



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

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No. NEPRA/Appeal/058/2024/264

March 28, 2025

- | | |
|---|---|
| 1. Rafaqat Hussain,
S/o. Ghulam Rasool,
R/o. House No. 98, St. No. 8,
Mohallah Asim Town,
Faisalabad | 2. Chief Executive Officer,
FESCO Ltd,
West Canal Road, Abdullah Pur,
Faisalabad |
| 3. Hafiz Faisal Raheem,
Advocate High Court,
33-District Courts,
Faisalabad
Cell No. 0321-6661306 | 4. Sub Divisional Officer (Operation),
FESCO Ltd,
Allama Iqbal Colony 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.058/2024 (FESCO Vs. Rafaqat Hussain) Against the Decision Dated 29.04.2024 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 28.03.2025 (03 pages), regarding the subject matter, for information and necessary action, accordingly.

Encl: As Above

(Ikram Shakeel)
Deputy Director
Appellate Board

Forwarded for information please.

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



National Electric Power Regulatory Authority

Before the Appellate Board

In the matter of

Appeal No.058/POI-2024

Faisalabad Electric Supply Company Limited

.....Appellant

Versus

Rafaqat Hussain S/o. Ghulam Rasool,
R/o. House No.98, Street No.08,
Mohallah Asim Town, Faisalabad

.....Respondent

APPEAL UNDER SECTION 38(3) OF THE REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997

For the Appellant:

Hafiz Faisal Raheem Advocate

For the Respondent:

Nemo

DECISION

1. As per the facts of the case, Rafaqat Hussain (hereinafter referred to as the “Respondent”) is an industrial consumer of Faisalabad Electric Supply Company Limited (hereinafter referred to as the “Appellant”) bearing Ref No.24-13261-5404850 having sanctioned load of 55 kW and the applicable tariff category is B-2(b). Reportedly, both the billing and backup meters of the Respondent were found 33% slow due to the blue phase being dead during the M&T checking dated 07.11.2023 of the Appellant, therefore, the defective CT of the metering equipment of the Respondent was replaced by the Appellant. Later on, a detection bill of Rs.889,444/- for 18,080 units for October 2023 was charged to the Respondent based on consumption of October 2022 and added to the bill for February 2024.
2. Being aggrieved, the Respondent filed a complaint before the Provincial Office of Inspection, Faisalabad Region, Faisalabad (hereinafter referred to as the “POI”) and challenged the above detection bill. The complaint of the Respondent was disposed of by the POI vide decision dated 29.04.2024, wherein the detection bill of Rs.889,444/- for 18,080 units for October 2023 was cancelled. As per the POI decision, the Appellant was directed to revise the





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detection bill for net of 4,305 units for October 2023 after adding 33% slowness of the impugned meter.

3. Being dissatisfied, the Appellant has filed the instant appeal before the NEPRA and assailed the decision dated 29.04.2024 of the POI (hereinafter referred to as the "impugned decision"). In its appeal, the Appellant opposed the maintainability of the impugned decision, *inter-alia*, on the following grounds that the blue phase of the impugned meter was found defective during M&T team checking; that the POI failed to consider the fact the consumption of October 2023 was dropped due to malfunctioning of the impugned meter, therefore the said bill was charged based on consumption of October 2022; that the POI without perusing the record and consumption data passed the impugned decision; that the impugned decision is against the facts and law and that the same is liable to be set aside.
4. Notice dated 12.07.2024 of the appeal was issued to the Respondent for filing reply/para-wise comment, which however were not filed.

5. **Hearing**

Hearing of the appeal was held at NEPRA Regional Office Lahore on 02.11.2024, wherein, a counsel tendered appearance for the Appellant, and non one represented the Respondent. Learned counsel for the Appellant repeated the same arguments as contained in memo of the appeal and submitted that one phase of the impugned billing and backup meters of the Respondent was found defective during checking dated 07.11.2023, which was replaced, and a detection bill of Rs.889,444/- for 18,080 units for October 2023 was charged to the Respondent to recover the revenue loss sustained due to malfunctioning of the metering equipment. Learned counsel for the Appellant opposed the maintainability of the impugned decision and argued that the POI did not consider the facts of the case and revised the impugned detection bill for 4,305 units. Learned counsel for the Appellant finally prayed for setting aside the impugned decision.

6. Having heard the arguments and record perused. Following are our observations:

6.1 Detection bill of Rs.889,444/- for 18,080 units for October 2023:

As per the available record, the billing meter of the Respondent was found 33% slow during checking dated 07.11.2023, therefore a detection bill of Rs.889,444/- for 18,080 units for October 2023 was debited to the Respondent based on consumption of October 2022, which is under dispute before this forum.

- 6.2 To verify the contention of the Appellant with regard to charging the impugned detection bill, consumption data is reproduced below:



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Month	Units	Month	Units	Month	Units
Nov-21	21,360	Nov-22	30460	Nov-23	30872
Dec-21	20,760	Dec-22	29800	Dec-23	28654
Jan-22	20240	Jan-23	24980	Jan-24	32040
Feb-22	19280	Feb-23	21580	Feb-24	24080
Mar-22	21900	Mar-23	22200	Mar-24	28300
Apr-22	21860	Apr-23	24180	Apr-24	15960
May-22	24,580	May-23	28480	May-24	25500
Jun-22	29,225	Jun-23	27840	Jun-24	26100
Jul-22	24500	Jul-23	19900	Jul-24	28180
Aug-22	37500	Aug-23	25940	Aug-24	31980
Sep-22	30640	Sep-23	22400	Sep-24	35440
Oct-22	26820	Oct-23	8740	Oct-24	33620


It is observed that the consumption of October 2023 is considerably less as compared to the consumption of October 2022 and October 2024, this indicates that the impugned meter remained defective. If 33% slowness of the meter added in the bill of October 2023, 11,624 units assessed, which are much less than the units charged in corresponding months of the preceding and succeeding years. Since the impugned meter could not record actual consumption in October 2023 due to the defectiveness of the meter, the Appellant has rightly charged the detection bill of Rs.889,444/- for 18,080 units for October 2023 to the Respondent based on consumption of October 2022, which is consistent with the Clause 4.3.1(b) of the CSM-2021.

7. Foregoing in view, the appeal is accepted.

On leave
Abid Hussain
Member/Advisor (CAD)

Dated: 28-03-2025


Naweed Illahi Sheikh
Convener/DG (CAD)


Muhammad Irfan-ul-Haq
Member/ALA (Lic.)

