



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

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No. NEPRA/Appeal/097/2024/ 226


March 13, 2025

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| 1. Maqbool Hussain, S/o. Muhammad Sardar, Prop: M/s. Sardar Dying & Printing Mill, R/o. Plot No. 93-A, SIE No. 03, EPZ, Gujranwala Cell No. 0300-8644153 | 2. Chief Executive Officer, GEPCO Ltd, 565-A, Model Town, G. T. Road, Gujranwala |
| 3. Rai Shahid Abbas, Advocate High Court Jalal Law Associates, Office No. 8, Ground Floor, CM Centre, Mozang Road, Lahore Cell No. 0322-4852225 | 4. Muhammad Azam Khokhar, Advocate High Court, 10-Fatima Jinnah Chambers, Sessions Courts, Gujranwala Cell No. 0301-6434497 |
| 5. Sub Divisional Officer (Operation), GEPCO Ltd, Eimanabad Sub Division, Gujranwala | 6. POI/Electric Inspector, Gujranwala Region, Energy Department, Govt. of Punjab, Munir Chowk, Near Kacheri Road, Gujranwala |

Subject: **Appeal No.097/2024 (GEPCO Vs. Maqbool Hussain) Against the Decision Dated 15.08.2024 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 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.097/POI-2024

Gujranwala Electric Power Company Limited

.....Appellant

Versus

Maqbool Hussain S/o. Muhammad Sardar,
Prop: M/s. Sardar Dying and Printing Mill,
R/o. Plot#93-A, SIE No.03, EPZ, Gujranwala

.....Respondent

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

For the Appellant:

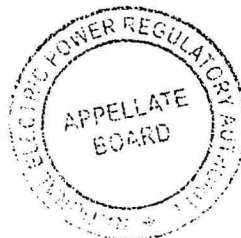
Rai Shahid Abbas Advocate

For the Respondent:

Mr. Muhammad Azam Khokhar Advocate
Mr. Abdul Haque Khokhar Advocate

DECISION

1. As per the facts of the case, Maqbool Hussain (hereinafter referred to as the “Respondent”) is an industrial consumer of Gujranwala Electric Power Company Limited (hereinafter referred to as the “Appellant”) bearing Ref No.30-12134-8839830 having a sanctioned load of 490 kW and the applicable tariff category is B-2(b). The metering equipment of the Respondent was checked by the M&T team of the Appellant on 27.03.2024 and reportedly the billing meter was found 33% slow due to one phase being dead. Therefore, a detection bill of Rs.22,863,100/- against 466,076 units+1,057 kW MDI for eight (08) months i.e. from July 2023 to February 2024 was debited to the Respondent @ 33% slowness of the meter and added to the bill for April 2024.
2. Being aggrieved, the Respondent filed a complaint before the Provincial Office of Inspection, Gujranwala Region, Gujranwala (hereinafter referred to as the “POI”) on 27.05.2024 and challenged the above detection bill. During joint checking dated 21.06.2024 of POI, 33% slowness in the impugned meter was established. Subsequently, the impugned meter of the Respondent was replaced with a new meter by the Appellant in July 2024. The complaint of the Respondent was disposed of by the POI vide decision dated 15.08.2024, wherein the detection bill of Rs.22,863,100/- against 466,076 units+1,057 kW MDI for eight (08) months

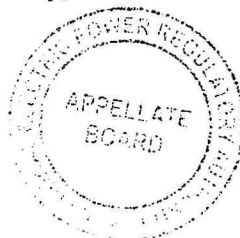




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i.e. from July 2023 to February 2024 was cancelled. As per the POI decision, the Appellant was directed to charge the revised detection bill for two months i.e. January 2024 and February 2024 @ 33% slowness of the meter.

3. Being dissatisfied, the Appellant has filed the instant appeal before NEPRA and assailed the decision dated 15.08.2024 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 impugned decision is against the law and facts of the case; that the POI misconceived and misconstrued the real facts of the case; that the impugned meter was found 33% slow due to red phase being dead, therefore a detection bill of 466,076 units was charged to the Respondent; that the POI failed to thrashed out the consisting reason while rendering the impugned decision; and that the impugned decision is liable to be set aside.
4. Notice dated 30.09.2024 of the appeal was issued to the Respondent for filing reply/para-wise comment, which were filed on 17.10.2024. In the reply, the Respondent rebutted the version of the Appellant regarding charging the detection bill of Rs.22,863,100/- against 466,076 units+1,057 kW MDI for eight (08) months i.e. from July 2023 to February 2024 and submitted that Clause 4.3.3c(ii) of the CSM-2021 restricts the Appellant to charge the detection bill maximum for two months in case of slow meter. The Respondent further submitted that NEPRA Authority vide order dated 13.06.2024 rejected the stance of DISCOs and retained the period of slowness for two months. As per the Respondent, the impugned meter was replaced with a new meter in July 2024. According to the Appellant, the impugned decision is consistent with the provision of the CSM-2021 as well as the order dated 13.06.2024 of the NEPRA Authority and the same is liable to be upheld.
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 billing meter of the Respondent was found 33% slow due to one dead phase during M&T checking dated 27.03.2024, therefore, a detection bill of Rs.22,863,100/- against 466,076 units+1,057 kW MDI for eight (08) months i.e. from July 2023 to February 2024 was debited to the Respondent @ 33% slowness of the meter. Learned counsel for the Appellant further contended that the POI did not consider the real aspects of the case and erroneously declared the above detection bill as null and void. Learned counsel for the Appellant finally prayed that the impugned decision is unjustified and the same is liable to be struck down. Conversely, learned counsel for the Respondent repudiated the





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contention of learned counsel for the Appellant regarding charging the above detection bill and argued that the POI has rightly revised said detection bill for two months as per Clause 4.3.3c(ii) of the CSM-2021. Learned counsel for the Respondent finally prayed for dismissal of the appeal being devoid of merits.

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

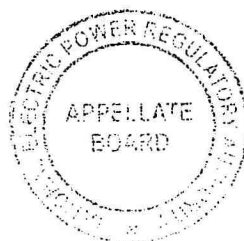
6.1 As per the available record, the billing meter of the Respondent was found 33% slow during checking dated 27.03.2024 of the M&T team of the Appellant. Therefore, the Appellant charged a detection bill of Rs.22,863,100/- against 466,076 units+1,057 kW MDI for eight (08) months i.e. from July 2023 to February 2024, which was assailed before the POI.

6.2 During joint checking dated 21.06.2024 of POI, 33% slowness in the impugned meter was confirmed, hence only the period of slowness needs to be determined in the below paras:

6.3 According to Clause 4.3.3c(ii) of the CSM-2021, 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 eight months, which is inconsistent with the foregoing clause of the CSM-2021. 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."

6.4 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





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CSM-2021. Therefore, the detection bill amounting to Rs.22,863,100/- against 466,076 units+1,057 kW MDI for eight (08) months i.e. from July 2023 to February 2024 debited to the Respondent is unjustified and the same is cancelled as already determined by the POI.


6.5 33% slowness in the impugned billing meter of the Respondent was observed by the M&T team of the Appellant on 27.03.2024, therefore, the Respondent is liable to be charged the revised supplementary bill for two billing cycles prior to checking dated 27.03.2024 @ 33% slowness of the meter, according to Clause 4.3.3c(ii) of the CSM-2021.


6.6 Moreover, the bills w.e.f checking dated 27.03.2024 and onwards till the replacement of the impugned meter be revised with MF=240, pursuant to Clause 4.3.3c(i) of the CSM-2021.

7. Impugned decision is modified in the above terms.

On leave
Abid Hussain
Member/Advisor (CAD)

Dated: 13-03-2025


Naweed Illahi Sheikh
Convener/DG (CAD)


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

