



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

NEPRA Office , Ata Turk Avenue (East), G5/1, Islamabad  
Tel. No. +92 051 2013200 Fax No. +92 051 2600030  
Website: [www.nepra.org.pk](http://www.nepra.org.pk) E-mail: [office@nepra.org.pk](mailto:office@nepra.org.pk)

No. NEPRA/AB/Appeal/083/POI/2020/ 363

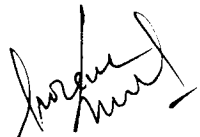
April 07, 2022

- |  |  |
|--|--|
| 1. Mohsin Iqbal,<br>S/o. Muhammad Iqbal,<br>R/o. House No. 488, Block G/1,<br>Johar Town, Lahore | 2. Chief Executive Officer<br>LESCO Ltd,<br>22-A, Queens Road,<br>Lahore   |
| 3. Sub Divisional Officer (Operation),<br>LESCO Ltd,<br>Johar Town Sub Division,<br>Lahore       | 4. POI/Electric Inspector<br>Lahore Region, Energy Department,<br>Govt. of Punjab, Block No. 1,<br>Irrigation Complex, Canal Bank,<br>Dharampura, Lahore |

Subject: **Appeal Titled Mohsan Iqbal Vs. LESCO Against the Decision Dated 30.06.2020 of the Provincial Office of Inspection to Government of the Punjab Lahore Region, Lahore**

Please find enclosed herewith the decision of the Appellate Board dated 28.03.2022, regarding the subject matter, for information and necessary action accordingly.

Encl: **As Above**

  
(Ikram Shakeel)  
Deputy Director (M&E)/  
Appellate Board

Forwarded for information please.

1. Additional Director (IT) –for uploading the decision on NEPRA website



## National Electric Power Regulatory Authority

### Before Appellate Board

In the matter of

### Appeal No. 083/POI-2020

Mohsin Iqbal S/o Muhammad Iqbal, House No.488,  
Block-G/I, Johar Town, Lahore

.....Appellant

Versus

Lahore Electric Supply Company Limited

.....Respondent

### **APPEAL UNDER SECTION 38(3) OF REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST THE DECISION DATED 30.06.2020 PASSED BY PROVINCIAL OFFICE OF INSPECTION LAHORE REGION, LAHORE**

For the Appellant:

Mr. Mohsin Iqbal

For the Respondent:

Mr. Kaab Farooq SDO

### DECISION

1. Brief facts leading to the filing of instant appeal are that the Appellant is a domestic consumer of Lahore Electric Supply Company Limited (hereinafter referred to as the 'LESCO') bearing Ref No.11-11271-1135200-U with a sanctioned load of 1 kW under the A-1(a) tariff category. Reportedly, the billing meter of the Respondent became defective with vanished display in September 2018, hence it was replaced with a new meter by the LESCO on 29.10.2018 and sent to the Metering and Testing (M&T) LESCO laboratory for checking. As per the data retrieval report dated 25.09.2019 of the LESCO, 5,715 units were found uncharged being the difference between the final reading of the



## National Electric Power Regulatory Authority

defective meter and the units charged by LESCO in the last bill. Subsequently, a detection bill of Rs.132,925/- for 5,715 units was debited to the Appellant by the LESCO and added to the bill for February 2020.

2. Being aggrieved, the Appellant challenged the above detection bill before the Provincial Office of Inspection, Lahore Region, Lahore (hereinafter referred to 'the POI'), who vide the decision dated 30.06.2020 declared the detection bill of Rs.132,925/- for 5,715 units as justified and payable by the Appellant.
3. The Appellant has filed the instant appeal before the NEPRA against the POI decision dated 30.06.2020 (hereinafter referred to as 'the impugned decision'), wherein it is contended that the old meter became defective with washed display in September 2018, hence estimated bill for 445 units was debited by LESCO for September 2018. The Appellant further contended that the defective meter was replaced with a new meter by the LESCO on 29.10.2018 and reportedly data was retrieved on 25.09.2019 while the defective meter was in the custody of LESCO, which shows that it was used to some other connection by LESCO. As per Appellant, LESCO charged the detection bill of Rs.132,925/- for 5,715 units based on retrieved data and added in the bill for February 2020. According to the Appellant, it was not possible that 5,715 units are recorded by the defective meter in one month only. The Appellant submitted that the LESCO failed to follow the procedure prescribed in Chapter 4 of the Consumer Service Manual (CSM) for the defective meter. The Appellant opposed the impugned decision on the grounds that



## National Electric Power Regulatory Authority

the meter under dispute was not checked by the POI; that the consumption data was not compared with the undisputed consumption of last years; that the POI ignored the Clause 4.4 of the CSM; that the bill of September 2018 was already charged on an average basis, hence he cannot be punished twice for the same cause of action; that 443 units are chargeable as per the reading of Meter Change Order (MCO) dated 29.10.2018 and the reading charged in September 2018; that if the appeal is not accepted, he will suffer irreparable loss. LESCO pleaded that the impugned decision is liable to be set aside.

4. Notice of the appeal was sent to LESCO for filing reply/para-wise comments, which however were not submitted.
5. Hearing of the appeal was held at the NEPRA Regional Office Lahore on 10.03.2022 wherein the Appellant appeared in person and the SDO LESCO appeared for the Respondent. The Appellant argued that the meter under dispute became defective in September 2018 and was replaced with a new meter by the LESCO on 29.10.2018. The Appellant asserted that he paid the bill of 445 units charged in September 2018 on an estimated basis. The Appellant opposed the charging of detection bill of Rs.132,925/- for 5,715 units on the plea that the said detection bill was charged in February 2020 after a period of more than one and half years on account of pending units as observed during the M&T LESCO checking. The Appellant submitted that he could not be held responsible for payment of such huge detection bill as the meter remained in the custody of LESCO for long time and he was not associated during the entire proceedings including



## National Electric Power Regulatory Authority

the data retrieval. The Appellant prayed for setting aside the impugned decision being against the facts and law. On the contrary, SDO LESCO averred that the data retrieval of the meter was delayed due to the heavy workload in the M&T laboratory, however the above detection was charged after issuing notice. LESCO prayed that the impugned decision is based on facts and it should be maintained.

6. Arguments heard and the record examined. It is observed as under:

- i. The Appellant disputed before the POI the detection bill of Rs.132,925/- for 5,715 units charged by LESCO on account of pending units. However, the LESCO neither associated the Appellant during the M&T checking nor produced the defective billing meter before the POI for verification. LESCO could not substantiate its claim that 5,715 units were found uncharged. Moreover, such high consumption charged by the LESCO is not compatible with the sanctioned load i.e. 1 kW of the Appellant. It is further observed that the meter under dispute remained at the site for the period from November 2017 to September 2018, hence the consumption of the disputed period is compared below with undisputed consumption of the periods before and after the dispute:

Period before dispute		Disputed period		Period after dispute	
Month	Units	Month	Units	Month	Units
Nov-16	53	Nov-17	20	Nov-18	309
Dec-16	35	Dec-17	326	Dec-18	264
Jan-17	44	Jan-18	337	Jan-19	281
Feb-17	35	Feb-18	286	Feb-19	243
Mar-17	53	Mar-18	381	Mar-19	295



## National Electric Power Regulatory Authority

Apr-17	42	Apr-18	613	Apr-19	534
May-17	296	May-18	476	May-19	245
Jun-17	1318	Jun-18	300	Jun-19	499
Jul-17	438	Jul-18	396	Jul-19	399
Aug-17	559	Aug-18	274	Aug-19	388
Sep-17	445	Sep-18	445	Sep-19	169
<b>Total</b>	<b>3318</b>	<b>Total</b>	<b>3854</b>	<b>Total</b>	<b>3626</b>

The above comparison of the consumption data clearly shows that the Respondent's consumption remained higher during the disputed period November 2017 to September 2018 as compared to the corresponding consumption of the periods before and after the dispute. In consideration of the above-narrated facts, we are convinced with the contention of the Appellant that the detection bill of Rs.132,925/- for 5,715 debited by the LESCO and added in the bill for February 2020 is unjustified and liable to be cancelled

ii. Admittedly, the meter under dispute became defective in September 2018, hence the Appellant is liable to be charged the detection bill for two months i.e. August 2018 and September 2018 on the basis of consumption of August 2017 and September 2017 or average consumption of the last eleven months i.e. August 2017 to July 2018, whichever is higher, according to Clause 4.4(e) of the CSM.

7. Summing up the aforesaid discussion we hold that the detection bill of Rs.132,925/- for 5,715 charged by the LESCO to the Appellant is unjustified and the same is cancelled. The LESCO may issue the revised detection bill for two months i.e. August 2018 and September 2018 based on consumption of August 2017 and September 2017 or average



## National Electric Power Regulatory Authority

consumption of the last eleven months i.e. August 2017 to July 2018, whichever is higher.

The billing account of the Appellant be revised after adjustment of payments made against the above detection bill and the bills for August 2018 and September 2018.

8. The impugned decision is modified in the above terms.

Abid Hussain  
Member/Advisor (CAD)

Nadir Ali Khoso  
Convener/Senior Advisor (CAD)

Dated: 28.03.2022