



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

NEPRA Office , Ataturk Avenue (East), G5/1, Islamabad
Tel. No.+92 051 2013200 Fax No. +92 051 2600030
Website: www.nepra.org.pk E-mail: office@nepra.org.pk

No. NEPRA/Appeal/096/2021/ 684

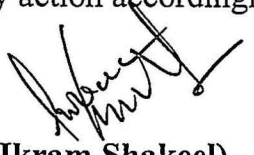
November 21, 2023

1. Mudassar Ahmed,
S/o. Mushtaq Ahmed Gill,
R/o. Chak No. 120/RB,
Faisalabad
2. Chief Executive Officer
FESCO Ltd,
West Canal Road, Abdullahpur,
Faisalabad
3. Ch. Shahzad Ahmed Bajwa,
Advocate High Court,
12-Faisal Park, Imamia Colony,
Shahdara, Lahore
4. Sub Divisional Officer (Operation),
FESCO Ltd,
Muslim Town Sub Division,
Faisalabad
5. POI/Electric Inspector,
Energy Department, Govt. of Punjab,
Opposite Commissioner Office,
D.C.G Road, Civil Lines,
Faisalabad Region, Faisalabad

Subject: Appeal No.096/2021 (FESCO Vs. Mudassar Ahmed) Against the Decision Dated 17.08.2021 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 21.11.2023 (03 pages), regarding the subject matter, for information and necessary action accordingly.

Encl: As Above


(Ikram Shakeel)
Deputy Director (AB)

Forwarded for information please.

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



National Electric Power Regulatory Authority

Before The Appellate Board

In the matter of

Appeal No.096/POI-2021

Faisalabad Electric Supply Company Limited

.....Appellant

Versus

Mudassar Ahmed S/o. Mushtaq Ahmed Gill,
R/o. Chak No. 120/RB, Faisalabad

.....Respondent

APPEAL U/S 38(3) OF REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997

For the Appellant:

Mr. Shahzad Ahmed Bajwa Advocate

For the Respondent:

Nemo

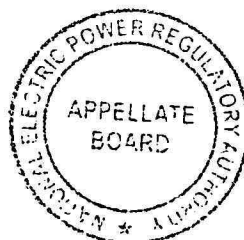
DECISION

1. Through this decision, the appeal filed by the Faisalabad Electric Supply Company Limited (hereinafter referred to as the "Appellant") against the decision dated 17.08.2021 of the Provincial Office of Inspection, Faisalabad Region, Faisalabad (hereinafter referred to as the "POI") is being disposed of.
2. Briefly speaking, Mr. Mudassar Ahmed (hereinafter referred to as the "Respondent") is an industrial consumer of the Appellant bearing Ref No.24-13128-5802050 with sanctioned load of 100 kW and the applicable Tariff category is B-2(b). The Appellant has claimed that the metering equipment of the Respondent was checked by the Metering & Testing ("M&T") team in the presence of POI on 10.09.2020, wherein the impugned billing and backup meters were running 66% slow due to two phases being dead. Resultantly, a detection bill of Rs.256,295/- for 11,375 units+63 kW MDI for six (06) months i.e. April 2020 to September 2020 was charged by the Appellant to the Respondent @ 66% slowness of the meter.
3. Being aggrieved, the Respondent filed a complaint before the POI on 20.01.2021 and challenged the above detection bill. The complaint of the Respondent was disposed of by

Appeal No.096/POI-2021

Page 1 of 3

M. r





National Electric Power Regulatory Authority

the POI vide the decision dated 17.08.2021, wherein the detection bill of Rs.256,295/- for 11,375 units+63 kW MDI for six (06) months i.e. April 2020 to September 2020 was cancelled and the Appellant was directed to charge the detection bill against 4,486 units+16 kW MDI for two months i.e. August 2020 and September 2020 to the Respondent to account for 66% slowness.

4. Through the instant appeal, the afore-referred decision dated 17.08.2021 of the POI has been impugned by the Appellant before the NEPRA. In its appeal, the Appellant objected to the maintainability of the impugned decision, *inter alia*, on the main grounds, (1) the billing and backup meters of the Respondent were found 66% slow by M&T team, therefore a detection bill of Rs.256,295/- for 11,375 units+63 kW MDI for six (06) months i.e. April 2020 to September 2020 was debited to the Respondent; (2) the POI vide impugned decision illegally cancelled the above detection bill and revised the same for 4,486 units+16 kW MDI for two months only; (3) the impugned decision is against the law and facts of the case; (3) the Appellant has no personal grudge or grouse against the Respondent and the POI did not consider the case of the Appellant in true perspective and illegally passed the impugned decision; and (4) the same is liable to be set aside.

5. **Proceedings by the Appellate Board:**

Upon filing of the instant appeal, a notice dated 27.09.2021 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which however were not filed.

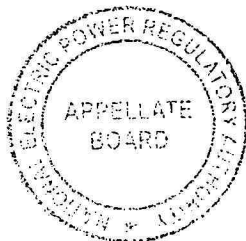
6. **Hearing**

Hearing was initially conducted on 24.06.2023, which however was adjourned in order to provide an opportunity to the Respondent. Finally, the hearing was conducted at NEPRA Regional Office Faisalabad on 09.09.2023, which was attended by the counsel for the Appellant and the Respondent again did not tender appearance. Learned counsel for the Appellant contended that the billing meter of the Respondent was found running 66% slow during joint checking dated 10.09.2020 of the POI, as such the recovery of detection bill of Rs.256,295/- for 11,375 units+63 kW MDI for six (06) months i.e. April 2020 to September 2020 @ 66% slowness, which is established through data retrieval. Learned counsel for the Appellant prayed for setting aside the impugned decision.

7. Arguments heard and the record perused. Following are our observations:

Appeal No.096/POI-2021

M. Sa



Page 2 of 3

7.1 Detection bill of Rs.256,295/- for 11,375 units+63 kW MDI for six (06) months for the period from April 2020 to September 2020

Reportedly, two phases of the impugned billing and backup meters of the Respondent were found dead stop during checking dated 10.09.2020, therefore, a detection bill amounting to Rs.256,295/- for 11,375 units+63 kW MDI for six (06) months i.e. April 2020 to September 2020 was debited to the Respondent @ 66% slowness of the meter, which was challenged before the POI.

7.2 Since 66% slowness in the impugned billing meter was established during the joint checking of POI, the period of slowness needs to be determined. Clause 4.4(e) of the CSM-2010 restricts the Appellant to charge the detection bill maximum for two months to the Respondent in case of slow meter. Hence, the detection bill of Rs.256,295/- for 11,375 units+63 kW MDI for six (06) months i.e. April 2020 to September 2020 debited @ 66% slowness of the meter is declared as unjustified being contrary to Clause 4.4(e) of the CSM-2010 and the same is liable to be cancelled as already determined by the POI.

7.3 Since 66% slowness of the impugned meter was observed by the Appellant on 10.09.2020, the Respondent is liable to be charged 66% slowness for two billing cycles prior to checking dated 10.09.2020. The impugned decision is liable to be modified to this extent.

8. In view of what has been stated above, it is concluded as under;

8.1 The impugned decision for cancellation of the detection bill of Rs.256,295/- for 11,375 units +63 kW MDI for six (06) months i.e. April 2020 to September 2020 is correct and maintained to this extent.

8.2 The Respondent may be charged 66% slowness of the impugned meter for two billing cycles prior to checking dated 10.09.2020 as per Clause 4.4(e) of the CSM-2010.

8.3 The billing account of the Respondent be overhauled accordingly.

9. The appeal is disposed of in the above terms.



Abid Hussain
Member



Muhammad Irfan-ul-Haq
Member



Naweed Illahi Sheikh
Convener

Dated: 21-11-2023

