



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

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No. NEPRA/Appeal/040/2023/ *1019*


December 04, 2024

- | | |
|--|--|
| 1. Mr. Imran <i>Ali</i> ,
S/o. Muhammad Ali,
Al-Muqdas House, Street No.3,
Mohallah Mughal Pura, Hafizabad | 2. Chief Executive Officer,
GEPCO Ltd, 565-A,
Model Town, G. T. Road,
Gujranwala |
| 3. Zafar Iqbal Assad,
Advocate High Court,
Chamber No. 19-A, Judicial Complex,
Jinnah Block, Hafizabad
Cell No. 0343-6576720 | 4. Muhammad Siddique Malik,
Advocate High Court,
Room No. 6 & 7, 2 nd Floor,
Imtiaz Plaza, 85-The Mall,
Lahore
Cell No. 0300-6450979 |
| 5. Sub Divisional Officer,
GEPCO Ltd,
Sub Division No. 2,
Hafizabad | 6. POI/Electric Inspector,
Gujranwala Region,
Energy Department, Govt. of Punjab,
Munir Chowk, Near Kacheri Road,
Gujranwala |

Subject: **Appeal No.040/2023 (Imran Ali Vs. GEPCO) Against the Decision Dated 30.05.2022 of the Provincial Office of Inspection to Government of the Punjab Gujranwala Region, Gujranwala**

Please find enclosed herewith the decision of the Appellate Board dated 04.12.2024 (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.040/POI-2023

Imran Ali S/o. Muhammad Ali,
Al-Muqdas House, Street No.03,
Mohallah Mughal Pura, Hafizabad

.....Appellant

Versus

Gujranwala Electric Power Company Limited

.....Respondent

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

For the Appellant:

Mr. Muhammad Zafar Iqbal Advocate

For the Respondent:

Mr. Muhammad Siddique Malik Advocate

Mr. Faiz Rasool RO

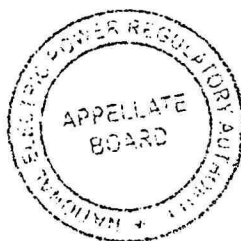
Mr. Rizwan Siddique

DECISION

1. As per the facts of the case, Imran Ali (hereinafter referred to as the "Appellant") is an industrial consumer of Gujranwala Electric Power Company Limited (hereinafter referred to as the "Respondent") bearing Ref No.27-12245-1295126-U having sanctioned load of 38 kW and the applicable tariff category is B-2(b). The display of the billing meter of the Appellant became defective in December 2019, hence it was replaced with a new meter by the Respondent on 10.07.2020 and sent to M&T laboratory for checking. As per the M&T report dated 17.07.2020 of the Respondent, 15,140 units were found uncharged, therefore, a detection bill of Rs.392,762/- for 15,140 units was debited to the Appellant on the basis of the data retrieval report and added to the bill for July 2020.
2. Being aggrieved, the Appellant filed a complaint before the Provincial Office of Inspection, Gujranwala Region, Gujranwala (hereinafter referred to as the "POI") on 29.07.2020 and

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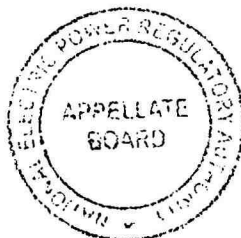




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challenged the above detection bill. The complaint of the Appellant was disposed of by the POI vide decision dated 30.05.2022, wherein the detection bill of 15,140 units was declared as justified and payable by the Appellant.

3. Being dissatisfied, the Appellant has filed the instant appeal before NEPRA and assailed the decision dated 30.05.2022 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 Respondent debited total 33,658 units till July 2020, whereas the final reading of the impugned meter retrieved as 30,370, resultantly, 3,270 units were charged excessively, as such there is no justification to debit further detection bill; that the Respondent billed excessively due to vanished display during the period from December 2019 to July 2020 as during these months, lockdown was imposed throughout the country; that the impugned decision is against the law and facts of the case and based on surmises and conjectures; that the impugned meter was not got checked by the POI; and that the impugned decision is liable to be set aside.
4. Notice dated 14.04.2023 of the appeal was issued to the Respondent for filing reply/para-wise comment, which however were not filed.
5. Hearing of the appeal was conducted at NEPRA Regional Office Lahore on 02.11.2024, wherein learned counsels appeared for both the Appellant and the Respondent. Learned counsel for the Appellant contended that the Respondent already debited excessive billing during the period from December 2019 to July 2020, as such there is no justification to debit further detection bill on account of pending units. Learned counsel for the Appellant argued that the POI did not consider the real aspects of the case and erroneously declared the above detection bill as justified. Learned counsel for the Appellant prayed that the impugned decision is liable to be struck down. On the other hand, learned counsel appearing for the Respondent defended the impugned decision and prayed for upholding the same.
6. Having heard the arguments and record perused. Following are our observations:
 - 6.1 **Detection bill of Rs.392,762/- against 15,140 units:**
As per the available record, the billing meter of the Appellant was found defective with vanished display in December 2019 and it was replaced with a new meter in July 2020, thereafter, a detection bill of 15,140 units was debited to the Appellant by the Respondent in July 2021, which is under dispute.
 - 6.2 As per Clause 4.3.2(a) of the CSM-2021, in case of vanished display of the meter, the DISCO





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has to replace the meter within two months, however in the instant case, the Appellant took more than eight months to replace the impugned meter. The Appellant neither submitted the data retrieval report nor produced the impugned meter before the POI for verification of the defective. To further check the justification of the above detection bill, consumption data is analyzed in the below table:


Period before dispute		Period before dispute		Disputed period	
Month	Units	Month	Units	Month	Units
Dec-17	5960	Dec-18	12940	Dec-19	13380
Jan-18	7000	Jan-19	10940	Jan-20	10940
Feb-1	10500	Feb-19	10300	Feb-20	10300
Mar-18	7360	Mar-19	11020	Mar-20	8800
Apr-18	11640	Apr-19	14860	Apr-20	3460
May-18	13980	May-19	17780	May-20	3920
Jun-18	16580	Jun-19	16900	Jun-20	16900
Jul-18	12460	Jul-19	15080	Jul-20	0
Total	85480	Total	109820	Total	67,700
Detection bill of 15,140 units					


As evident from the above table, the total consumption charged during the disputed period from December 2019 to July 2020 is considerably less than the consumption of corresponding months of the preceding years. This indicates that the actual consumption could not be charged due to the vanished display of the impugned meter. As such the detection bill of 15,140 units charged by the Respondent to the Appellant is justified and payable by the Appellant.

7. Foregoing in view, the appeal is dismissed.

On leave
Abid Hussain
Member/Advisor (CAD)

Dated: 04-12-2024


Naweed Illahi Sheikh
Convener/DG (CAD)


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

