

**PRESIDENT'S SECRETARIAT (PUBLIC)**  
**AIWAN-E-SADR, ISLAMABAD**

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**Rep. No.481/WM/2022**  
**Date of Decision: 26.01.2023**

**Islamabad Electric Supply Company Vs Muhammad Jamil & etc.**

**REPRESENTATION FILED BY ISLAMABAD ELECTRIC SUPPLY COMPANY AGAINST  
THE ORDER OF THE WAFAQI MOHTASIB IN COMPLAINT NO.WMS-HQR/004197/2022**

Kindly refer to your representation addressed to the President in the background mentioned below:-

2. This representation has been filed by the Islamabad Electric Supply Company – IESCO (the Agency) assailing the revised order dated 30.08.2022 of the Wafaqi Mohtasib. The original order dated 27.07.2022 provides as under:-

*“Hearing was attended by the Agency only, whose representative reiterated the contents of the Agency’s Report and added that the complainants should request the said society to apply for an electricity connection.*

*The Agency is not at fault, as the complainants have to adopt a particular procedure for ethe redressal of their grievance.*

*In view of above, the complaint is closed in terms of Regulation 23(1)(b) of the Wafaqi Mohtasib (Investigation and Disposal of Complaints) Regulations, 2013.”*

3. The complainants preferred a review petition that was accepted vide order dated 30.08.2022 in the following terms:-

*“Perusal of the record revealed that the complainants were residing in a plotting area in Khasra No.159, Mouza Chohar Harpal, Tehsil & District Islamabad and they purchased the plots through sale deeds registered with the sub-Registrar of ICT. This substantiates the stance of the complainants that they purchased their plots from a private person instead of any housing society. Therefore, no NOC was required by CDA for provision of utility connection on a private land. It was further revealed that the Cabinet vide its decision dated 25.01.2022 with regard to provision of utilities in ICT directed that:*

*“the residents/ consumers of ICT area may be provided electricity and gas connections without discrimination, as per the NEPRA and SNGPL, consumer eligibility criteria and Article 9 of Constitution of Pakistan” and that “CDA should enforce its building By-Laws and regulations without linking them to the utility connections”.*

*Moreover, the concerned Civic Authority i.e. CDA never banned the said land neither acquired the said land and nor it was declared illegal plotting area. Therefore, denying the provision of electricity connections to the complainants in the area was in violation of para 2.3.6(i) & (ii) of IESCO’s Consumer Service Manual (Revised 2020). In addition, the said land belongs to Mr. Muhammad Safeer who also developed that area called Gulshan-e-Safeer which was electrified by the Agency. Therefore, denying the electricity connections to the complainants amounts to mal-administration as defined in Article 2(2) of P.O. No.1 of 1983.*

*In view of the above, the Review Petition filed by the complainants is accepted and the earlier findings dated 27.07.2022 are modified to the extent of para above. The Agency is recommended to provide the electricity connections to the complainants at the earliest.”*

4. Muhammad Jamil & etc. (the complainants) had alleged that they are residents of Gulshan-e-Safeer, Rawalpindi and had no electricity in their locality. According to them, they applied to the Agency for provision of electricity connections a number of times but to no avail. Feeling aggrieved, they approached the learned Wafaqi Mohtasib who passed the impugned order, hence the instant representation.

5. Without expressing any views on the merits of the case, it may be noted at the very outset that under Article 32 of the Establishment of the Office of Wafaqi Mohtasib (Ombudsman) Order 1983 read with Section 14 of the Federal Ombudsmen Institutional Reforms Act 2013, any person aggrieved by an order of the Mohtasib may file a representation within 30 days before the Hon'able President.

6. In the instant case, the impugned order had been passed on 30.08.2022 that was forwarded to the Agency on 02.09.2022. The remedy of representation could have been availed within 30-days. The instant representation has been filed on 24.10.2022 which is hit by the bar of limitation. Suffice it to observe that the extant law even does not empower the condonation of delay to entertain a representation which is time barred. It is thus liable to be rejected out rightly as incompetent and time barred.

7. Section 15 of the Federal Ombudsmen Institutional Reforms Act, 2013 provides as under:-

*“It shall not be necessary for the President or the Ombudsman to give personal hearing to the parties and the matter may be decided on the basis of available record and written comments filed by the Agency”.*

The law thus empowers the decision of a representation without personal hearing of the parties, on the basis of available record. It is undoubtedly a case of that nature.

8. Accordingly, the Hon'able President has been pleased to reject the representation as incompetent and time barred.

-Sd-  
**(Asghar Ali)**  
**Director (Legal)**

The Chief Executive Officer,  
Islamabad Electric Supply Company (IESCO),  
G-7/4, **Islamabad**.

Muhammad Jamil & etc.,  
R/o Ghulshan-e-Safeer,  
Near British Homes, Khasra No.159,  
Street No.1, **Rawalpindi**.

**Copy to:**

- i. The Secretary, Wafaqi Mohtasib (Ombudsman)'s Secretariat, Constitution Avenue, Islamabad.
- ii. The SDO, Islamabad Electric Supply Company, IESCO Pirwadhai, Sub Division, Rawalpindi.