



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

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No. NEPRA/AB/Appeal/099/2022/577

September 22, 2023

1. Mubashir Amin,  
S/o. M. Amin,  
R/o. House No. P-895, Gali No. 2,  
Muhallah Ghulam Muhammabad Abad,  
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. Khalil ur Rehman,  
Advocate High Court,  
SKB Law Associates,  
3<sup>rd</sup> Floor, Hameed Law Chambers,  
Near Al-Taj Hotel, 1-Turner Road,  
Lahore
5. Sub Divisional Officer (Operation),  
FESCO Ltd,  
Madina Abad Sub Division,  
Faisalabad
6. POI/Electric Inspector Faisalabad Region,  
Energy Department, Govt. of Punjab,  
Opposite Commissioner Office,  
D.C.G Road, Civil Lines,  
Faisalabad

Subject: **Appeal Titled FESCO Vs. Mubashir Amin Against the Decision Dated 20.06.2022 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 22.09.2023 (04 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.099/POI-2022

Faisalabad Electric Supply Company Limited

.....Appellant

Versus

Mubashir Amin S/o. M. Amin, R/o. House No.P-895, Gali No.2,  
Muhallah Ghulam Muhammad Abad, 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  
Mr. M. Asif Javid SDO

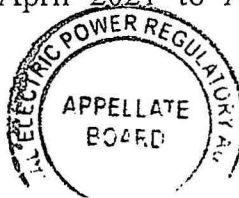
#### For the Respondent:

Mr. Khalil-ur-Rehman Advocate

### DECISION

1. Through this decision, the instant appeal filed by the Faisalabad Electric Supply Company Limited (hereinafter referred to as the "Appellant") against the decision dated 20.06.2022 of the Provincial Office of Inspection, Faisalabad Region, Faisalabad (hereinafter referred to as the "POI") is being disposed of.
2. Briefly speaking, Mr. Mubashir Amin (hereinafter referred to as the "Respondent") is an industrial consumer of the Appellant bearing Ref No.27-13228-6801451-U with sanctioned load of 5.6 kW and the applicable Tariff category is B-1b. The Appellant has claimed that the billing meter of the Respondent was found running 33% slow during the Metering & Testing ("M&T") team checking dated 06.09.2021, therefore, a detection bill of Rs.82,091/- for 2,831 units for five months for the period from April 2021 to August 2021 was charged to the Appeal No.099/POI-2022

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## National Electric Power Regulatory Authority

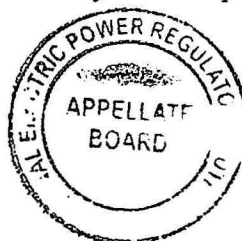
Respondent @ 33% slowness of the meter and added to the bill for December 2021.

3. Being aggrieved, the Respondent filed a complaint before the POI and challenged the above detection bill. The complaint of the Respondent was disposed of by the POI vide the decision dated 20.06.2022, wherein the detection bill of Rs.82,091/- for 2,831 units for five months for the period from April 2021 to August 2021 was cancelled and the Appellant was allowed to charge the revised bill for net 1,156 units for two months i.e. July 2021 and August 2021 to the Respondent.
4. Through the instant appeal, the afore-referred decision dated 20.06.2022 of the POI has been impugned by the Appellant before the NEPRA wherein it is contended that the billing meter of the Respondent was found 33% slow during checking dated 06.09.2021, detection bill of Rs.82,091/- for 2,831 units for five months for the period from April 2021 to August 2021 was debited to the Respondent. The Appellant further contended that the impugned decision is against the facts and law of the case as the Appellant has no personal grudge or grouse against the Respondent to issue an excessive bill. As per the Appellant, the POI did not consider the case in letter and spirit and misread and misinterpreted the material available on record and illegally passed the impugned decision. The Appellant submitted that the impugned decision is based on surmises and conjectures and the same is not sustainable in the eye of law.
5. **Proceedings by the Appellate Board**  
Upon the filing of the instant appeal, a notice dated 07.09.2022 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which however were not submitted by the Respondent.

6. **Hearing**

Appeal No.099/POI-2022

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## National Electric Power Regulatory Authority

6.1 Hearing of the appeal was conducted at NEPRA Regional Office Faisalabad on 24.06.2023, which was attended by both parties. The representative for the Appellant reiterated the same version as contained in the memo of the appeal and contended that the billing meter of the Respondent was found running 33% slow during checking dated 06.09.2021, as such the recovery of the detection bill of Rs.82,091/- for 2,831 units for five months for the period from April 2021 to August 2021 @ 33% slowness be allowed in the best interest of justice. The Appellant prayed for setting aside the impugned decision.

6.2 Learned counsel for the Respondent rebutted the stance of the Appellant regarding charging the above detection bill, supported the impugned decision, and prayed for upholding the same.

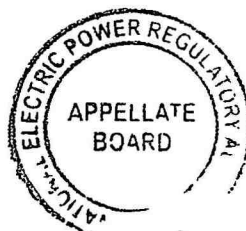
7. Arguments were heard and the record was perused. Following are our observations;

7.1 Detection bill of Rs.82,091/- for 2,831 units for five months for the period from April 2021 to August 2021 charged @ 33% slowness of the meter

Reportedly, the impugned meter of the Respondent was found 33% slow during checking dated 06.09.2021, therefore, a detection bill of Rs.82,091/- for 2,831 units for five months for the period from April 2021 to August 2021 was debited to the Respondent which was challenged before the POI. The said forum allowed the recovery of 33% slowness of the impugned meter, hence only the period of 33% slowness needs to be determined. Since the dispute pertains to the year 2021, Clause 4.3.3(c)(ii) of the CSM-2021 is relevant, which is reproduced below:

"Clause 4.3.3(c)(ii) of the CSM-2021;

Further, charging of a bill for the quantum of energy lost if any, because of malfunctioning of metering installation shall not be more than two previous billing cycles."





## National Electric Power Regulatory Authority

7.2 In the instant case, the Appellant debited 33% slowness of the impugned meter for five months i.e. April 2021 to August 2021, which is violative of the ibid clause of the CSM-2021. Hence the determination of the POI for cancellation of the detection bill of Rs.82,091/- for 2,831 units for five months for the period from April 2021 to August 2021 is correct and maintained to this extent,

7.3 Similarly, the finding of the POI for the revision of the bill for net 1,156 units for two months i.e. July 2021 and August 2021 @ 33% slowness of the meter is consistent with the foregoing clause of the CSM-2021 and the same is upheld to this extent.

8. Foregoing in view, the appeal is dismissed and the impugned decision is maintained.

Abid Hussain  
Member

Muhammad Irfan-ul-Haq  
Member

Naweed Illahi Sheikh  
Convener

Dated: 22-09-2023

