



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

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No. NEPRA/Appeal/111/2024/ 669

July 11, 2025

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| 1. Javed Iqbal Chattah,
S/o. Ch. Nazir Ahmed,
R/o. Chak No. 140/RB, Muthianwala,
Tehsil Chak Jhumra, District Faisalabad
Cell No. 0304-6301110 | 2. Chief Executive Officer,
FESCO Ltd,
West Canal Road, Abdullah Pur,
Faisalabad |
| 3. Ch. Shahzad Ahmed Bajwa,
Advocate High Court,
12-Faisal Park, Imamia Colony,
Shahdara, Lahore
Cell No. 0301-4174291 | 4. Ch. Muhammad Imran Bhatti,
Advocate High Court,
44-District Courts, Faisalabad
Cell No. 0300-9102120 |
| 5. Sub Divisional Officer (Operation),
FESCO Ltd,
Manawala Sub Division,
Faisalabad | 6. POI/Electric Inspector,
Energy Department, Govt. of Punjab,
Opposite Commissioner Office,
D.C.G Road, Civil Lines,
Faisalabad Region, Faisalabad |

Subject: Appeal No.111/2024 (FESCO Vs. Javed Iqbal Chattah) Against the Decision Dated 11.07.2024 of the Provincial Office of Inspection to Government of the Punjab Faisalabad Region, Faisalabad

Please find enclosed herewith the decision of the Appellate Board dated 11.07.2025 (05 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. 111/POI-2024

Faisalabad Electric Supply Company Limited

.....Appellant

Versus

Javed Iqbal Chattah S/o. Ch. Nazir Ahmed,
R/o. Chak No.140/RB, Muthianwala, Tehsil
Chak Jhumra, District Faisalabad

.....Respondent

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

For the Appellant:

Mr. Shahzad Ahmed Bajwa Advocate

For the Respondent:

Ch. Muhammad Imran Bhatti Advocate

DECISION

1. Through this decision, the appeal filed by the Faisalabad Electric Supply Company Limited (hereinafter referred to as the "Appellant") against the decision dated 11.07.2024 of the Provincial Office of Inspection, Faisalabad Region, Faisalabad (hereinafter referred to as the "POI") is being disposed of.
2. Brief facts of the case are that Javed Iqbal Chattah (hereinafter referred to as the "Respondent") is an industrial consumer of the Appellant bearing Ref No.24-13184-5402900-R with a sanctioned load of 57 kW and the applicable Tariff category is B-2(b). Display of the billing meter of the Respondent became defective in July 2022, therefore, the Appellant fed DEF-EST code w.e.f July 2022 and onwards till the replacement of the impugned meter vide MCO dated 23.02.2023. Subsequently, the Respondent filed an application before the POI on 19.02.2024 and challenged the bills for the period from

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July 2022 to January 2023 with the plea that he has reduced the load of the premises, however, the Appellant debited him excessive bills, which are not compatible with the running load. During joint checking dated 31.05.2024 of POI, the observed load of the premises is given below:

Sr.	Appliances	Quantity
01	Jockey Machine	12
02	Overlock Machine	06
03	Cutter Machine	02
04	Ceiling Fan	14
05	LED Rods	36
06	Loom Machine	10
07	Pressure machines	01

3. The complaint of the Respondent was disposed of by the POI vide the decision dated 11.07.2024, the operative portion of which is reproduced below:

"Summing up all the above observations/discussion and keeping in view all the aspects of the case this Forum declares the charging of billing from 07/2022 to 01/2023 on defective code basis as null, void and without any legal effect (as discussed above) and the complainant is not liable to pay the same. The Respondents are directed to withdraw the same and charge revised bills from 07/2022 to 01/2023 as mentioned in the chargeable units column of the given revised bills table as discussed above. The Respondents are also directed to overhaul the complainant's account by adjusting all Credits, Debits, Deferred Amount & Payments already made by the consumer. Disposed of in above terms."

4. Subject appeal was filed by the Appellant before the NEPRA against the above-referred decision of the POI. In its appeals, the Appellant objected to the maintainability of the impugned decision, *inter alia*, on the main grounds that the impugned decision is against the facts and law of the case; that the POI erroneously declared the impugned bill as unjustified and illegal on the basis of difference of units and ignored the facts that the said units were charged on the basis of checking report of M&T; that the POI did not rely upon the checking of the Appellant and that the impugned decision is liable to be set aside.
5. Upon the filing of the instant appeal, a notice dated 01.11.2024 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which were filed on 27.02.2025. In the reply, the Respondent prayed for dismissal of the appeal *inter alia*, on the main grounds that the Appellant has no locus standi to file the appeal; that the appeal



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was filed without authorization; that the impugned meter functioning correctly till June 2022, thereafter the Appellant DEF-EST code w.e.f July 2022 and onwards till the MCO dated 23.02.2023; that the impugned meter was not checked by the POI; that the Respondent approached the Appellant w.e.f 01.09.2022, wherein he informed that the industrial units is closed; that the Respondent did not pay the bills from November 2022 to February 2023 due to billing dispute; that the review committee of the Appellant unlawfully assessed 51,520 units for the period from July 2022 to January 2023 instead of considering the healthy consumption of new meter; that the impugned decision be implemented in true spirit.

6. Hearing was conducted at NEPRA Regional Office Lahore on 26.04.2025, which was attended by the counsels for the Appellant and the Respondent. Learned counsel for the Appellant repeated the same contention as given in memo of the Appeal and contended that the display of the impugned meter became defective in July 2022 and subsequently it was replaced with a new meter by the Appellant in February 2023; that the bills charged from July 2022 to February 2023 on DEF-EST code to recover the revenue loss sustained by the Appellant due to vanished display of the meter; that the POI vide impugned decision revised the above-said bills on assumptions and presumption. On the contrary, learned counsel for the Respondent repudiated the version of the Appellant regarding charging the impugned bills for the period from July 2022 to February 2023, defended the impugned decision and prayed for upholding the same.

7. Arguments were heard and the record was perused. Following are our observations:

7.1 Bills for the period from July 2022 to January 2023:

Admittedly, the display of the impugned billing meter of the Respondent was found defective during checking dated 16.06.2022, therefore, bills w.e.f July 2022 and onwards till its replacement on DEF-EST code. Subsequently, the Appellant replaced the impugned meter of the Respondent in February 2023. Thereafter, the Appellant challenged the above bills before the POI.

7.2 In the instant case, the impugned meter became defective in July 2022 and was subsequently replaced with a new meter in February 2023 after a lapse of five (05) months, which is contrary to Clause 4.3.1(b) of the CSM-2021. Said clause of the CSM-2021 restricts the Appellant to replace the defective meter within two billing cycles. Due to negligence on the part of the Appellant, the billing dispute arose between the parties. The Appellant even failed to justify their contention before the POI with regard to the above bills.





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7.3 To reach just conclusion, the consumption data of the Respondent as provided by the Appellant is analyzed in the table below:

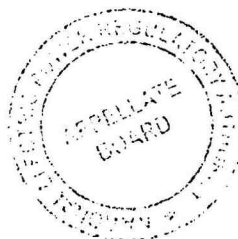
Month	Units	Month	Units	Month	Units
Jan-21	10900	Jan-22	10960	Jan-23	10960
Feb-21	7280	Feb-22	8800	Feb-23	2783
Mar-21	8260	Mar-22	8200	Mar-23	80
Apr-21	7500	Apr-22	6980	Apr-23	60
May-21	7360	May-22	5920	May-23	100
Jun-21	9500	Jun-22	7700	Jun-23	360
Jul-21	7360	Jul-22	8358	Jul-23	420
Aug-21	7620	Aug-22	8425	Aug-23	0
Sep-21	8800	Sep-22	9091	Sep-23	0
Oct-21	8880	Oct-22	9132	Oct-23	0
Nov-21	8260	Nov-22	8535	Nov-23	40
Dec-21	9820	Dec-22	9924	Dec-23	0
Average	8462	Average	8502	Average	1233

Perusal of the consumption data of the Respondent shows that the bills for the period from July 2022 to January 2023 were charged on DEF-EST code; thereafter, the impugned meter was replaced with a new meter. The said bills were challenged by the Respondent with the plea that he has reduced the load gradually, which does not comply with the consumption charged by the Appellant. To further verify the contention of the Respondent, the units assessed as per the connected/running load during the checking dated 20.06.2022 of the Appellant, be compared with the average consumption charged during the disputed period:

Month	Units	Month	Units	Units assessed as per CSM-2021	
Jul-21	7360	Jul-22	8358	$= C/L \text{ (kW)} \times L F \times \text{No. of Hrs./month}$ $= 22.29 \times 0.5 \times 730$	
Aug-21	7620	Aug-22	8425		
Sep-21	8800	Sep-22	9091		
Oct-21	8880	Oct-22	9132		
Nov-21	8260	Nov-22	8535		
Dec-21	9820	Dec-22	9924		
Jan-22	109,60	Jan-23	10960		
Units/month	8,814	Units/month	9,204	Units/month	8,136

As evident from the above, the units charged during the disputed months are much higher as compared to the units assessed as per CSM-2021 as well as the consumption of corresponding months of previous year. This supports the plea of the Respondent that the excessive billing was done during the period from July 2022 to January 2023 and the same are cancelled as already determined by the POI. Thus, we are of the considered view that

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the bills for the period from July 2022 to January 2023 be revised on the basis of consumption of corresponding month of previous year or average consumption of last eleven months, whichever is higher, pursuant to Clause 4.3.1(b) of the CSM-2021.

8. The appeal is disposed of in the above terms.

Abid Hussain
Member/Advisor (CAD)

Naweed Illahi Sheikh
Convener/DG (CAD)

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

Dated: 11-07-2025

