



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

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No. NEPRA/AB/Appeal-045/POI-2015/ 1021-1024

October 20, 2015

1. Shahid Mehmood
S/o Mukhtar Ahmed,
Connection in the name of
Muhammad Tufail,
R/o House No. 135-E, Shami Chowk,
Ghulam Muhammad Abad,
Faisalabad
2. The Chief Executive Officer,
FESCO Ltd,
Canal Road, Faisalabad
3. Mehar Shahid Mehmood
Advocate High Court,
Office No. 25, 3rd Floor,
Ali Plaza, 3-Mozang Road,
Lahore
4. SDO/AMO (Op),
Faizabad Sub Division,
FESCO Ltd,
Faisalabad

Subject: Appeal Titled FESCO Vs. Shahid Mehmood Against the Decision Dated 08.04.2015 of the Electric Inspector/POI to Government of the Punjab Faisalabad Region, Faisalabad

Please find enclosed herewith the decision of the Appellate Board dated 19.10.2015, regarding the subject matter, for information and necessary action accordingly.

Encl: As Above

(M. Qamar Uz Zaman)

No. NEPRA/AB/Appeal-045/POI-2015/ 1025

October 20, 2015

Forwarded for information please.


Member Appellate Board

1. Registrar
2. Director (CAD)
3. Electric Inspector/POI, Faisalabad Region
4. Master File

CC:

1. Chairman
2. Vice Chairman/Member (CA)
3. Member (Tariff)
4. Member (M&E)
5. Member (Licensing)

DR-2

Registrar	1182
By No.	22/10/15
Dated	



National Electric Power Regulatory Authority

Before Appellate Board

In the matter of

Appeal No. NEPRA/Appeal-045/POI-2015

Faisalabad Electric Supply Company Limited

.....Appellant

Versus

Shahid Mehmood, S/o Mukhtar Ahmed, R/o House No.135-E, Shami Chowk, G.M.Abad,
Faisalabad.

.....Respondent

For the appellant:

Mehar Shahid Mehmood Advocate
Muhammad Imran SDO

For the respondent:

Nemo

DECISION

1. Brief facts leading to the disposal of this appeal are that Faisalabad Electric Supply Company Limited (hereinafter referred to as FESCO) is a Distribution Company and is licensed to provide distribution services within a specific territory. The respondent is one of its consumers whose electricity meter was checked by Sub-divisional task force on 10.06.2014 and display of the meter was found washed out. Notice dated 12.06.2014 was issued by FESCO to the respondent regarding above discrepancy and a detection bill of Rs.26,731/- for 1,477 units for the period December 2013 to May 2014 (6 months) was issued in July 2014. The respondent was also charged on DEF-EST code basis for the month of June 2014. Meter of the respondent

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was replaced on 13.06.2014.

2. Being aggrieved with the aforementioned detection bill the respondent filed an application dated 06.11.2014 before POI. POI after conducting hearing proceedings announced its decision on 08.04.2015 with the following conclusion:-

“Summing up the aforesaid discussion, it is held the arrears/detection bill for 1477 units for the period of 12/2013 to 05/2014 amounting to Rs.26731/- and added as arrears in the bill for the month of 07/2014 is null, void and illegal and not payable by the petitioner. (ii) The billing of 06/2014 is also held as null, void and illegal and the petitioner is not liable to pay the same being in violation of clause 4.4(e) of Consumer Service Manual,2010 approved by NEPRA Authority. FESCO Authority is directed to over haul the account of the petitioner/consumer accordingly.”

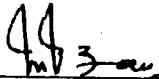
3. Being aggrieved with the POI decision dated 08.04.2015, FESCO has filed the instant appeal under section 38 (3) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997 (hereinafter referred to as “the Act”). The notice of appeal was issued to the respondent, however, he neither filed any reply/comments nor attended the hearings.
4. The hearing of the appeal was conducted in Lahore on 12.09.2015 for which prior notices were issued to the parties. Mr. Mehar Shahid Mehmood Advocate and Mr. Muhammad Imran SDO represented FESCO but there was no representation on behalf of the respondent. The learned counsel for FESCO contended that the meter of the respondent was found defective and after issuing notice to the respondent detection bill of Rs. 26,731/- for 1,477 units for the period December 2013 to May 2014 (6 months) was issued in July 2014 to the respondent after departmental approval by the competent authority. Moreover, he submitted that the meter was replaced on 13.06.2014 and the bill for 06/2014 was charged to the respondent on DEF-EST code basis. According to his version the bills were in accordance with the consumption of the respondent and as per approved procedure and policy of FESCO.
5. We have heard arguments of learned counsel for FESCO and examined the record paced before us. It has been observed that the meter of the respondent was checked on 10.06.2014 by



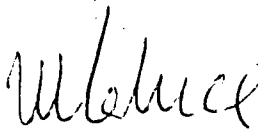
National Electric Power Regulatory Authority

Sub Divisional task force FESCO and display was found washed. Pursuant to clause 4.4 e of Consumer Service Manual, the respondent is liable to be billed maximum for two billing cycles in case of the meter was found defective. Since the checking was carried out in June 2014, therefore the respondent may be charged detection bill retrospectively for April 2014, May 2014 and currently for June 2014. Since FESCO has already billed him detection bill for the months of April 2014 and May 2014 on DEF-EST basis, therefore no further detection billing is justified for these months. Similarly billing of June 2014 is also unjustified. We are in agreement with determination of POI that detection bill of Rs. 26,731/- for 1,477 units for the months December 2013 to May 2014 and billing of June 2014 are null, void and illegal and the respondent is not liable to pay the same.


6. Foregoing in consideration the impugned decision of POI is upheld and the appeal of FESCO is dismissed accordingly.



Muhammad Qamar-uz-Zaman
Member



Nadir Ali Khoso
Convener



Muhammad Shafique
Member

Date: 19.10.2015