:

1. Chief Commercial Officer,
Peshawar Electric Supply Company (PESCO),
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.
2. Incharge Complaint Cell,
Peshawar Electric Supply Company (PESCO),
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.
3. Mr. Nabi Sher S/o Muhammad Anwar Khan,
Mera Rehmat Khan, P.O. Kala Pani,
Abbottabad.
0344-8284433



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

**Complaint No. PESCO-64-A/03/2019,
PESCO-09/01/2020
PESCO-90/05/2021**

Mr. Nabi Sher,
Mera Rehmat Khan, P.O. Kala Pani,
Abbottabad. Contact: 0311-5673786

..... **Complainant**

Versus

Peshawar Electric Supply Company (PESCO)
WAPDA House, Sakhi Chashma Shami Road, Peshawar

..... **Respondent**

Date of Hearing: June 24, 2020
July 22, 2020
August 21, 2020
May 16, 2024
February 07, 2025

On behalf of:
Complainant: Mr. Nabi Sher

Respondent: Mr. Azhar SDO PESCO
Mr. Tariq Mahmood, SDO PESCO

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. NABI SHER UNDER SECTION 39 OF THE REGULATION OF GENERATION TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT 1997 AGAINST PESCO REGARDING CORRECTION OF BILL (A/C # 15 26473 0134820, 13 26473 3011720, 13 26453 0117920).

DECISION

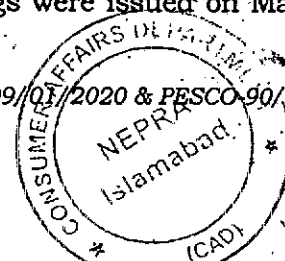
This decision shall dispose of the complaint forwarded by Wafaqi Mohtasib (Ombudsman's) Secretariat, Abbottabad vide letter No. ATD.983.19 dated January 07, 2020 in respect of Mr. Nabi Sher (hereinafter referred to as the "Complainant") against Peshawar Electric Supply Company Limited (hereinafter referred to as the "Respondent" or "PESCO"), under section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (hereinafter referred to as the "NEPRA Act").

2. Brief facts of the case are that the Complainant filed a complaint on December 19, 2019 before Wafaqi Mohtasib (Ombudsman's) Secretariat regarding correction of detection bill of 6522 units charged to the Complainant by PESCO. Wafaqi Mohtasib vide letter dated January 01, 2020 forwarded the said complaint to NEPRA for further disposal. Accordingly, the matter was taken up with PESCO for submission of report. PESCO vide letter dated March 26, 2020 submitted that the meter of the Complainant was burnt/ became defective/un-readable in May, 2017 and was replaced in September, 2017 and detection bill of 6522 units was charged on the basis of data retrieval report of M&T Department during the month of February, 2019. The said report of PESCO was shared with the Complainant, however, the Complainant raised observations over the report of PESCO.

3. During the pendency of this complaint at NEPRA, the Complainant filed another complaint at Wafaqi Mohtasib (Ombudsman's) Secretariat vide case No. WMS-HQR/9640/23 dated July 24, 2023 which was decided by Wafaqi Mohtasib vide decision dated September 2023 whereby the case was disposed of with findings that the case has already been decided earlier under case No. WMS-ATD/202/19 for which findings were issued on May 03, 2019.

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The Complainant filed a representation at President Secretariat, Islamabad against the findings issued by Wafaqi Mohtasib on September 19, 2023, however, the same was rejected by President Secretariat in terms of decision issued by Wafaqi Mohtasib on September 19, 2023. In this way the case No. WMS-HQR/9640/23 registered by the Complainant before Wafaqi Mohtasib was disposed of, however, findings/directions of the Wafaqi Mohtasib issued on May 03, 2019 in the case No. WMS-ATD/202/19 exists in field whereby PESCO was advised to depute a responsible officer to visit the site, examine the meter reading/electricity equipment and to revise the arbitrarily charged 6522 units. Meanwhile Wafaqi Mohtasib vide letter dated January 01, 2020 forwarded the complaint to NEPRA for decision.

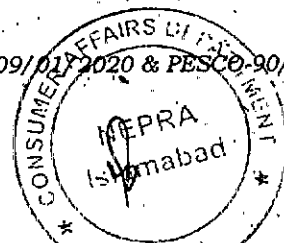
4. In order to proceed further, hearings were held at NEPRA Head Office, Islamabad wherein both the parties participated and matter was discussed in detail. The case has been analyzed in light of arguments advanced by the parties, documents placed on record and applicable law. Following has been observed:

- (i) The Complainant is consumer of PESCO under reference No. 15264730134820 (old A/c No. 1326473011720 & 13264530117920) with date of connection April 26, 2001. Prior to January 2013 there was no dispute and he paid bills regularly. According to M&T Department vide report dated November 29, 2017 in the matter of data retrieval report of meter No. 1453699 installed against reference No. 13-26473-0117920, the display of the impugned meter had been intentionally damaged through microwave oven and difference of reading of 6522 units was observed, therefore, PESCO charged this difference of reading during the month of February, 2019. However, the Complainant argued during the hearings that meter No. 1453699 was never installed at site rather the same was handed over to the Complainant and the old meter bearing No. 091724 remained installed at site.
- (ii) Scrutiny of the documents revealed that PESCO installed a meter No. 091724 during the month of October, 2012, however, in January, 2013 the Complainant requested PESCO for replacement of newly replaced meter due to difference of reading of 1700 units upto the month of December, 2012 (bill charged for 1848 units whereas actual meter reading was 148 units). PESCO made the required adjustment of 1700 units, however, meter was not replaced. According to the record submitted by PESCO meter No. 091724 was replaced with a new meter No. 1453699 during the month of October, 2014. Conversely, the Complainant refused for installation of the said meter at site and emphasized that meter No. 091724 remained at site till replacement in September, 2017 with another meter No. 19334. It is pertinent to mention here that the replaced meter No. 091724 remained with the Complainant and he handed over the same to PESCO officials on March 11, 2021 during the proceedings of the case before Wafaqi Mohtasib. It was further revealed that during the disputed period from January, 2013 to September, 2017 PESCO has charged two detection bills amounting to Rs. 101465 during the month of February, 2019 for 6522 units on account of data retrieval against meter No. 1453699 and amounting to Rs. 2,92,906/- during the month of November, 2021 for 7385 units retrieved against meter No. 091724.
- (iii) During the hearing held on February 07, 2025 PESCO officials were directed to provide PITC data of the account of the Complainant since January, 2012 onwards, copies of all MCOs and CA-21 & CA-22 pertaining to all meters involved for replacement. PESCO officials did not provide complete data and provided PITC data w.e.f. August, 2016 only alongwith blurred copies of MCOs. Billing history (units) prepared from available PITC data and bills is as under:

Billing month	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
January	48	50	100	20	50	99	50	60	48	38	57	57
February	50	47	50	50	50	99	50	0	50	36	49	50
March	50	40	50	100	150	99	50	19	45	40	50	50
April	80	50	150	100	500*	105	99	99	48	84	59	73
May	200	200	150	60	114*	77	72	29	84	74	78	63
June	220	220*	50	50	120*	90	77	73	74	0 DC	69	98
July	250	250*	100	70	125*	64	52	84	82	0 DC	50	67
August	150	150*	550	0	0	92	112	110	103	347RC	102	82
September	149	149*	38	50	477**	92	80	83	86	69	58	86

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October	49	113*	50	120	105	73	63	56	40	60	73	73
November	49	60	50	50	90	68	76	55	41	44	57	81
December	44	50	50	50	101	66	60	55	38	49	39	55

*consumption charged on defective code. ** Meter replaced.

- (iv) During the hearing held on February 07, 2025 both the parties (PESCO and the Complainant) accepted/acknowledged that meter No. 19334 (currently installed at site since September, 2017) is working with accuracy without any consumption dispute. Analysis of the undisputed billing history (since October, 2017 onwards) reveals that consumption of the Complainant is less than 100 units per month, however, in some cases increased upto 112 units (in August, 2019) maximum whereas inconsistency in consumption pattern during the disputed period i.e. from January, 2013 to September, 2017 supports the arguments of the Complainant that during this period defective meters were installed and detection bills were charged to the Complainant. The average monthly consumption on the healthy meter is 65.44 units per month since October, 2017 to December, 2024.
- (v) Clause-9.2.2 of Consumer Service Manual (CSM) provides a procedure to establish theft of electricity; however, no such procedure was followed by PESCO. In view of the above, it is concluded that allegations leveled by PESCO regarding theft of electricity by damaging the metering installation through microwave oven and issuance of two detection bills during October, 2012 to September, 2017 (bills issued in February, 2019 & November, 2021) are not proven and are unjustified due to non-provision/insufficient record provided by PESCO. Moreover, a healthy meter is installed at site since October, 2017 and there is no dispute on the consumption recorded on the healthy meter. Further there is no allegation of theft of electricity against the Complainant since October, 2017. The average recorded consumption is 65.44 units per month on the healthy meter.

5. Foregoing in view, PESCO is directed to revise all the bills from October, 2012 to September, 2017 issued on normal mode, average mode, detections bills etc. on the basis of undisputed average consumption i.e. 65.44 units per month recorded on healthy meter No. 19334 during the period from October, 2017 to December, 2024. The account of the Complainant be overhauled by applying rates of respective months alongwith FPA/FCA excluding LPS. The amount already paid by the Complainant against the bills issued w.e.f. October 2012 to September, 2017 be also adjusted. Compliance report be submitted within thirty (30) days.

(Lashkar Khan Qambrani)

Member Complaints Resolution Committee/
Director (Consumer Affairs)

(Muhammad Irfan ul Haq)

Member Complaints Resolution Committee/
Assistant Legal Advisor

(Naweed Illahi Shaikh)

Convener Complaints Resolution Committee/
Director General (CAD)

Islamabad, April 21, 2025

