



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

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

No. NEPRA/Appeal/024/2024/185

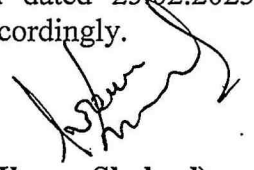
February 25, 2025

- | | |
|--|---|
| 1. Rafi-ud-Din,
S/o. Salah-ud-Din Ghazi,
82-A, Block-J, Gulshan-e-Ravi,
Lahore
Cell No. 0300-4362589 | 2. Chief Executive Officer,
LESCO Ltd,
22-A, Queens Road,
Lahore |
| 3. Ch. Fiaz Ahmad Sanghairah,
Advocate Supreme Court,
Anab Centre, 2 nd Floor,
1-Mozang Road, Lahore
Cell No. 0300-4346032 | 4. Assistant Manager (Operation),
LESCO Ltd,
Gulshan-e-Ravi Sub Division,
Lahore |
| 5. POI/Electric Inspector
Lahore Region-I, Energy Department,
Govt. of Punjab, Block No. 1,
Irrigation Complex, Canal Bank,
Dharampura, Lahore | |

Subject: Appeal No.024/2024 (LESCO Vs. Rafi-ud-Din) Against the Decision Dated 27.11.2023 of the Provincial Office of Inspection to Government of the Punjab Lahore Region-I, Lahore

Please find enclosed herewith the decision of the Appellate Board dated 25.02.2025 (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

Appeal No.024/POI-2024

Lahore Electric Supply Company LimitedAppellant

Versus

Rafi-ud-Din S/o. Salah-ud-Din Ghazi,
82-A, Block-J, Gulshan-e-Ravi, LahoreRespondent

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

For the Appellant:

Ch. Fiaz Ahmed Sanghera Advocate
Abdul Ghani Rana ALM

For the Respondent:

Mr. Qaiser Rafiq

DECISION

1. Brief facts of the case are that Rafi-ud-Din (hereinafter referred to as the "Respondent") is an industrial consumer of Lahore Electric Supply Company Limited (hereinafter referred to as the "Appellant") bearing Ref No.24-11112-2621310 with sanctioned load of 104 kW and the applicable Tariff category is B-2(b). The Respondent filed a complaint before the Provincial Office of Inspection, Lahore Region-I, Lahore (hereinafter referred to as the "POI") and challenged the bills for the period from March 2022 to June 2022 with the plea that the excessive billing was done by the Appellant during the above-said period with fictitious readings. The matter was disposed of by the POI vide the decision dated 27.11.2023, the operative portion of which is reproduced below:

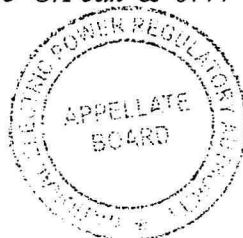
"In the light of the above facts, it is held:-

i. that the actual TOU meter reading index was total recorded as 39770x40 (32992 O/P & 6777 Peak) which is justified and correct whereas the respondents charged 40902x40 (34125 O/Peak & 6777 Peak) beyond the actual billing

Appeal No.024/POI-2024

Page 1 of 4

MA.





National Electric Power Regulatory Authority

reading index causing the charging of 45280 units excessively & extra which along with impugned billing charged from 03/2022 to 06/2022 are void, unjustified and of no legal effect; therefore, the petitioner is not liable to pay the same;

ii. that impugned difference of 45296 units between the reading of the impugned TOU billing meter (39770x40-1590800 units) and the backup meter reading (818048x2-1636096 units) establishes the impugned meter as 2.768% slow which is within the permissible limits of error as laid down in Rule 32 of the Electricity Rules 1937 i.e. correct; therefore, the charging of above-said difference of units is void, unjustified and of no legal effect and the petitioner is not liable to pay the same;

iii. that the alleged 50% slowness has no impact on the billing as the industrial unit was not running when the meter was checked on 20-05-2022 and the impugned TOU meter was admitted by the SDO as ok in its letter dated 17.03. 2022;

iv. that LPS or interest/markup whatsoever imposed or recovered by the respondents on the billing being incorrect from 02/2022 to 06/2022 and connected thereto in subsequent month(s) is void, unjustified, and of no legal effect; therefore, the petitioner is not liable to pay the same;

v. that the respondents are directed to overhaul the account of the petitioner and excess amount recovered, LPS, interest or markup whatsoever imposed or recovered due to incorrect and illegal billing as period mentioned in forgoing paragraphs be refunded to the petitioner accordingly; and

vi. that the respondents are directed to replace the impugned TOU meter by an accurate one immediately for future billing.

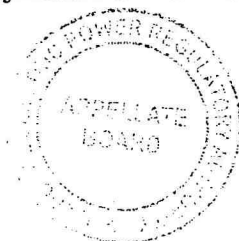
7. This petition is disposed of in the above terms."

2. Subject appeal has been filed against the afore-referred decision of the POI (hereinafter referred to as the "impugned decision") by the Appellant before the NEPRA. In its appeal, the Appellant opposed the impugned decision *inter alia*, on the following grounds that the impugned decision is against the facts and law of the case; that the POI is bound to thrash the facts of the case; that the impugned decision is erroneous, perfunctory and have been in slipshod manner; that the POI has acted with material irregularities while exercising jurisdiction vested in it while passing the impugned decision; that the POI has ignored well-established bill charged based on the consumption; that the difference bill of Rs.1,088,249/- of 47,180 units charged in March 2022 due to the difference of readings billing and backup meters; that the POI has illegally and unlawfully while relying on the illogic, irrational, illegal and unlawful findings LPS charges and other charges have declared the incorrect and unjustified and that the impugned decision is liable to be set

Appeal No.024/POI-2024

Page 2 of 4

M.





National Electric Power Regulatory Authority

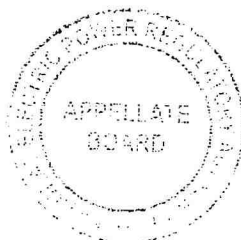
aside.

3. Upon filing of the instant appeal, a Notice dated 19.03.2024 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which were subsequently filed on 30.07.2024. In his reply, the Respondent rebutted the version of the Appellant regarding charging the impugned bill of 45,296 units and argued that the meter under dispute was functioning correctly as checked by the Appellant. The Respondent further contended that the POI being the competent authority examined the objections and assertions of the Appellant and made the order after judicious deliberation. The Respondent finally prayed for the dismissal of the appeal with cost.
4. Hearing was fixed for 01.11.2024 at NEPRA Regional Office Lahore, wherein learned counsel appeared for the Appellant and a representative appeared for the Respondent. During the hearing, learned counsel for the Appellant reiterated the same version as contained in memo of the appeal and contended that the difference of 45,296 units was observed between the billing and backup meters, as such the bill of 47,180 units charged in March 2022 is justified and payable by the Respondent. Learned counsel for the Appellant further contended that the Respondent instead of making payments for the period from March 2022 to June 2022 raised the dispute before the POI, who vide impugned decision cancelled the above-mentioned bills along-with LPS without just reasoning. As per learned counsel for the Appellant, the impugned decision is not based on merits and the same is liable to be struck down. On the contrary, the representative for the Respondent defended the impugned decision and prayed for upholding the same.
5. Arguments were heard and the record was perused. Following are our observations:
 - 5.1 Bills for the period from March 2022 to June 2022:

The Respondent filed a complaint before the POI and challenged the bills for the period from March 2022 to June 2022 with the plea that the excessive billing was done by the Appellant during the aforementioned period with fictitious readings. The POI vide impugned decision cancelled the bills for the period from March 2022 to June 2022 along with LPS and directed the Appellant to replace the impugned meter with a new meter immediately for future billing. The Appellant filed instant appeal before the NEPRA against the impugned decision of the POI.
 - 5.2 To reach just conclusion, the total units charged during the disputed period i.e. March 2022 to June 2022 are compared below with the reading difference of the bill of February 2022 and the MCO dated 06.07.2022:

Appeal No.024/POI-2024

Page 3 of 4



11.



National Electric Power Regulatory Authority

A-Units already charged			
Month	Off-peak	Peak	Total
Mar-22	44760	2400	47160
Apr-22	0	0	0
May-22	0	0	0
Jun-22	600	6777	7377
Grand Total			54537

B- Units to be charged					
-	S	T	U=T-S	V	W=UxV
Reading	Feb-22	MCO dated 05.07.2022	Difference	MF	Units
Off-peak	33095	34125	1030	40	41200
Peak	6717	6777	60	40	2400
Total	39812	40902	1090	40	43600

C-Net units to be credited		
A	B	C
Units already charged	Units to be charged	Net units to be credited
54,5337	43,600	10,937


The above comparison of the consumption data shows that the Appellant debited the bills of total 54,533 units for the period from March 2022 to June 2022, whereas the impugned meter of the Respondent recorded 43,600 units during the same period. This whole scenario indicates that the Appellant debited the excessive bills with excessive fictitious readings for the period from March 2022 to June 2022, therefore the Respondent may be afforded credit of 10,937 units in the future bills as calculated in Table-C above and overhaul the billing account, accordingly.

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

On leave
Abid Hussain
Member/Advisor (CAD)

Dated: 25-02-2025

Naweed Illahi Sheikh
Convener/DG (CAD)


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

