



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

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No. NEPRA/Appeal/007/2023/ 524


June 06, 2024

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| 1. Cathedral School No. 4,<br>Through its Principal,<br>Ms. Samina Bhatti,<br>Branch located at 1-P,<br>Model Town Extension,<br>Lahore                | 2. Chief Executive Officer,<br>LESCO Ltd,<br>22-A, Queens Road,<br>Lahore  |
| 3. Syed Ghazanfar Hussain Kamran,<br>Advocate High Court,<br>Office No. 06, Aftab Tower,<br>16-Syed Moj Darya Road,<br>Lahore<br>Cell No. 0300-6571505 | 4. Muhammad Sharif,<br>Advocate Supreme Court,<br>Suite No. 202, Landmark Plaza,<br>Jail Road, Gulberg-V,<br>Lahore<br>Cell No. 0300-4479979             |
| 5. Assistant Manager,<br>LESCO Ltd,<br>Faisal Town Sub Division,<br>Lahore   | 6. 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 No.007/2023 (LESCO Vs. Cathedral School No. 4) Against the Decision Dated 26.09.2022 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 06.06.2024 (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 on NEPRA website



# National Electric Power Regulatory Authority

## Before The Appellate Board

In the matter of

Appeal No.007/POI-2023

Lahore Electric Supply Company Limited

.....Appellant

Versus

Cathedral School No.4, Through its Principal,  
Ms. Samina Bhatti Branch located at 1-P,  
Model Town Extension, Lahore

.....Respondent

## APPEAL UNDER SECTION 38(3) OF THE REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997

For the Appellant:

Mr. Ghazanfar Hussain Kamran Advocate

For the Respondent:

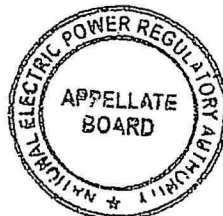
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## DECISION

1. As per the facts of the case, Cathedral School (hereinafter referred to as the "Respondent") is a general supply consumer of Lahore Electric Supply Company Limited (hereinafter referred to as the "Appellant") bearing Ref No.10-11511-1062605-U having a sanctioned load of 5 kW and the applicable tariff category is A-3. During M&T checking dated 20.09.2021, the red phase of the billing meter was showing erratic behavior, the blue phase was dead and the connected load was observed as 15 kW. Notice dated 20.09.2021 was issued to the Respondent regarding the above discrepancy and a detection bill of Rs.129,125/- against 4,764 units for three (03) months i.e. June 2021 to August 2021 debited to the Respondent based on 20% load factor of the connected load i.e.15 kW and added to the bill for October 2021.
2. Being aggrieved, the Respondent filed a complaint before the Provincial Office of Inspection, Lahore Region, Lahore (hereinafter referred to as the "POI") on 09.03.2022 and challenged the above detection bill. The complaint of the Respondent was disposed of by the

Appeal No.007/POI-2023

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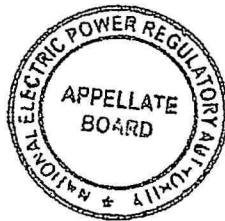
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POI vide decision dated 26.09.2022, wherein it was held that the detection bill of Rs.129,125/- against 4,764 units for three (03) months i.e. June 2021 to August 2021 is void, unjustified and of no legal effect and the Appellant is allowed to charge revised bills w.e.f. July 2021 and onwards till the replacement of the impugned meter as per consumption of corresponding month of the previous year or average consumption of last eleven months, whichever is higher.

3. Being dissatisfied, the Appellant has filed the instant appeal before NEPRA and assailed the decision dated 26.09.2022 of the POI (hereinafter referred to as the "impugned decision"). In its appeal, the Appellant opposed the maintainability of the impugned decision, *inter-alia*, on the following grounds that the impugned decision is against the law and facts of the case as the same was passed without applying judicious mind and based on misreading of the record, which violates the principle of natural justice; that the POI erred in declaring the meter as correct; that the POI neither recorded the evidence nor perused the relevant record, consumption data in true perspective and that the impugned decision is liable to be set aside.
4. Notice dated 02.02.2023 of the appeal was issued to the Respondent for filing reply/para-wise comment, which were filed on 01.03.2024. In his reply, the Respondent contended that the detection bill amounting to Rs.129,125/- against 4,764 units for three (03) months i.e. June 2021 to August 2021 is illegal, unlawful, and against the provisions of the CSM. As per Respondent, the impugned decision for cancellation of the above detection and revision of the bills w.e.f. July 2021 and onwards is correct and the appeal is liable to be dismissed with cost.
5. Hearing
  - 5.1 Hearing of the appeal was conducted at NEPRA Regional Office Lahore on 01.03.2024, wherein learned counsel appeared for the Appellant and the Respondent did not tender appearance. Learned counsel for the Appellant contended that the billing meter of the Respondent was found defective on 20.09.2021, therefore a detection bill of Rs.129,125/- against 4,764 units for three months i.e. June 2021 to August 2021 was debited to the Respondent. Learned counsel for the Appellant argued that the POI did not consider the real aspects of the case and erroneously declared the above detection bill as null and void. Learned counsel for the Appellant prayed that the impugned decision is unjustified and liable to be struck down.
  - 5.2 On the other hand, the representative appearing on behalf of the Respondent has no authorization to defend the case before this forum.



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6. Having heard the arguments and record perused. Following are our observations:

6.1 As per the available record, the billing meter of the Respondent was found defective in September 2021, therefore a detection bill of Rs.129,125/- against 4,764 units for three months i.e. June 2021 to August 2021 was debited to the Respondent, which was assailed by him before the POI.

6.2 According to Clause 4.3.1(b) of the CSM-2021, the Respondent is liable to be charged the bills maximum for two months as per 100% consumption of the corresponding month of the previous year or average consumption of the last eleven months, whichever is higher in case of defective meter, whereas the Appellant debited the detection bill for three months retrospectively on the basis of connected load, which is violative of the ibid clause of the CSM-2021.

6.3 To further check the justification of the above detection bill, the consumption data of the Respondent as provided by the Appellant is analyzed in the below table:

period before dispute		disputed period		Last eleven months	
Month	Units	Month	Units	Jul-20	468
Jun-20	399	Jun-21	435	Aug-20	514
Jul-20	468	Jul-21	373	Sep-20	718
Aug-20	514	Aug-21	998	Oct-20	580
				Nov-20	265
				Dec-20	202
				Jan-21	337
				Feb-21	304
				Mar-21	194
				Apr-21	200
				May-21	321
Average	460	Average	602	Average	363

Above consumption analysis even does not support the version of the Appellant regarding charging the impugned detection bill as normal average consumption charged during the disputed period is much higher than the normal consumption of last eleven months as well as normal average consumption of corresponding months of the previous years.

6.4 In view of the foregoing discussion, it is concluded that the detection bill of Rs.129,125/- against 4,764 units for three months i.e. June 2021 to August 2021 debited to the Respondent is unjustified and the same is liable to be cancelled as determined by the POI.

6.5 Since higher consumption charged in July 2021 and August 2021 as compared to the consumption of corresponding months of the previous year as well as average consumption of

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## National Electric Power Regulatory Authority

last eleven months, therefore, the determination of the POI to the extent of revision of the bills for July 2021 and August 2021 is cancelled being devoid of merits.

6.6 However, the bills w.e.f. September 2021 and onwards till the replacement of the impugned meter be revised on DEF-EST code as per Clause 4.3.1(b) of the CSM-2021.

7. Impugned decision is modified in the above terms.

Abid Hussain  
Member/Advisor (CAD)

Naweed Illahi Sheikh  
Convener/DG (CAD)

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

Dated: 06-06-2024

