



National Electric Power Regulatory Authority

ISLAMIC REPUBLIC OF PAKISTAN

NEPRA Head Office

Attaturk Avenue (East) Sector G-5/1, Islamabad.

Ph:051-2013200, Fax: 051-2600021

Consumer Affairs Department

2228
TCD.05/ -2023
June 05, 2023

Chief Executive Officer,
Lahore Electric Supply Company (LESCO),
22-A, Queen's Road Lahore.

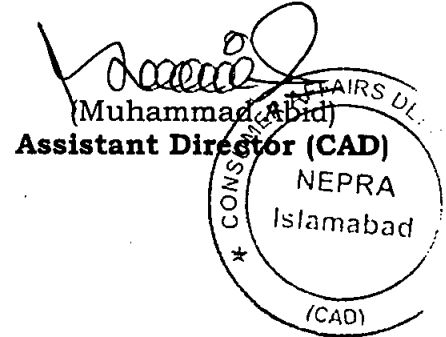
Subject: **COMPLAINT FILED BY MR. MUHAMMAD AFZAL UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST LESCO REGARDING ARREARS IN THE BILL (REF#11 11331 1076100 U) Case No. LESCO-LHR-11946-04-22**

Please find enclosed herewith the decision of the NEPRA Consumer Complaints Tribunal dated June 05, 2023 regarding the subject matter for necessary action and compliance within twenty (20) days, positively.

Encl: As above

Copy to:

1. C.E/Customer Services Director
LESCO, 22-A, Queens Road, Lahore.
2. Engr. Dr. Bilal Masood, (Incharge/Additional Director),
NEPRA Provincial Office, N-212, National Towers,
Opposite LDA Plaza, Egerton Road, Lahore.
3. Mr. Tahir Mehmood Nadeem,
Manager/ Incharge Complaint Cell, (Focal Person, NEPRA)
LESCO, 22-A, Queens Road, Lahore.
4. Mr. Muhammad Afzal S/o Muhammad Hanif
R/o Ahmed Street, Bismillah Chowk,
Peco Road, Multan Chungi, Lahore.
Cell# 0304-4777706





**BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)**

Complaint No. LESCO-LHR-11946-04-22

Mr. Muhammad Afzal S/o Muhammad Hanif, **Complainant**
R/o Ahmed Street, Bismillah Chowk,
Peco Road, Multan Chungi, Lahore.
Cell# 0304-4777706

Versus

Lahore Electric Supply Company (LESCO) **Respondent**
22-A, Queens Road, Lahore.

Date of Hearing: May 25, 2022
September 09, 2022
October 12, 2022
December 29, 2022

On behalf of:

Complainant: Mr. Muhammad Afzal S/o Muhammad Hanif

Respondent: Mr. Waseem Abbas, SDO
Mr. Muhammad Waleed Iqbal, RO

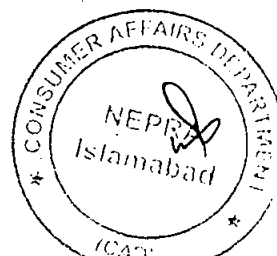
Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. MUHAMMAD AFZAL UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST LESCO REGARDING ARREARS IN THE BILL (REF#11 11331 1076100 U)

DECISION

This decision shall dispose of the complaint filed by Mr. Muhammad Afzal S/o Muhammad Hanif (hereinafter referred to as "the Complainant") against Lahore Electric Supply Company Limited (hereinafter referred to as the "Respondent" or "LESCO"), under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (hereinafter referred to as the "NEPRA Act").

2. The Complainant apprised that LESCO charged arrears in the billing month of October 2021 amounting to Rs. 564,608/- on the basis of data retrieval report of meter, which was replaced in the year 2017. The Complainant approached LESCO but the issue was not resolved. Subsequently, the Complainant approached NEPRA for correction of bill and redressal of his grievances.

3. The matter was taken up with LESCO for submission of parawise comments/report. In response, LESCO reported that defective meter of the Complainant was sent to M&T lab for data retrieval. Subsequently, 19684 units were charged to the Complainant on the basis of data retrieval report. Further in the Circle Review Committee (CRC); the Complainant was given a rebate of Rs. 119,065/- by segregating the accumulatively charged units over the period from January 2012 to April 2017.



4. In order to probe further into the matter, hearings were held at NEPRA Provincial Office, Lahore which were attended by representatives of both the parties who advanced their arguments based on their earlier submissions.

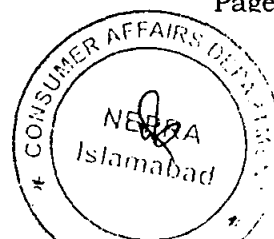
5. The case has been examined in detail in the light of the written/verbal arguments of both the parties and applicable law. The following has been concluded:

- (i) The meter of the Complainant became defective (i.e. display washed) during the month of November 2016 and the same was replaced in May 2017. For the disputed months (i.e. November 2016 to April 2017) the Complainant was charged on the basis of average consumption i.e. 100% of the consumption recorded in the same months of previous year or averages of the last eleven months whichever is higher. Later on, data of impugned meter was downloaded/retrieved and the Complainant was again charged 19684 units as per final retrieved reading of the impugned meter in October 2021 after more than 4 years. Furthermore, LESCO officials were directed to provide the photographs of meter readings of the impugned meter prior to its defective state (i.e. prior to November 2016), however, the same could not be provided by LESCO.
- (ii) The billing record of the Complainant provided by LESCO is as under:-

Year	Units in Months											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2016	93	103	95	155	376	414	307	523	279	0	241	258
2017	275	292	312	327	521	367	449	357	384	250	77	152
2018	221	123	102	155	361	358	442	376	445	225	91	118
2019	251	211	115	231	418	452	508	451	509	184	107	179
2020	311	200	124	1	45	151	508	451	509	235	190	160
2021	411	140	119	84	151	358	427	336	350	326	113	0

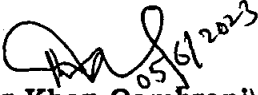
LESCO charged average bills to the Complainant w.e.f. November 2016 to April 2017 against the meter bearing No. 21529. The impugned meter was replaced in the month of May 2017. LESCO enhanced the reading dial while charging average bills which should not have been enhanced as display of the meter was found washed. In May 2017, the new meter was installed. The average consumption of the Complainant is 314 units, 251 units, 301 units, 240 units, 234 units during the years 2017, 2018, 2019, 2020 and 2021 respectively, which is in line with the consumption recorded on the impugned meter. Therefore, there is no reason for charging of 19684 units to the Complainant.


- (iii) As per Clause 4.3.2 (d) of Consumer Service Manual (CSM) "the consumer's account shall not be liable to any adjustment if the data is not retrieved within three months of display wash. However, if data retrieval is not possible within DISCO and meter is sent to the manufacturer/company for data retrieval, and if its data is retrieved within six (6) months, then the consumer will be charged retrieved units after issuance of notice. In case, data is not retrieved within six (6) months the consumer's account shall not be liable to any adjustment". LESCO was provided ample opportunities to justify belated retrieval of meter data however; LESCO failed to provide any concrete evidence.
- (iv) In the instant case LESCO has charged units to the Complainant after a lapse of more than four (04) year of meter replacement in violation of provisions of Consumer Service Manual (CSM); therefore, retrieved units charged to the Complainant are unjustified and not payable by the Complainant. The bills charged to the Complainant on average basis during defective period are final. The Complainant's highest consumption is 523 units during the month of




August, 2016 and LESCO has already charged average billing during the disputed period of six months on the basis of average formula i.e. average of previous eleven months or corresponding month of previous year whichever is high. Therefore, how 19684 units can be consumed by the Complainant during the disputed period of six months. It seems that data retrieval report is not correct as the same is in contradiction to the consumption history of the Complainant.

6. As the Complainant has already been charged units on defective code therefore these units are final. Foregoing in view, LESCO is directed to withdraw the 19684 units charged to the Complainant during the month of October 2021 on the basis of data retrieval report and issue revised bill to the Complainant. Compliance report be submitted within twenty (20) days.


(Lashkar Khan Qambrani)
Member (Consumer Complaints Tribunal)/
Director (CAD)


(Moqees ul Hassan)
Member Consumer Complaints Tribunal
Assistant Legal Advisor (CAD)


(Naveed Illahi Shaikh)
Convener Consumer Complaints Tribunal/
Director General (CAD)

Islamabad, June 05, 2023

