



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

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No. NEPRA/Appeal/069/2024/ /9/


February 25, 2025

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| 1. Din Muhammad,
S/o. Amrat Khan,
R/o. Mouza Ganekey, Tehsil Cantt,
District Lahore
Cell No. 0300-1818983,
0300-4319989 | 2. Chief Executive Officer,
LESCO Ltd,
22-A, Queens Road,
Lahore |
| 3. Saeed Ahmed Bhatti,
Advocate High Court,
66-Khyber Block, Allama Iqbal Town,
Lahore
Cell No. 0300-4350899 | 4. Assistant Manager (Operation),
LESCO Ltd,
Barki Sub Division,
Lahore |
| 5. POI/Electric Inspector,
Lahore Region-II,
Energy Department, Govt. of Punjab,
342-B, Near Allah Hoo Chowk,
Johar Town, Lahore
Phone No. 042-99333968 | |

Subject: Appeal No.069/2024 (LESCO Vs. Din Muhammad) Against the Decision Dated 13.03.2024 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.069/POI-2024

Lahore Electric Supply Company LimitedAppellant

Versus

Din Muhammad S/o. Amrat Khan,
R/o. Mouza Ganekey, Tehsil Cantt District LahoreRespondent

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

For the Appellant:

Mr. Saeed Ahmed Bhatti Advocate
Mr. Atiq-ur-Rehman

For the Respondent:

Mr. Din Muhammad

DECISION

1. Brief facts leading to the filing of instant appeal are that Din Muhammad (hereinafter referred to as the "Respondent") is an agricultural (tube well) consumer of Lahore Electric Supply Company Limited (hereinafter referred to as the "Appellant") bearing Ref No.45-11553-0473501 with sanctioned load of 07 kW and the applicable Tariff category is D-2(b). The Respondent filed a complaint before the Provincial Office of Inspection, Lahore Region-II, Lahore (hereinafter referred to as the "POI") on 03.03.2023 and challenged the bills for the years 2014-17 with the plea that excessive billing was done by the Appellant. The matter was disposed of by the POI vide the decision dated 13.03.2024, wherein the arrears of Rs.406,260 were cancelled and the Appellant was directed to revise the bills for the period from January 2016 to December 2016 as per consumption of corresponding months of the year 2015. The Appellant was further directed to adjust the excess amount recovered in the future bills.
2. Subject appeal has been filed against the afore-referred decision dated 11.06.2024 of the POI (hereinafter referred to as the "impugned decision") by the Appellant before the NEPRA, wherein it is contended that the POI misconceived the real facts of the case and erred in holding that the arrears of Rs.406,207/- are null and void and the bills for the period from January 2016 to December 2016 be revised as per consumption of corresponding months of the year 2015.

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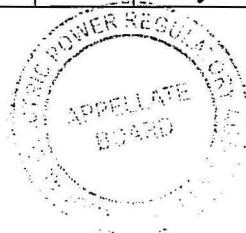
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The Appellant further contended that the POI failed to follow the procedure as required under the law and decided the petition of the Respondent in slipshod manner without any justification and cogent reasons rendering the impugned decision. As per the Appellant, the POI neither recorded the evidence nor perused the consumption data in true perspective, hence the impugned decision is liable to be set aside.

3. Upon filing of the instant appeal, a Notice dated 31.07.2024 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which however were not filed.
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 arrears of Rs.406,260/- accumulated due to non-payment of the regular bills. Learned counsel for the Appellant further contended that the Respondent instead of making payments raised the dispute before the POI, who vide impugned decision cancelled the above arrears 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 The Respondent filed a complaint before the POI on 03.03.2023 and challenged the bills for the years 2014 to 2017 as compared to the billing for the years 2018 to 2021. The Respondent finally prayed for refund of Rs.406,260/- being excessively recovered by the Appellant. The POI vide impugned decision cancelled the arrears of Rs.406,260 added in December 2022 and directed the Appellant to revise the bills for the period from January 2016 to December 2016 as per consumption of corresponding months of the year 2015. The Appellant filed instant appeal before the NEPRA against the impugned decision.
 - 5.2 To arrive at just conclusion, the consumption data of the Respondent as provided by the Appellant is analyzed in the below table:

Disputed period				Undisputed period			
Month	Units	Month	Units	Month	Units	Month	Units
Jan-14	0	Jan-16	0	Jan-18	443	Jan-20	180
Feb-14	0	Feb-16	0	Feb-18	225	Feb-20	369
Mar-14	0	Mar-16	2000	Mar-18	355	Mar-20	308
Apr-14	0	Apr-16	0	Apr-18	255	Apr-20	247
May-14	700	May-16	4088	May-18	1325	May-20	694

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Jun-14	0	Jun-16	2000	Jun-18	0	Jun-20	1268
Jul-14	0	Jul-16	4035	Jul-18	346	Jul-20	3341
Aug-14	2085	Aug-16	4000	Aug-18	0	Aug-20	1503
Sep-14	303	Sep-16	4088	Sep-18	0	Sep-20	2785
Oct-14	0	Oct-16	4088	Oct-18	0	Oct-20	3013
Nov-14	0	Nov-16	0	Nov-18	0	Nov-20	568
Dec-14	559	Dec-16	469	Dec-18	0	Dec-20	511
Jan-15	0	Jan-17	0	Jan-19	0	Jan-21	2027
Feb-15	0	Feb-17	0	Feb-19	0	Feb-21	2487
Mar-15	276	Mar-17	0	Mar-19	0	Mar-21	1059
Apr-15	0	Apr-17	4088	Apr-19	0	Apr-21	2810
May-15	516	May-17	1000	May-19	0	May-21	967
Jun-15	420	Jun-17	0	Jun-19	1832	Jun-21	4088
Jul-15	4568	Jul-17	4088	Jul-19	1723	Jul-21	5550
Aug-15	192	Aug-17	4000	Aug-19	1561	Aug-21	4639
Sep-15	251	Sep-17	0	Sep-19	910	Sep-21	4
Oct-15	1151	Oct-17	0	Oct-19	363	Oct-21	160
Nov-15	0	Nov-17	14	Nov-19	622	Nov-21	587
Dec-15	434	Dec-17	202	Dec-19	126	Dec-21	1126
Grand Total		49615		Grand Total		50377	


The above comparison of consumption data shows that the total consumption charged during the disputed years i.e. 2014 to 2017 is compatible with the total consumption of the undisputed years i.e. 2018-2021. As such the claim of the Respondent with regard to the excessive billing during the disputed years is devoid of force and the same is rejected.

6. In view of the above, the appeal is accepted and the impugned decision is modified in above terms.

On leave
Abid Hussain
Member/Advisor (CAD)


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

Dated: 25-02-2025


Naweed Illahi Sheikh
Convener/DG (CAD)

