



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 E-mail: ikramshakeel@nepra.org.pk

No. NEPRA/Appeal/136/2024/ *SS*


September 24, 2025

- | | |
|--|---|
| 1. Haris Ali,
S/o. Muhammad Younas,
R/o. Street No. 5, Mohallah Kousar Abad,
Faisalabad | 2. Chief Executive Officer,
FESCO Ltd,
West Canal Road, Abdullah Pur,
Faisalabad |
| 3. Saeed Ahmed Bhatti,
Advocate High Court,
66-Khyber Block, Allama Iqbal Town,
Lahore
Cell No. 0300-4350899
0333-4350899 | 4. Mehar Muhammad Walait Khan Sahmal,
Advocate High Court,
Chamber No. 86, Lyallpur Law Building,
District Courts, Faisalabad
Cell No. 0346-6243424
0315-6243424 |
| 5. Sub Divisional Officer (Operation),
FESCO Ltd,
Bakar Mandi Sub Division,
Faisalabad
Cell No. 0370-1813214 | 6. POI/Electric Inspector,
Energy Department, Govt. of Punjab,
Opposite Commissioner Office,
D.C.G Road, Civil Lines,
Faisalabad Region, Faisalabad |

Subject: **Appeal No.136/2024 (FESCO Vs. Haris Ali) Against the Decision Dated 21.10.2024 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 24.09.2025 (04 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.136/POI-2024

Faisalabad Electric Supply Company Limited

.....Appellant

Versus

Haris Ali, S/o. Muhammad Younas, R/o. Street No. 5,
Mohallah Kousar Abad, Faisalabad

.....Respondent

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

For the Appellant:

Mr. Saeed Ahmed Bhatti Advocate

For the Respondent:

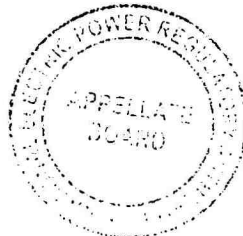
Mr. Muhammad Walait Khan Advocate

DECISION

1. Through this decision, the appeal filed by Faisalabad Electric Supply Company Limited (hereinafter referred to as the "Appellant") against the decision dated 21.10.2024 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 Haris Ali (hereinafter referred to as the "Respondent") is an industrial consumer of the Appellant bearing Ref No.21-13214-0062000-U with a sanctioned load of 3.91 kW and the applicable Tariff category is B-1(b). The impugned meter of the Respondent was found dead stop with vanished display, in October 2019 and it was replaced with a new meter by the Appellant in March 2020. During subsequent Metering & Testing (M&T) team checking dated 03.05.2021, the discrepancy of the vanished display of the impugned meter was confirmed. Therefore, a detection bill of Rs.128,487/- against 5,236 units for the period from October 2019 to February 2020 (five months) was charged to the Respondent on the basis of the corresponding consumption of the previous year and added in February 2022.
3. Being aggrieved with the above actions of the Appellant, the Respondent filed a complaint before POI on 26.06.2024 and challenged the above detection bill, which was disposed of

Appeal No.136/POI-2024

Page 1 of 4



M. Q.



National Electric Power Regulatory Authority

by the POI vide the decision dated 21.10.2024, wherein the detection bill of Rs.128,487/- against 5,236 units was cancelled and the Appellant was directed to overhaul the billing account of the Respondent.

4. The Appellant filed instant appeal before the NEPRA against the afore-referred decision of the POI, which was registered as Appeal No. 136/POI-2024. In its appeal, the Appellant opposed the impugned decision *inter alia*, on the main grounds that the POI misconceived the real facts of the case and erred in declaring the detection bill of Rs.128,487/- as null and void; that the POI erroneously relied upon Clause 4.3.2(d) of the CSM-2021 as the said clause cannot be made applicable in the instant case; that the POI neither recorded evidence nor perused the relevant billing consumption and decided the complaint on surmises and conjectures; that the impugned decision is *ex-facie, coram non judice* as the same was passed after lapse of 90 days, which is violative of Section 26(6) of Electricity Act 1910 and that the impugned decision is liable to be set aside.
5. Upon the filing of the instant appeal, a notice dated 30.12.2024 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which were filed on 27.01.2025. In the reply, the Respondent rebutted the contentions of the Appellant and submitted that the factory remained closed during the disputed period, i.e., October 2019 to February 2020. He further submitted that the impugned meter was replaced on 03.05.2021 after a lapse of fourteen months, which is contrary to Clause 4.3.2(d) of the CSM-2021. As per the Respondent, the impugned detection bill of Rs.128,487/- was debited to the Respondent in February 2022, which is unjustified, and the POI has rightly cancelled the same.
6. Hearing was conducted at NEPRA Regional Office Lahore on 13.06.2025, which was attended by both parties. Learned counsel for the Appellant argued that the impugned meter became defective in October 2019 due to vanished display, hence it was replaced with a new meter by the Appellant in March 2020. Learned counsel for the Appellant contended that the detection bill of Rs.128,487/- against 5,236 units for the period from October 2019 to February 2020 was debited as per the consumption of corresponding months of the previous year, as actual consumption could not be charged during the said month due to defective meter. As per learned counsel for the Appellant, the POI cancelled the detection bill without considering the facts. He defended the charging of the above detection bill and prayed for setting aside the impugned decision. Conversely, learned counsel for the



11/6



National Electric Power Regulatory Authority

Respondent repudiated the version of counsel for the Appellant and argued that the impugned meter became defective in October 2019, which was replaced in March 2020 instead of two months as envisaged in CSM. He averred that the impugned meter was checked by the M&T team on 03.05.2021 after a lapse of fourteen months from the date of its replacement, which is contrary to the provisions of CSM-2021. He prayed that the impugned decision be maintained and the appeal be dismissed with costs.

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

i **Detection bill of Rs.128,487/- against 5,236 units for the period from October 2019 to February 2020:**

In the instant case, the Appellant claimed that the display of the impugned meter became defective in October 2019 and it was replaced with a new meter in March 2020. During subsequent M&T checking dated 03.05.2021, the display of the impugned meter of the Respondent was found vanished. Thereafter, the Appellant debited a detection bill of Rs.128,487/- against 5,236 units for the period from October 2019 to February 2020 to the Respondent in February 2022, which is under dispute.

ii According to Clause 4.3.2(d) of CSM-2021, DISCOs are under obligation to retrieve the data from the meter with vanished display within three months of its display wash or within six months in case retrieved from the manufacturer. In the instant case, the Appellant replaced the impugned meter after lapse of five months, which is contrary to Clause 4.4(e) of the CSM-2010. The Appellant even failed to retrieve the data within the prescribed period as given in Clause 4.3.2(d) of the CSM-2021. It is observed that M&T checking was carried out on 03.05.2021 after fourteen months of replacement of the impugned meter. Even the impugned detection bill was debited to the Respondent in February 2022, after two years of replacement of the impugned meter.

iii To further check the justification of the impugned detection bill, consumption data is analyzed in the table below:

Month	Units	Month	Units	Month	Units
Oct-18	1814	Oct-19	110	Oct-20	1147
Nov-18	1265	Nov-19	10	Nov-20	1286
Dec-18	1693	Dec-19	18	Dec-20	1396
Jan-19	1055	Jan-20	744	Jan-21	990
Feb-19	1256	Feb-20	1085	Feb-21	691
Mar-19	1420	Mar-20	1232	Mar-21	1717
Apr-19	1730	Apr-20	560	Apr-21	811


11.
②




May-19	1971	May-20	1312	May-21	1495
Jun-19	2613	Jun-20	2394	Jun-21	1836
Jul-19	2747	Jul-20	1485	Jul-21	1144
Aug-19	2605	Aug-20	573	Aug-21	1042
Sep-19	1485	Sep-20	1093	Sep-21	796


Perusal of the consumption record shows that actual consumption was not recorded during the disputed period due to a defective meter. There is no force in the contention of the Respondent that the factory remained closed during these months, as he did not provide any document in support of his contention with regard to the closure of the factory. On the other hand, Clause 4.4(e) of the CSM-2010 restricts the Appellant to debit the bills on DEF-EST code, whereas in the instant case, the Appellant debited the impugned detection bill for five months in contravention of ibid clause of the CSM-2010.

- iv Under these circumstances, we are of the considered view that the detection bill of Rs.128,487/- against 5,236 units for the period from October 2019 to February 2020, debited to the Respondent in February 2022, is unjustified, being contrary to provisions of CSM-2010 and the same is cancelled.
 - v As the impugned meter remained defective during the disputed period from October 2019 to February 2020, the Respondent may be charged the revised bills for the said period on DEF-EST code, pursuant to Clause 4.4(e) of the CSM-2010.
 - vi The billing account of the Respondent may be overhauled accordingly.
8. The impugned decision is modified in the above terms.


Abid Hussain
Member/Advisor (CAD)

Dated: 24-09-2025


Naweed Illahi Sheikh
Convener/DG (CAD)


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

