



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

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No. NEPRA/Appeal/118/2021/070


January 09, 2025

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Muhammad Latif,
S/o. Muhammad Siddique,
R/o. Mohallah Mughalpura, Gali Siraj Din Wali,
Tehsil & District Hafizabad | 2. Chief Executive Officer,
GEPCO Ltd, 565-A,
Model Town, G. T. Road,
Gujranwala |
| 3. Muhammad Siddique Malik,
Advocate High Court,
Room No. 6, 2 nd Floor,
Imtiaz Plaza, 85-The Mall,
Lahore
Cell No. 0300-6450979 | 4. Executive Engineer,
GEPCO Ltd,
Hafizabad Division,
Hafizabad |
| 5. Sub Divisional Officer (Operation),
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.118/2021 (GEPCO Vs. Muhammad Latif) Against the Decision Dated 28.04.2021 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 09.01.2025 (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.118/POI-2021

Gujranwala Electric Power Company Limited

.....Appellant

Versus

Muhammad Latif S/o. Muhammad Siddique,
R/o. Mohallah, Mughalpura, Gali Siraj Din Wali,
Tehsil & District Hafizabad

.....Respondent

APPEAL U/S 38(3) OF REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997

For the Appellant:

Mr. Muhammad Siddique Malik Advocate
Mr. Faiz Rasool RO
Mr. Rizwan Siddique

For the Respondent:

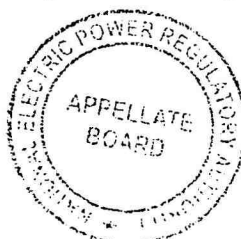
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DECISION

1. Through this decision, the appeal filed by the Gujranwala Electric Power Company Limited (hereinafter referred to as the "Appellant") against the decision dated 28.04.2021 of the Provincial Office of Inspection, Gujranwala Region, Gujranwala (hereinafter referred to as the "POI") is being disposed of.
2. Briefly speaking, Mr. Muhammad Latif (hereinafter referred to as the "Respondent") is an industrial consumer of the Appellant bearing Ref No.24-12245-1295205 with sanctioned load of 07 k W and the applicable Tariff category is B-1(b). Reportedly, two phases of the billing meter of the Respondent were found dead stop, therefore impugned meter was replaced with a new meter vide meter change order (the "MCO") dated 18.07.2016 and sent to the Metering & Testing ("M&T") laboratory, which vide report dated 17.08.2016 confirmed 66% slowness in the impugned meter. Resultantly, a detection bill amounting to Rs.1,031,620/- against 57,011 units for eleven months for the period from September 2015 to July 2016 was debited

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to the Respondent @ 66.66% slowness of the meter.

3. Being aggrieved, the Respondent assailed the above detection bill before the POI. The complaint of the Respondent was disposed of by the POI vide the decision dated 28.04.2021, wherein the detection bill of Rs.1,031,620/- was cancelled. As per the POI decision, the Appellant may charge the revised detection bill for two months i.e. June 2016 and July 2016 @ 66% slowness of the meter to the Respondent.
4. Through the instant appeal, the afore-referred decision dated 28.04.2021 of the POI has been impugned by the Appellant before the NEPRA u/s 38(3) of the NEPRA Act. NEPRA Appellate Board vide decision dated 12.01.2024 disposed of the appeal with the following conclusion:

"8. Summing up the foregoing discussion, we conclude that:

8.1 The detection bill of Rs.1,031,620/- against 57,011 units for eleven months for the period from September 2015 to July 2016 charged to the Respondent due to 66% slowness of the meter is declared null and void.

8.2 The Respondent may be charged the revised detection bill for two billing cycles @ 66% slowness of the meter as per Clause 4.4(e) of the CSM-2010 prior to checking and the bill with enhanced MF for the period from 13.07.2016 (meter reading date) to 18.07.2016 (date of MCO) @ 66% slowness as per Clause 4.4(c) of the CSM-2010.

8.3 The billing account of the Respondent may be overhauled after adjustment of the payments made against the above detection bill.

9. The Appeal is disposed of in the above terms."

5. The Appellant filed Appeal No.110/NT/2024 before the Appellate Tribunal (NEPRA) against the decision dated 12.01.2024 of the NEPRA Appellate Board. The Appellate Tribunal (NEPRA) vide order dated 19.04.2024 set aside the aforesaid decision of the Appellate Board and remanded back the matter to NEPRA for decision afresh in accordance with law after revisiting Clause 4.4(e) of Consumer Service Manual-2010 (the "CSM-2010") (existing Clause 4.3.3 of the CSM-2021).
6. Subsequently, the 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:

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"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."

7. Accordingly, a hearing in the subject appeal was conducted at NEPRA Regional Office Lahore on 02.11.2024, wherein learned counsel along with officials tendered appearance for the Appellant, and none represented the Respondent. Learned counsel for the Appellant contended that the honorable Supreme Court of Pakistan vide order dated 17.05.2023 remanded back the matter to the Authority for re-examination of the period of the slowness of the metering equipment, however, the Authority while rendering the order did not consider the genuine grievance of the DISCOs with regard to the period of slowness. Learned counsel for the Appellant averred that the above-said order of the Authority has been challenged before the honorable Appellate Tribunal (NEPRA) and the matter is under adjudication. He finally prayed to hold the proceedings of the subject appeal in abeyance till the final disposal of the case before the Appellate Tribunal (NEPRA).

8. Arguments were heard and the record was perused. The following has been observed:

8.1 66% slowness of the meter of the Respondent was observed by the Appellant on 18.07.2016, therefore a detection bill of Rs.1,031,620/- against 57,011 units for eleven months for the period from September 2015 to July 2016, which was challenged before the POI.

8.2 The POI vide impugned decision directed the Appellant to recover 66% slowness for two months i.e. June 2016 and July 2016 against which the Appellant filed subject appeal before the NEPRA u/s 38(3) of the NEPRA Act. NEPRA Appellate Board vide decision 12.01.2024





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disposed of the subject appeal. The Appellant filed Appeal No.110/NT/2024 before the Appellate Tribunal (NEPRA) against the decision dated 12.01.2024 of the NEPRA Appellate Board. The Appellate Tribunal (NEPRA) vide order dated 19.04.2024 set aside the aforesaid decision of the Appellate Board and remanded back the matter to NEPRA for decision afresh in accordance with law after revisiting Clause 4.4(e) of Consumer Service Manual-2010 (the "CSM-2010") (existing Clause 4.3.3 of the CSM-2021).


8.3 After detailed deliberation with the DISCOs and the Consumers, the 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).

8.4 In view of the ibid order of the Authority, the POI has rightly cancelled the detection bill of Rs.1,031,620/- against 57,011 units for eleven months for the period from September 2015 to July 2016 being contrary to the ibid clause of the CSM-2010 as well as in violation of the order dated 13.06.2024 of the Authority. Similarly, the impugned decision for recovery of 66% slowness for two billing cycles i.e. June 2016 and July 2016 before checking dated 18.07.2016 of the Appellant is correct being consistent with Clause 4.4(e) of the CSM-2010 (existing Clause 4.3.3c(ii) of the CSM-2021 and the same is maintained to this extent.

9. For the reasons given above, we do not find any reason to indulge the impugned decision, the same is maintained and consequently, the appeal is dismissed.

On leave
Abid Hussain
Member/Advisor (CAD)


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


Naweed Illahi Sheikh
Convener/DG (CAD)

Dated: 09-01-2025

