



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

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No. NEPRA/Appeal/092/2021/ 087

February 03, 2025

- |   |   |
|---|---|
| 1. Raja Muhammad Hanif,<br>S/o. Jehandad Khan,<br>R/o. Bobri, Tehsil Murree,<br>District Rawalpindi   | 2. Chief Executive Officer,<br>IESCO Ltd,<br>Head Office, St. No. 40,<br>Sector G-7/4, Islamabad  |
| 3. Executive Engineer,<br>IESCO Ltd,<br>Bhara Kahu Division,<br>Bhara Kahu, Islamabad   | 4. Sub Divisional Officer (E),<br>IESCO Ltd,<br>Patriata Sub Division,<br>Patriata, Murree<br>Cell No. 0319-5990134   |
| 5. Akseer Ahmed Abbasi,<br>Advocate High Court,<br>Office No. 29-B, Muslim Block,<br>District Courts, F-8 Markaz,<br>Islamabad<br>Cell No. 0300-9561777 | 6. Faisal Bin Khurshid,<br>Advocate Supreme Court,<br>Office No. 3, First Floor,<br>National Arcade, 4-A (NBP),<br>F-8 Markaz, Islamabad<br>Cell No. 0333-5119299 |
| 7. POI/Electric Inspector,<br>Islamabad Region,<br>XEN Office, Irrigation & Power Department,<br>Rawal Dam Colony, Park Road,<br>Islamabad              |   |

Subject: **Appeal No.092/2021 (Raja Muhammad Hanif Vs. IESCO) Against the Decision Dated 21.04.2021 of the Provincial Office of Inspection to Government of the Punjab Islamabad Region, Islamabad**

Please find enclosed herewith the decision of the Appellate Board dated 03.02.2025 (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.092/POI-2021

Raja Muhammad Hanif S/o. Jehandad Khan,  
R/o. Bobri Tehsil Murree, District Rawalpindi

.....Appellant

Versus

Islamabad Electric Supply Company Limited

.....Respondent

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

For the Appellant:

Mr. Akseer Ahmed Abbasi Advocate

For the Respondent:

Mr. Faisal Khursheed Advocate

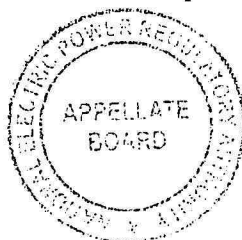
Mr. Abid Hussain Baloch SDO

## DECISION

1. Brief facts leading to the filing of instant appeal are that Raja Muhammad Hanif (the "Appellant") is an industrial consumer of Islamabad Electric Supply Company Limited (the "Respondent") bearing Ref No.28-14134-219400-R with a sanctioned load of 47 kW and the applicable tariff category is B-1(b). Reportedly, the electricity connection of the Appellant was initially sanctioned with A-2C tariff category on 10.05.2012 and the billing was carried out by the Respondent accordingly. Later on, the Appellant approached the Respondent vide application dated 21.05.2019 and challenged the wrong application of tariff category. In response, the Respondent vide letter No.2567-68 dated 17.02.2021 approved the application of the Appellant for change of tariff category i.e. from A-2(C) to B-1(b) w.e.f 01.07.2020 and onwards.
2. Being aggrieved, the Appellant filed an application before the Provincial Office of Inspection, Islamabad Region, Islamabad (hereinafter referred to as the "POI") and challenged the bills for the period from January 2015 to June 2020 with the plea that the excessive bills charged during the above said period due to wrong application of tariff. The complaint of the Appellant was disposed of by the POI vide the decision dated 21.04.2021, the operative portion of which is reproduced below:

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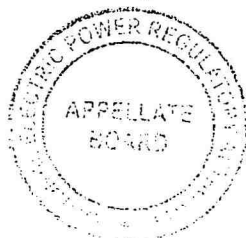




## National Electric Power Regulatory Authority

*“Summing up all the above observations/discussion and keeping in view all the aspects of the case this forum directed to the respondents to change the tariff As per SOP wef 01.07.2020 and overhaul the petitioner/complainant's account by adjusting all Credits, Debits, Deferred Amount & Payments already made by the consumer to avoid further litigation in future.”*

3. Subject appeal has been filed against the afore-referred decision dated 21.04.2024 of the POI by the Appellant before the NEPRA. In its appeal, the Appellant opposed the impugned decision, *inter alia*, on the grounds that the Respondent debited the excessive bills for the period from January 2015 to June 2020 due to the wrong application of tariff i.e. A-2c instead of B-1; that the impugned decision is against the facts and law of the case; that the POI has ignored the important aspect of the case while rendering the impugned decision; that the Appellant is entitled for refund of an amount of Rs.2,306,012/- from the Respondent and that the impugned decision is liable to be struck down.
4. Upon filing of the instant appeal, a notice dated 13.09.2021 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which however were not filed.
5. Hearing of the subject appeal was conducted at NEPRA Head Office Islamabad on 22.10.2024, which was attended by the SDO along with counsel for the Respondent, whereas the Appellant was represented by a counsel. Learned counsel for the Appellant repeated the same contention as given in memo of the appeal and contended that the excessive bills were debited by the Respondent w.e.f January 2015 and onwards due to the wrong application of tariff category i.e. A-2(C) instead of B-1(b). Learned counsel for the Appellant further contended that the above bills were challenged before the POI, who vide impugned decision directed the Respondent to change the tariff category of the Appellant w.e.f 01.7.2020 and onwards, which is unjustified. As per learned counsel for the Appellant, POI has not perused the record correctly and rendered the impugned decision hastily, which resulted in the financial loss to the Appellant. Learned counsel for the Appellant finally prayed that the above bills be revised as per applicable tariff i.e. B-1b from January 2015 to June 2020 and credit be afforded to the Appellant, accordingly. On the contrary, learned counsel for the Respondent repudiated the contention of the Appellant regarding the wrong application of tariff category and argued that the Appellant has already availed relief from the lower forum and further modification in the impugned decision will increase the financial burden upon the Respondent. Learned counsel for the



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## National Electric Power Regulatory Authority

Respondent supported the impugned decision and prayed for the maintainability of the same.

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

6.1 The electricity connection of the Appellant was initially sanctioned with the A-2C tariff category on 10.05.2012. Later on, the Appellant approached the Respondent on 23.05.2019 and challenged the wrong application of tariff category i.e. A-2(C) instead of B-1(b). In response, the Respondent vide letter No.2567-68 dated 17.02.2021 approved the application of the Appellant for change of tariff category from A-2(C) to B-1(b) w.e.f 01.07.2020 and onwards.

6.2 As per Clause 7.4.3 of the CSM-2021, the Consumer may apply for change of tariff at least 30 days in advance to the competent load sanctioning officer and the DSICO shall process the case and accord approval for the change of tariff within 30 days of receipt of the application, pursuant to Clause 7.4.5 of the CSM-2021. However, in the instant case, the Respondents took more than twenty-one (21) months [from the application dated 21.05.2019 to approval dated 17.02.2021] to change the tariff category from A-2(C) to B-1(b), which is gross negligence on their part and non-adherence with the above provisions of the CSM-2021. It is further observed that the Respondent approved the application of the Appellant for change of tariff category from A-2(C) to B-1(b) w.e.f 01.07.2020 instead from the date of receipt of the application of the Respondent i.e. 23.05.2019. This whole scenario shows the malafide intention of the Respondent, which increased the financial burden upon the Appellant.

6.3 In view of the foregoing discussion, we are of the considered view that the Respondent may revise the bills after one month of receipt of the application dated 23.05.2019 as per applicable tariff category i.e. B-1(b), pursuant to Clause 7.4.5 of the CSM-2021 and accordingly afford the credit to the billing account of the Appellant.

7. The appeal is disposed of in the above terms.

Abid Hussain  
Member/Advisor (CAD)

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

Naweed Illahi Sheikh  
Convener/DG (CAD)

Dated: 03-02-2025

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