



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

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No. NEPRA/Appeal/098/2023/ 224

March 13, 2025

- |   |   |
|---|---|
| 1. Liaqat Ali,<br>S/o. Muhammad Ismail,<br>R/o. Chak No. 7/JB, Ghousia Town,<br>Sargodha Road, Faisalabad   | 2. Chief Executive Officer,<br>FESCO Ltd,<br>West Canal Road, Abdullah Pur,<br>Faisalabad |
| 3. Dr. Muhammad Irtiza Awan,<br>Advocate High Court,<br>Awan Law Associates, Al-Majeed Centre,<br>1-Mozang Road, 38-Link Farid Kot Road,<br>Lahore<br>Cell No. 0300-4211934 | 4. Assistant Manager (Operation),<br>FESCO Ltd,<br>Islampura 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 No.098/2023 (FESCO Vs. Liaqat Ali) Against the Decision Dated 30.04.2012 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 13.03.2025 (04 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.098/POI-2023

Faisalabad Electric Supply Company Limited

.....Appellant

Versus

Liaquat Ali S/o. Muhammad Ismail,

R/o. Chak No.7/JB, Ghousia Town, Sargodha Road, Faisalabad

.....Respondent

### APPEAL U/S 38(3) OF THE REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 (the "NEPRA ACT")

For the Appellant:

Dr. Muhammad Irtiza Awan Advocate

For the Respondent:

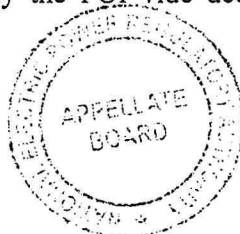
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### DECISION

1. Brief facts of the case are that Liaquat Ali (hereinafter referred to as the "Respondent") is an industrial consumer of the Faisalabad Electric Supply Company Limited (hereinafter referred to as the "Appellant") bearing Ref No.24-13123-5303410-R with sanctioned load of 61 kW and the applicable tariff category is B-2(b). Both the billing and backup meters of the Respondent were found 33% slow due to one phase being dead during checking dated 30.04.2010 of the Appellant, therefore Multiplication Factor (the "MF") of the Respondent was enhanced from 40 to 59.7 w.e.f May 2010 and onwards til the replacement of the impugned meter in July 2010. Subsequently, a detection bill of Rs.250,939/- against 23,520 units for five months for the period from December 2009 to April 2010 was charged by the Appellant to the Respondent @ 33% slowness of the meter and added to the bill for December 2011.

2. Being aggrieved with the above actions of the Appellant, the Respondent approached the Provincial Office of Inspection, Faisalabad Region, Faisalabad (hereinafter referred to as the "POI") and challenged the above detection bill and the bills with enhanced MF=59.7 for the period from May 2010 to July 2010 debited by the Appellant. The complaint of the Respondent was disposed of by the POI vide decision dated 30.04.2012, wherein the Appeal No.098/POI-2023

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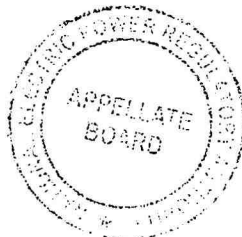




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detection bill of Rs.250,939/- against 23,520 units for five months for the period from December 2009 to April 2010 was cancelled.

3. The Appellant under Section 36(3) of the Electricity Act 1910 initially filed an appeal before the Advisory Board, Government of Punjab Energy Department (the "Advisory Board") on 24.07.2012 against the afore-referred decision of the POI. Subsequently, the Advisory Board vide order dated 17.07.2023 returned the appeal with the direction to the Appellant to approach NEPRA as being a competent forum after the insertion of sub-section (3) in Section 38 of the NEPRA Act.
4. Accordingly, the Appellant has filed the instant appeal against the afore-said decision dated 30.04.2012 of the POI (hereinafter referred to as the "impugned decision") before the NEPRA along with an application for the condonation of delay. In its application, the Appellant submitted that an appeal was initially preferred before the Advisory Board against the impugned decision which remained pending before the said forum till July 2023. The Appellant further submitted that the Advisory Board returned the same vide decision dated 17.07.2023, which was received on 27.07.2023, thereafter instant appeal was filed before the NEPRA after receipt of an attested copy of the impugned decision on 12.09.2023 and soliciting approval from the department. As per the Appellant, the appeal initially preferred before the Advisory Board as well as the instant appeal filed before the NEPRA are within limitation. According to the Appellant, the delay in filing an appeal is neither intentional nor deliberate but it was due to insurmountable circumstances, which is liable to be condoned under the Limitation Act. The Appellant finally prayed for the condonation of delay in filing the instant appeal and for the decision on merits to meet the end of justice.
5. NEPRA Appellate Board vide order dated 14.06.2024 accepted the application for condonation of the delay and notices dated 25.10.2024 were issued to both parties for the arguments on the merits of the case. During the hearing dated 02.11.2024, a counsel appeared for the Appellant, whereas no one tendered appearance on behalf of the Respondent. Learned counsel for the Appellant repeated the same arguments as contained in memo of the appeal and averred that the impugned meter of the Respondent was found 33% slow during checking dated 30.04.2010 and subsequently, it was replaced with a new meter in July 2010. Learned counsel for the Appellant further contended that MF was raised



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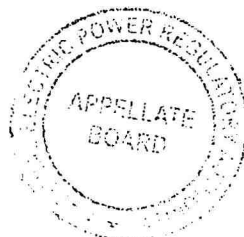
from 40 to 59.7 w.e.f May 2010 and onwards to account for 33% slowness of the impugned meter. As per learned counsel for the Appellant, a detection bill of Rs.250,939/- against 23,520 units for five months for the period from December 2009 to April 2010 was charged to the Respondent due to 33% slowness of the meter, which was cancelled by the POI. According to the learned counsel for the Appellant, the impugned decision is not based on facts of the case and the same is liable to be struck down.

6. Arguments were heard and the record was perused. Following are our observations:

6.1 As per checking dated 30.04.2010 of the Appellant, the impugned meter was found 33% slow, therefore the Appellant debited the bills with enhanced MF=59.7 w.e.f May 2010 to July 2010 on account of 33% slowness of the meter. Moreover, the detection bill of Rs.250,939/- against 23,520 units for five months for the period from December 2009 to April 2010 was charged to the Respondent @ 33% slowness of the impugned meter and added to the bill for December 2011.

6.2 The POI vide the impugned decision cancelled the above detection bill against which the Appellant preferred instant appeal before the NEPRA. According to Clause 4.4(e) of the CSM-2010, the Appellant may charge the detection bill maximum for two months in case of a slow meter, whereas in the instant case, the Appellant debited the impugned detection bill for five months, which is inconsistent with the foregoing clause of the CSM-2010. It is further clarified that the honorable NEPRA Authority vide order dated 13.06.2024 retained the period of supplementary/detection bill for two billing cycles in case of the slowness of the metering equipment/defective CTs as mentioned in Clause 4.4(e) of CSM-2010 (existing clause 4.3.3 of CSM-2021), the operative portion of which is reproduced below:

*"For the reasons stated above, we reject the proposal of the distribution companies and retain the period of the supplementary bills for two (02) billing cycles in the case of the slowness of the metering installation/defective CTs as mentioned in clause 4.4(e) of CSM-2010 (existing clause 4.3 of CSM-2021). In a vigilant system, slowness of the metering installation should be detected timely, hence the distribution companies must bring efficiency in their working and replace the slow meters/defective CTs within the stipulated period as provided in clause 4.3 of the CSM-2021 in true letter and spirit. The distribution companies should ensure the charging of supplementary bills maximum for two billing cycles. If in the cases where the slowness of the metering installation is not pointed out timely and the metering installation is not replaced within maximum period of two (02) billing cycles, the competent authority of the relevant distribution company shall take disciplinary action against the concerned officials and fix the responsibility for negligence in such cases."*



At.



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6.3 In light of the foregoing order of the Authority, we are of the considered view that the charging of the detection bill beyond two billing cycles is inconsistent with the foregoing clause of the CSM-2010. Therefore, the detection bill amounting to Rs.250,939/- against 23,520 units for five months for the period from December 2009 to April 2010 debited to the Respondent is unjustified and the same is cancelled as already determined by the POI.

6.4 33% slowness in the impugned billing meter of the Respondent was observed by the M&T team of the Appellant on 30.04.2010, therefore, the Respondent is liable to be charged the revised supplementary bill for two billing cycles prior to checking dated 30.04.2010 @ 33% slowness of the meter, according to Clause 4.4(e) of the CSM-2010.

6.5 Moreover, the bills already charged with enhanced MF=59.7 w.e.f May 2010 and onwards till the replacement of the impugned meter are justified being consistent with Clause 4.4(c) of the CSM-2010, and the Respondent is liable to pay the same.

7. In view of what has been stated above, we have concluded that:

7.1 The detection bill of Rs.250,939/- against 23,520 units for five months for the period from December 2009 to April 2010 is inconsistent with Clause 4.4(e) of the CSM-2010 and the same is cancelled.

7.2 The Respondent may be charged the revised detection bill for two billing cycles prior to checking dated 30.04.2010 @ 33% slowness of the meter, according to Clause 4.4(e) of the CSM-2010.


7.3 Moreover, the bills already charged with enhanced MF=59.7 w.e.f May 2010 and onwards till the replacement of the impugned meter are justified being consistent with Clause 4.4(c) of the CSM-2010 and payable by the Respondent.


7.4 The billing account of the Respondent may be overhauled, accordingly.

8. In view of the above, the appeal is disposed of.

On leave  
Abid Hussain  
Member/Advisor (CAD)

Dated: 13-03-2025

  
Naweed Illahi Sheikh  
Convener/DG (CAD)

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

