



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

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No. NEPRA/Appeal/030/2021/ 245

March 25, 2025

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| 1. Shaukat Ullah Bangash,
S/o. Haji Saif Ullah Bangash,
Chief Executive Prestige,
R/o. House No. 2, Street No. 31,
Sector F-8/1, 9 th Avenue, Islamabad | 2. Chief Executive Officer,
IESCO Ltd,
Head Office, St. No. 40,
Sector G-7/4, Islamabad |
| 3. Faisal Bin Khurshid,
Advocate Supreme Court,
Office No. 3, First Floor,
National Arcade, 4-A (NBP),
F-8 Markaz, Islamabad
Cell No. 0333-5119299 | 4. Rana Rashid Javed,
Advocate High Court,
Kharal & Co. Advocates & Corporate Consultants,
Office No. 4-B, Street No. 31,
Sector F-7/1, Islamabad
Cell No. 0300-0220802 |
| 5. Sub Divisional Officer,
IESCO Ltd,
G-6 Sub Division,
Street No. 40, G-6-1/3,
Islamabad
Cell No. 0319-5990112 | 6. POI/Electric Inspector,
Islamabad Region,
XEN Office, Irrigation & Power Department,
Rawal Dam Colony, Park Road,
Islamabad |

Subject: **Decision of the Appellate Board Regarding Review Petition Filed by IESCO Against the Decision Dated 15.11.2021 of the Appellate Board in the Matter Titled "IESCO Vs. Shaukat Ullah Bangash"**

Please find enclosed herewith the decision of the Appellate Board dated 25.03.2025 (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

**REVIEW PETITION FILED BY IESCO UNDER THE NEPRA REVIEW
(PROCEDURE) REGULATIONS, 2009 AGAINST THE DECISION DATED 15.11.2021
IN THE APPEAL NO.030/POI-2021**

Islamabad Electric Supply Company Limited

.....Petitioner

Versus

Shaukat Ullah Bangash, S/o Haji Saif ullah Bangash,
Chief Executive Prestige, R/o House No.2, Street No.31,
Sector F-8/1, 9th Avenue, Islamabad

.....Respondent

For the Petitioner:

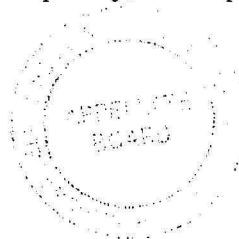
Mr. Faisal Khursheed Advocate

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 15.11.2021 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, Shaukat-Ullah Bangash (the "Respondent") is a consumer of the Petitioner having a temporary connection bearing Ref No.15-14111-4131200 with a sanctioned load of 5 kW under the Tariff E-1. The premises of the Respondent was inspected by the Petitioner on 21.11.2018 and allegedly, the Respondent was found stealing electricity directly. Notice dated 27.11.2018 was issued to the Respondent and a letter was written to the Police for registration of the FIR. Later on, the billing meter of the Respondent was checked by the M&T team of the Petitioner on 07.12.2018 and reportedly it was found dead stop. The Petitioner charged a detection bill of Rs.445,944/- for 14,005 units to the Respondent and added to the bill for January 2019. Subsequently, the impugned meter was replaced with a



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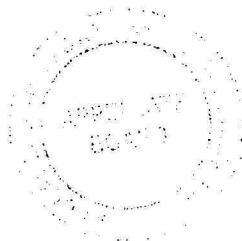
National Electric Power Regulatory Authority

new meter by the Petitioner in February 2019.

3. The Respondent was dissatisfied with the actions of the Petitioner, hence, initially approached the Wafaqi Mohtasib on 31.05.2019 and challenged the above detection bill. The Honorable Wafaqi Mohtasib vide the order dated 15.07.2019 disposed of the complaint of the Respondent due to lack of jurisdiction. Thereafter, the Respondent filed a complaint before the Provincial Office of Inspection, Islamabad Region, Islamabad (the "POI") on 13.12.2019 against the charging of the above detection bill. The complaint of the Respondent was disposed of by POI vide the decision dated 30.09.2020, wherein the detection bill of Rs.445,944/- for 14,005 units charged by the IESCO was declared as justified and payable by the Respondent against which the Respondent filed appeal No.030/POI-2021 before the NEPRA u/s 38 of the NEPRA Act. The NEPRA Appellate disposed of the appeal vide decision dated 15.11.2021 with the following conclusion:

"Upshot of the above discussion is that the detection bill of Rs.445,944/- for the cost of 14,005 units charged to the Respondent and added to the bill for January 2019 is unjustified and should be cancelled. The Respondent should be charged the revised bills for October 2018 and November 2018 two (2) months on the basis of consumption of October 2017 and November 2017 or an average consumption of the last eleven (11) months i.e. November 2017 to September 2018, whichever is higher. The billing account of the Respondent should be overhauled after making adjustments of payments made, if any against the above detection bill. Foregoing in view, the appeal is partially accepted and consequently, the impugned decision is modified."

4. The Petitioner filed a review petition before the NEPRA on 22.12.2021 against the impugned decision dated 15.11.2021. 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, learned counsel tendered appearance for the Petitioner whereas no one represented the Respondent. Learned counsel for the Petitioner repeated the same contention as given in the review petition and contended that the detection bill of Rs.445,944/- was charged to the Respondent on account of direct theft of electricity. Learned counsel of the Petitioner further contended that the NEPRA Appellate Board vide rendering the impugned decision did not consider the real aspects of the case and cancelled the above detection bill. Learned counsel for the Petitioner





National Electric Power Regulatory Authority

submitted that the above detection bill was debited to the Respondent to recover the revenue loss sustained by the Petitioner due to the theft of electricity committed by the Respondent. Learned counsel for the Petitioner finally prayed that the review petition be accepted and the aforementioned detection bill be declared as justified and payable by the Respondent.

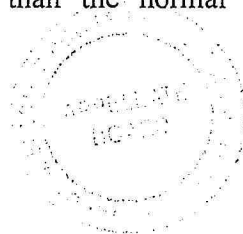
5. Arguments were heard and the record was examined. Following are our observations:

5.1 Through the subject review petition, the Petitioner assailed the decision dated 15.11.2021 of the NEPRA Appellate Board with the grounds that the detection bill of Rs.445,944/- for the cost of 14,005 units to the Respondent on account of theft of electricity. It is observed that the Petitioner neither produced the impugned meter for confirmation of tampering nor followed the procedure to establish theft of electricity as laid down in Chapter 9 of the CSM-2010. It is further observed that the Petitioner did not give just reasoning with regard to charging the impugned detection bill and has no sufficient grounds to defend the said detection bill.

5.2 Perusal of the billing statement shows that the impugned meter was installed in July 2018 and it was replaced with a new meter by the Petitioner in January 2019. Hence the consumption data of the Respondent for the said period i.e. July 2018 to January 2019 is compared below with the consumption of corresponding months of the previous year as well as the average consumption of the last eleven months to verify the claim of the Petitioner with regard to theft of electricity:

Corresponding period		Disputed period		Last eleven month	
Month	Units	Month	Units	Month	Units
Jul-17	0	Jul-18	1197	Aug-17	0
Aug-17	0	Aug-18	1798	Sep-17	9648
Sep-17	9648	Sep-18	1648	Oct-17	1739
Oct-17	1739	Oct-18	1062	Nov-17	1177
Nov-17	1177	Nov-18	0	Dec-17	958
Dec-17	958	Dec-18	0	Jan-18	893
Jan-18	893	Jan-19	0	Feb-18	680
				Mar-18	711
				Apr-18	708
				May-18	1173
				Jun-18	1664
Average	2,059	Average	815	Average	1,759

The above table shows that the normal average consumption of the Respondent during the disputed period is considerably lesser than the normal average consumption of the





National Electric Power Regulatory Authority

corresponding month of the previous year as well as normal average consumption of last eleven months. This indicates that the actual consumption was not recorded by the impugned meter during the disputed period. However this does not tantamount the Petitioner to charge the detection bill of 14,005 units to the Respondent in January 2019 without just reasoning, hence the impugned decision for cancellation of the detection bill of Rs.445,944/- for the cost of 14,005 units is correct, and maintained to this extent.

5.3 As evident from the above, the impugned meter recorded healthy consumption till August 2018 and it became defective w.e.f September 2018 and onwards. Subsequently, the impugned meter was replaced with a new meter, hence it would be fair and appropriate to charge the revised bills @ 2,059 units/month w.e.f September 2018 to January 2019 as per average consumption of corresponding months of previous year.

5.4 The billing account of the Respondent be overhauled after adjusting payments made against the impugned detection bill.

6. In view of the above, the review petition is disposed of.

Abid Hussain
Member/Advisor (CAD)

Naveed Ilahi Sheikh
Convener/DG (CAD)

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

Dated: 25-03-2025

