



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

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No. NEPRA/Appeal/059/2024/ 190

February 25, 2025

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| 1. Muhammad Zahid Rafique,<br>S/o. Muhammad Rafique,<br>R/o. Bara Street, Hanjerwal,<br>Multan Road, Lahore  | 2. Chief Executive Officer,<br>LESCO Ltd,<br>22-A, Queens Road,<br>Lahore            |
| 3. Abdul Rehman Khalil,<br>Advocate High Court,<br>4 <sup>th</sup> Floor, Salam Chambers,<br>Patiala Ground, Lahore<br>Cell No. 0300-8875943                           | 4. Assistant Manager (Operation),<br>LESCO Ltd,<br>Awan Town Sub Division,<br>Lahore |
| 5. POI/Electric Inspector,<br>Lahore Region-II,<br>Energy Department, Govt. of Punjab,<br>342-B, Near Allah Hoo Chowk,<br>Johar Town, Lahore<br>Phone No. 042-99333968 |  |

Subject: **Appeal No.059/2024 (LESCO Vs. Muhammad Zahid Rafique) Against the Decision Dated 08.04.2024 of the Provincial Office of Inspection to Government of the Punjab Lahore Region-II, Lahore**

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

### Appeal No.059/POI-2024

Lahore Electric Supply Company Limited

.....Appellant

Versus

Muhammad Zahid Rafique S/o. Muhammad Rafique,  
R/o. Bara Street, Hanjerwal, Multan Road, Lahore

.....Respondent

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

For the Appellant:

Mr. Abdul Rehman Khalil Advocate

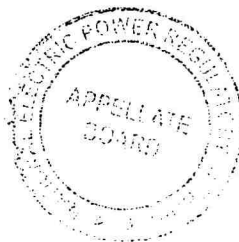
For the Respondent:

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### **DECISION**

1. Brief facts of the case are that Muhammad Zahid Rafique (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.46-11236-2213300-U having sanctioned load of 04 kW and the applicable tariff category is B-1(b). The billing meter of the Respondent was checked by the M&T team of the Appellant on 18.03.2015 and reportedly, it was found 33% slow due to the yellow phase being dead. Resultantly, a detection bill of 28,740 units for the period from September 2014 to February 2015 was debited to the Respondent @ 33% slowness of the meter and added to the bill for January 2018.
2. Being aggrieved with the abovementioned actions of the Appellant, the Respondent initially challenged the above detection bill before the Civil Court Lahore. Subsequently, the honorable Civil Court vide order dated 16.02.2023 directed the Respondent to approach the Provincial Office of Inspection, Lahore Region, Lahore (the "POI"). Accordingly, the Respondent filed a complaint before the POI and challenged the bill of Rs.867,878/- charged in January 2018, which included current bill and arrears of Rs.694,585/- pertaining to the impugned detection bill. The matter was decided by POI vide decision dated 08.04.2024, wherein the detection bill of 28,740 units for the period from September 2014 to February 2015 was cancelled and the Appellant was allowed to debit the revised bill w.e.f January 2015 and onwards till the

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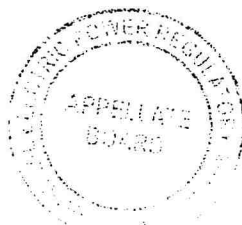


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replacement of the impugned meter as per consumption of corresponding month of the previous year or average consumption of last eleven months, whichever is higher.

3. Being dissatisfied, the Appellant has filed the instant appeal before NEPRA and assailed the decision dated 08.04.2024 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; that the impugned decision has been passed arbitrarily and capriciously; that the POI did not consider the documentary evidence as provided by the Appellant; that the impugned decision is result of misreading and nonreading of the material produced by the Appellant; that the detection bill of 28,740 units for the period from September 2014 to February 2015 is justified; and that the impugned decision is liable to be set aside.
4. Notice dated 12.07.2024 of the appeal was issued to the Respondent for filing reply/para-wise comment, which however were not filed.
5. Hearing of the appeal was conducted at NEPRA Regional Office Lahore on 01.11.2024, wherein learned counsel appeared for the Appellant and no one tendered appearance for the Respondent. Learned counsel for the Appellant contended that the billing meter of the Respondent was found 33% slow during M&T checking dated 18.03.2015, therefore a detection bill of six months 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.
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 33% slow due to the yellow phase being dead during checking dated 18.03.2015. Therefore, the Appellant charged a detection bill of 28,740 units for the period from September 2014 to February 2015 to the Respondent, which was challenged before the POI.
  - 6.2 The Appellant neither produced the impugned meter before the POI for verification of the alleged 33% slowness nor could produce the consumption data before this forum to substantiate their contention regarding the impugned detection bill. Even otherwise, the Appellant debited the impugned detection bill for six months, which is contrary to Clause 4.4(e) of the CSM-2010. Said clause of the CSM-2010 restricts the Appellant to debit the

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
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detection bill maximum for two months to the Respondent in case of a slow meter. Under these circumstances, we are inclined to agree with the determination of the POI for the cancellation of the detection bill of 28,740 units for the period from September 2014 to February 2015 (six months).

- 6.3 According to Clause 4.4(e) of the CSM-2010, the Respondent is liable to be charged the detection bill maximum for two months before checking dated 18.03.2015. Moreover, the bills w.e.f checking dated 18.03.2015 and onwards till the replacement of the impugned meter be revised by raising MF due to 33% slowness of the impugned meter, according to Clause 4.4(c) of the CSM-2010. The impugned decision is liable to be modified to this extent.
7. In view of what has been stated above, it is concluded that the detection bill of 28,740 units for the period from September 2014 to February 2015 is cancelled. The Respondent may be charged the revised detection bill for two months before checking dated 18.03.2015 due to 33% slowness of the impugned meter under Clause 4.4(e) of the CSM-2010. Moreover, the bills w.e.f checking dated 18.03.2015 and onwards till the replacement of the impugned meter be revised by raising MF due to 33% slowness of the impugned meter, under Clause 4.4(c) of the CSM-2010.
8. The impugned decision is modified in the above terms.

On leave  
Abid Hussain  
Member/Advisor (CAD)

Dated: 25-02-2025

  
Naveed Nahr Sheikh  
Convener/DG (CAD)

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

