



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

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No. NEPRA/Appeal/019/2021/ *afg*

February 03, 2025

- |  |  |
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| 1. Faheem Ahmed Shahzad,<br>S/o. Amir Hussain (Late),<br>New Anarkali Bazar, Behar Colony,<br>Chakri Road, Rawalpindi<br>Cell No. 0333-5031444                   | 2. Chief Executive Officer,<br>IESCO Ltd,<br>Head Office, St. No. 40,<br>Sector G-7/4, Islamabad   |
| 3. Sub Divisional Officer,<br>IESCO Ltd,<br>Quaid-e-Azam Colony Sub Division,<br>Near Biscuit Factory Chowk,<br>Chakri Road, Rawalpindi<br>Cell No. 0319-5990624 | 4. POI/Electric Inspector,<br>Islamabad Region,<br>XEN Office, Irrigation & Power Department,<br>Rawal Dam Colony, Park Road,<br>Islamabad |

Subject: **Decision of the Appellate Board Regarding Review Petition Filed by IESCO Against the Decision Dated 20.10.2021 of the Appellate Board in the Matter Titled "IESCO Vs. Faheem Ahmed Shahzad"**

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

**REVIEW PETITION FILED BY PETITIONER UNDER THE NEPRA REVIEW  
(PROCEDURE) REGULATIONS, 2009 AGAINST THE DECISION DATED 20.10.2021  
OF NEPRA IN THE APPEAL NO.019/POI-2021**

Islamabad Electric Supply Company Limited

.....Petitioner

Versus

Faheem Ahmed Shahzad S/o Amir Hussain (Late), New Anarkali Bazar,  
Behar Colony, Chakri Road, Rawalpindi

.....Respondent

For the Petitioner:

Syed Faheem Hussain Shah SDO

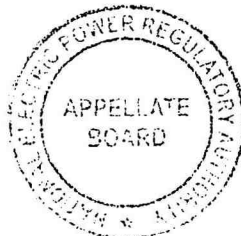
For the Respondent:

Nemo

## **DECISION**

1. Through this decision, a review petition filed by Islamabad Electric Supply Company Limited (the "IESCO") against the decision dated 20.10.2021 of the National Electric Power Regulatory Authority (the "NEPRA") under Regulation 3 of the NEPRA (Review Procedure) Regulations, 2009 is being disposed of.
2. As per the facts of the case, Faheem Ahmed Shahzad (the "Respondent") is a commercial consumer of Petitioner bearing Ref No.28-14364-46831001 with a sanctioned load of 19 kW under the tariff A-2C. During checking dated 15.11.2019 of the Petitioner, discrepancies of defective meter and misuse of tariff i.e. industrial (B-1) instead of commercial (A-2C) were noticed. Resultantly, a detection bill of Rs.524,671/- for 17,413 units+90 kW MDI for the period July 2019 to December 2019 was charged to the Respondent by the Petitioner @ 35% load factor of the connected load i.e.15 kW and added in the bill for January 2020. The disputed meter of the Respondent was replaced with a new meter by the Petitioner in March 2020.

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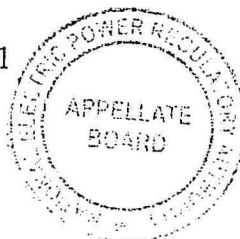


## National Electric Power Regulatory Authority

3. Being aggrieved, the Respondent filed a complaint before the Provincial Office of Inspection, Islamabad Region, Islamabad (the "POI") on 30.01.2020 against the charging of the above detection bill. The complaint of the Respondent was decided by the POI vide the decision dated 14.12.2020 wherein the detection bill of Rs.524,671/- for 17,413 units + 90 kW, MDI for the period July 2019 to December 2019 was declared as justified and payable by the Respondent.
4. The Respondent assailed the above-referred decision before the NEPRA through appeal No.019/2021, which was disposed of by the NEPRA vide decision dated 20.10.2021 with the following conclusion:

*"Summing up the foregoing discussion, we conclude that the detection bill of Rs.524,671/- for the cost of 17,413 units+90 kW MDI for the period July 2019 to December 2019 (6 months) charged to the Respondent is unjustified and declared as null and void. The Respondent should be charged the detection bill for two (2) months i.e. September 2019 and October 2019 and onward bills with enhanced MF w.e.f November 2019 till the replacement of 33% slow meter in March 2020. Foregoing in view, the appeal is partially accepted and consequently, the impugned decision is modified in the above terms."*

5. The Petitioner filed a review petition before the NEPRA on 29.04.2022 against the impugned decision dated 20.10.2021. Hearing in the matter of the subject review petition was scheduled for 22.10.2024 at NEPRA Head Office Islamabad for which notices dated 11.10.2024 were issued to both parties (the Petitioner and Respondent). On the date of the hearing, an official represented the Petitioner, whereas no one represented the Respondent. This forum pointed out the point of limitation that the appeal was decided on 20.10.2021 against which the Petitioner filed the review petition on 29.04.2022, which is time-barred being after filed after the lapse of 30 days as envisaged in NEPRA (Review Procedure) Regulations, 2009. In response, the Petitioner submitted that the delay in filing the review petition was neither intentional nor deliberate, hence the same be decided on merits instead of technical grounds. On merits, the Petitioner reiterated the same contentions as given in the memo of the review petition and stated that the impugned decision was rendered without considering the facts, and the same is liable to be reviewed at this stage.





## National Electric Power Regulatory Authority

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

6.1 While addressing the point of the limitation, it is observed that the impugned decision was announced by the NEPRA on 20.10.2021 against which the Petitioner filed the instant review petition before the NEPRA on 29.04.2022 after a lapse of 190 days from the date of communication of said order i.e. 20.10.2021. As per Regulation 3(3) of the NEPRA (Review Procedure) Regulations, 2009, the period of limitation for filing a review petition against any other order, decision, or determination of NEPRA not covered under Rule 16(6) of NEPRA Tariff (Standards & Procedure) Rules, 1998 shall be 30 days from the date of communication of such order, decision or determination. The Petitioner neither submitted an application for condonation of delay nor could justify the inordinate delay in filing the instant review petition.

6.2 In terms of Regulation 3 (2) of NEPRA (Review Procedure) Regulations, 2009, a motion seeking review of any order of the Authority is competent only upon discovery of a mistake or error apparent on the face of the record or a new and important matter of evidence. In the instant review motion, no mistake or error apparent on the face of the record has been highlighted by the Petitioner. Further, the Petitioner has not come up with any new and important matter of evidence which was not considered by the Appellate Board while making its decision dated 20.10.2021. Therefore, there is neither any occasion to amend the impugned decision nor any error inviting indulgence as admissible in law.

7. In view of the above, the instant review motion of the Petitioner is dismissed being time-barred as well as devoid of merits, and the decision dated 20.10.2021 of the Appellate Board is upheld.

Abid Hussain  
Member/Advisor (CAD)

Naweed Illahi Sheikh  
Convener/DG (CAD)

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

Dated: 03-02-2025

