



**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](http://www.nepra.org.pk) E-mail: [ikramshakeel@nepra.org.pk](mailto:ikramshakeel@nepra.org.pk)

No. NEPRA/Appeal/084/2024/ 244

March 25, 2025

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| 1. Syed Zafar Ibrar Hussain Shah,<br>S/o. Syed Ibrar Hussain Shah,<br>Prop: Shehanshah Flour Mills, Bheni Road,<br>Mian Town, Lakhodair Road, Lahore<br>Cell No. 0334-4298759 | 2. Chief Executive Officer,<br>LESCO Ltd,<br>22-A, Queens Road,<br>Lahore  |
| 3. Irfan Ali Sheikh,<br>Advocate High Court,<br>Sheikh Law Associates,<br>Surriya Mansion, 65-The Mall,<br>Lahore<br>Cell No. 0300-9004939                                    | 4. Mian Swad Hanif,<br>Advocate High Court,<br>3-Dayal Singh Mansion,<br>The Mall, Lahore<br>Cell No. 0333-5332655   |
| 5. Assistant Manager (Operation),<br>LESCO Ltd,<br>Bilal Colony Sub Division,<br>Lahore   | 6. POI/Electric Inspector<br>Lahore Region-I, Energy Department,<br>Govt. of Punjab, Block No. 1,<br>Irrigation Complex, Canal Bank,<br>Dharampura, Lahore |

Subject: **Appeal No.084/2024 (LESCO Vs. Syed Zafar Ibrar Hussain Shah) Against the Decision Dated 31.08.2023 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 25.03.2025 (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.084/POI-2024

Lahore Electric Supply Company Limited

.....Appellant

Versus

Syed Zafar Ibrar Hussain Shah S/o. Syed Ibrar Hussain Shah,  
Prop: Shahanshah Floor Mills, Bheni Road,  
Mian Town, Lakhodair 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. Irfan Ali Sheikh Advocate

For the Respondent:

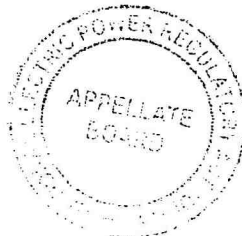
Ch. Sarfaraz Consultant

### **DECISION**

1. Brief facts of the case are that Syed Zafar Ibrar Hussain Shah (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.24-11313-9005210-U having sanctioned load of 475 kW and the applicable tariff category is B-2(b). The metering equipment of the Respondent was checked by the M&T team of the Appellant on 18.12.2022 and reportedly both the billing and backup meters were found 33% slow due to one dead phase. Resultantly, a detection bill of Rs.16,949,778/- for 462,985 units+1,974 kW MDI for the period from October 2021 to November 2022 (14 months) was debited to the Respondent @ 33% slowness of the meter and added to the bill for December 2022.
2. Being aggrieved with the abovementioned action of the Appellant, the Respondent filed a complaint before the Provincial Office of Inspection, Lahore Region-I, Lahore (hereinafter referred to as the "POI") and challenged the impugned detection bill. During joint checking dated 22.08.2023 of the POI, 33% was observed in the impugned billing and backup meters, the joint checking report was signed by both parties without raising any objection. The matter was decided by POI vide decision dated 31.08.2023, wherein the detection bill of Rs.16,949,778/- for 462,985 units+1,974 kW MDI for the period from October 2021 to November 2022 (14 months) was declared null and void and the Appellant was allowed to

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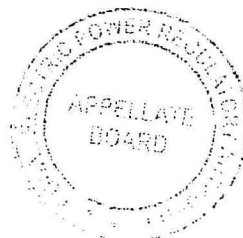


## National Electric Power Regulatory Authority

debit the revised bill w.e.f October 2022 and onwards till the replacement of the impugned meter after adding 33% slowness.

3. Being dissatisfied, the Appellant has filed the instant appeal before NEPRA and assailed the decision dated 31.08.2023 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 Respondent was involved in the theft of electricity through tampering (deliberately 33% slow) with the impugned meter; that the detection bill of Rs.16,949,778/- for 462,985 units+1,974 kW MDI for the period from October 2021 to November 2022 (14 months) was charged on account of 33% slowness of the meter; that the POI wrongly relied upon Clause 4.3.3 of the CSM-2021 for assessment of the detection bill; that in such cases, where the CTs of the meter were damaged deliberately, Clause 4 of the CSM-2021 is not applicable there; that the impugned decision is illegal, unjustified and to safeguard the big thieves of electricity, which is directly huge loss to the National Exchequer and that; the impugned decision is liable to be set aside.
4. Notice dated 16.08.2024 of the appeal was issued to the Respondent for filing reply/para-wise comment, which were subsequently filed on 01.11.2024. In the reply, the Respondent rebutted the version of the Appellant and submitted that the impugned detection bill of Rs.16,949,778/- for 462,985 units+1,974 kW MDI for the period from October 2021 to November 2022 (14 months) was charged by the Appellant on account of 33% slowness of the meter, which is against the Clause 4.3.3c(ii) of the CSM-2021. The Respondent further submitted that the Appellant is under obligation to check the accuracy of the metering equipment during the monthly readings and report the same to concerned quarters as per Clause 6.1.2 of the CSM-2021, which in the instant case was not done by the Appellant. As per Respondent, 33% slowness in the impugned meter is established during the joint checking of the POI, hence the impugned decision for revision of the detection bill for two months is in accordance with provisions of the CSM-2021. The Respondent finally prayed for the dismissal of the appeal with cost and for upholding the impugned decision.
5. Hearing of the appeal was conducted at NEPRA Regional Office Lahore on 10.01.2025 wherein both parties were in attendance. Learned counsel for the Appellant contended that the billing meter of the Respondent was deliberately 33% slow during M&T checking dated 18.12.2022, therefore a detection bill of Rs.16,949,778/- for 462,985 units+1,974 kW MDI for the period from October 2021 to November 2022 (14 months) was charged to the Respondent

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on account of 33% slowness of the meter. 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. On the contrary, the representative for the Respondent repudiated the version of the Appellant regarding charging of the abovesaid detection bill and argued that 33% slowness in the impugned meter established during joint checking dated 22.08.2023 of the POI, hence the impugned decision for cancellation of the detection bill and revision of the same for two months is consistent with Clause 4.3.3c(ii) of the CSM-2021 is correct. The representative for the Respondent finally prayed for the dismissal of the appeal.

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 during checking dated 18.12.2022. Therefore, the Appellant charged a detection bill amounting to Rs.16,949,778/- for 462,985 units+1,974 kW MDI for the period from October 2021 to November 2022 (14 months) to the Respondent, which was challenged before the POI.

6.2 During joint checking dated 22.08.2023 of the POI, 33% slowness in the impugned meter of the Respondent was established, and the joint checking report was signed by both parties without raising any objection. Hence the allegation of the Appellant for theft of electricity is baseless. The Appellant debited the impugned detection bill for fourteen (14) months, which is contrary to Clause 4.3.3c(ii) of the CSM-2021. Said clause of the CSM-2021 restricts the Appellant to debit the slowness maximum for two months to the Respondent.

6.3 Under these circumstances, we are inclined to agree with the determination of the POI for the cancellation of the detection bill of Rs.16,949,778/- for 462,985 units+1,974 kW MDI for the period from October 2021 to November 2022 (14 months) and revision of the same w.e.f October 2022 and onwards till the replacement of the impugned meter after adding 33% slowness.

7. Foregoing in view, the appeal is dismissed.



Abid Hussain  
Member/Advisor (CAD)



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



Naweed Illahi Sheikh  
Convener/DG (CAD)

Dated: 25-03-2025

Appeal No.084/POI-2024

