



**Before the Appellate Board**  
**National Electric Power Regulatory Authority**  
**(NEPRA)**  
**Islamic Republic of Pakistan**

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No. NEPRA/AB/Appeal/289/POI/2019/ 2/8


March 02, 2022

- |   |   |
|---|---|
| 1. Allah Ditta,<br>S/o. Faqeer Muhammad,<br>Power Loom Factory,<br>Chak No.67, Jhang Road,<br>Faisalabad  | 2. Chief Executive Officer<br>FESCO Ltd,<br>West Canal Road, Abdullahpur,<br>Faisalabad |
| 3. Malik Asad Akram Awan,<br>Advocate High Court,<br>First Floor, Turner Tower,<br>9-Turner Road, Lahore  | 4. Sub Divisional Officer,<br>FESCO Ltd,<br>Jhang Road Sub Division,<br>Faisalabad      |
| 5. POI/Electric Inspector,<br>Energy Department, Govt. of Punjab,<br>Opposite Commissioner Office,<br>D.C.G Road, Civil Lines,<br>Faisalabad Region, Faisalabad |   |

Subject: **Appeal Titled FESCO Vs. Allah Ditta Against the Decision Dated 20.09.2019 of the Provincial Office of Inspection to Government of the Punjab Faisalabad Region, Faisalabad**

Please find enclosed herewith the decision of the Appellate Board dated 14.02.2022, regarding the subject matter, for information and necessary action accordingly.

**Encl: As Above**

  
**(Ikram Shakeel)**  
**Deputy Director (M&E)/**  
**Appellate Board**

Forwarded for information please.

1. Director (IT) –for uploading the decision on NEPRA website



## National Electric Power Regulatory Authority

### Before Appellate Board

In the matter of

### Appeal No. 289/POI-2019

Faisalabad Electric Supply Company Limited .....Appellant

Versus

Allah Dita S/o Faqeer Muhammad Power Loom Factory  
Chak No.67, Jhang Road, Faisalabad .....Respondent

### **APPEAL UNDER SECTION 38(3) OF REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST THE DECISION DATED 20.09.2019 PASSED BY PROVINCIAL OFFICE OF INSPECTION FAISALABAD REGION, FAISALABAD**

#### For the Appellant:

Mr. Malik Asad Advocate  
Mr. Zahid Hussain Bukhari MRSS

#### For the Respondent:

Nemo

### DECISION

1. Through this decision, an appeal filed by the Faisalabad Electric Supply Company Limited (hereinafter referred to as the FESCO) against the decision dated 20.09.2019 of the Provincial Office of Inspection, Faisalabad Region, Faisalabad (hereinafter referred to as the POI) is being disposed of.
2. FESCO is a licensee of the National Electric Power Regulatory Authority (hereinafter referred to as the NEPRA) for distribution of electricity in the territory



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and as per terms & conditions specified in the license and the Respondent is its industrial consumer bearing Ref No.27-13215-6501090 with a sanctioned load of 8 kW under the B-1(b) tariff category. The billing meter of the Respondent was checked by the FESCO on 02.04.2019 and reportedly, it was found 66% slow due to the two dead phases. Multiplication Factor (MF) was raised from 1 to 2.94 by the FESCO w.e.f February 2019 and onwards to account for the slowness. Later on, a detection bill of Rs.188,287/- for a total of 10,515 units was charged to the Respondent by the FESCO in May 2019, which included the two periods i.e. (i) from June 2018 to September 2018 at the rate of 33% slowness of the billing meter and (2) from October 2018 to January 2019 at the rate of 66% slowness of the billing meter.

3. Being dissatisfied, the Respondent filed an application before the POI on 18.06.2019 and disputed the above-said detection bill. The billing meter of the Respondent was inspected by the POI on 25.07.2019 in presence of both the parties and it was found 66% slow. The complaint of the Respondent was disposed of vide the POI decision dated 20.09.2019, wherein the detection bill amounting to Rs.188,287/- for a total of 10,515 units containing the two periods, (i) from June 2018 to September 2018 at the rate of 33% slowness of the meter & (2) from October 2018 to January 2019 at the rate of 66% slowness of the meter was declared null and void. As per the POI decision, FESCO was allowed to charge the detection bill for two (2) months i.e. December 2018 to January 2019 @ 66% slowness of the meter. The POI declared the bills already charged with enhanced MF=2.94 w.e.f February 2019 and onwards as justified and payable by the



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Respondent.

4. Subject appeal has been filed by the FESCO against the afore-mentioned decision (hereinafter referred to as the impugned decision) before the NEPRA. In its appeal, FESCO prayed for setting aside the impugned decision, inter alia, on the following grounds; (1) the POI illegally and unlawfully accepted the application of the Respondent, declared the detection bill of Rs.188,287/- against 10,515 units as null and void and allowed the FESCO to charge the revise detection bill of 3,333 units for two billing cycles; (2) the impugned decision suffers from serious misreading and non-reading of record and was passed in a mechanical and slipshod manner; (3) the POI has not applied his judicious mind while reaching the conclusion and passed the order without appreciating the available evidence on record; and (4) the above detection bill be declared as justified.
5. The Respondent was issued notice for filing reply/para-wise comments, which were not filed.
6. Hearing in the matter was conducted at the NEPRA Regional Office Lahore on 31.12.2021, wherein learned counsel appeared for the FESCO and no one appeared for the Respondent. Learned counsel for the FESCO reiterated the same arguments as given in memo of the appeal and stated that the detection bill of Rs.188,287/- for a total of 10,515 units was charged to the Respondent by the FESCO in May 2019 due to 66% slowness of the meter as observed on 02.04.2019. Learned counsel for the FESCO argued that 66% slowness in the billing meter of the Respondent was established during the POI joint checking dated 18.06.2019, as



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such the entire period of the above detection bill charged to the Respondent is justified and payable by him.

7. Arguments heard, perused the record placed before us and our observations are as under:

- i. FESCO charged the detection bill of Rs.188,287/- for a total of 10,515 units to the Respondent by the FESCO in May 2019, which included the two periods i.e. (i) from June 2018 to September 2018 at the rate of 33% slowness of the meter and (2) from October 2018 to January 2019 at the rate of 66% slowness of the meter. The Respondent challenged the above detection bill before the POI.
- ii. The POI during joint checking dated 18.06.2019 verified 66% slowness in the billing meter of the Respondent due to two dead phases. Only the period of detection bill needs to be ascertained.
- iii. According to Clause 4.4 of the Consumer Service Manual (CSM), the Consumer may be charged the detection bill maximum for two (2) months in case of a slow meter. However, in the instant case, the FESCO charged the detection bill for eight (08) months due to the slowness of the billing meter of the Respondent, which is violative of ibid Clause of the CSM. The POI has rightly cancelled the detection bill of Rs.188,287/- for a total of 10,515 units containing the two periods i.e. (i) from June 2018 to September 2018 at the rate of 33% slowness of the meter and (2) from October 2018 to January 2019



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at the rate of 66% slowness of the meter. Moreover, the determination of the POI to allow the FESCO to charge the detection bill for 3,333 units for two (2) months i.e. December 2018 to January 2019 at the rate of 66% slowness of the meter, and onwards bills with enhanced MF=2.94 due to 66% slowness of the meter is correct and maintained to this extent.

8. In view of the above, we do not find any reason to intervene in the impugned decision, the same is upheld and the appeal is dismissed.

Abid Hussain  
Member/Advisor (CAD)

Nadir Ali Khoso  
Convener/Senior Advisor (CAD)

Date: 14.02.2022