



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

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No. NEPRA/Appeal/106/POI/2020/ 1173

November 30, 2020

1. Wing Commander (R) Ijaz Al Muzaffar Minhas
R/o. House No. 411, St. No. 17,
PAF Falcon Complex (AFOHS),
PAF Base, Chaklala, Rawalpindi
2. Chief Executive Officer
IESCO Ltd.
Head Office, St. No. 40,
Sector G-7/4, Islamabad
3. Faisal Bin Khurshid,
Advocate Supreme Court,
Al Rushd Advocates,
32-Haroon-Ur-Rasheed Block,
Near Post Office, Johar Road,
F-8 Markaz, Islamabad
4. Sub Divisional Officer
IESCO Ltd,
Koarnag Sub Division,
Rawalpindi
5. Electric Inspector/POI,
Islamabad Region,
XEN Office, Irrigation & Power Department,
Rawal Dam Colony, Park Road,
Islamabad

Subject: **Appeal Titled IESCO Vs. Wing Commander (R) Ijaz Al Muzaffar Minhas
Against the Decision Dated 30.09.2020 of the Provincial Office of Inspection to
Government of the Punjab Islamabad Region, Islamabad**

Please find enclosed herewith the decision of the Appellate Board dated 25.11.2020,
regarding the subject matter, for information and necessary action accordingly.

Encl: As Above

(Ikram Shakeel)
Deputy Director (M&E)

Forwarded for information please.

1. Director (IT) –for uploading the decision on NEPRA website



National Electric Power Regulatory Authority

Before Appellate Board

In the matter of

Appeal No. 106/POI-2020

Wing Commander ® Ijaz-al-Muzaffar Minhas
R/o House No.411, St No.17, PAF Falcon Complex (AFOHS),
PAF Base Chaklala Rawalpindi

.....Appellant

Versus

IESCO Electric Supply Company Limited

.....Respondent

APPEAL UNDER SECTION 38(3) OF REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST THE DECISION DATED 30.09.2020 PASSED BY PROVINCIAL OFFICE OF INSPECTION ISLAMABAD REGION ISLAMABAD

For the appellant:

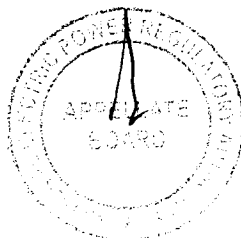
Wing Commander ® Ijaz-al-Muzaffar Minhas

For the Respondent:

Mr. Faisal Bin Khurshid Advocate

DECISION

1. As per facts of the case, the appellant is a domestic consumer of IESCO Electric Supply Company Limited (IESCO) bearing Ref No.28-15741-0291300 with a sanctioned load of 9 kW and billed under the A-1 tariff. IESCO charged the detection bill amounting to Rs.186,000/- for 10,118 units to the appellant in October 2017 on the plea of pending units.
2. Being aggrieved, the appellant filed an application before NEPRA in January 2018 against the above detection bill, which was forwarded to the Provincial Office of Inspection, Islamabad Region, Islamabad (hereinafter referred to as POI) by NEPRA vide



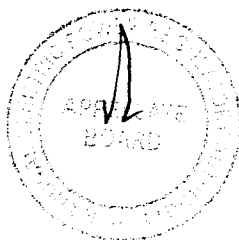


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letter dated 04.02.2020. On the direction of POI, the appellant made a payment of Rs.57,441/- against the above detection bill on 04.03.2020. The matter was disposed of by POI vide its decision dated 30.09.2020 with the following conclusion:

“Summing up all the above observations/discussion and keeping in view all the aspects of the case of this forum. I have thoroughly examined the consumption pattern and reply of the respondents & I am in the opinion that the plea of the respondents regarding charging of 10,118 pending units is justified. Respondents agreed to withdraw Rs.40,000/- (if already not given) on account of FPA and LPS. Also agreed to provide 12 equal installments. This forum directed respondents to recover the remaining amount through 12 monthly equal installments & withdraw Rs.40,000/- (if already not given) on account of FPA and LPS. The respondents are directed to make all debits and credits on the above findings.”

3. The appellant was dissatisfied with the POI decision dated 30.09.2020 (hereinafter referred to as the impugned decision), hence filed the instant appeal before NEPRA. In its appeal, the appellant contended that the detection bill of Rs.186,000/- for 10,118 units debited by IESCO in October 2017 was assailed before POI and the appellant made a payment of Rs.57,441/- against the said detection bill on 04.03.2020. As per appellant, POI has given the decision in favor of IESCO by allowing them for recovery of the remaining amount of detection bill of Rs.57,000/- in twelve equal installments. According to the appellant, POI has neither held responsible IESCO Rawalpindi Cantt division for this illegal, fraudulent activity nor recommended disciplinary action against the meter reader IESCO Korang sub division Rawalpindi for taking fake snapshots of monthly bills.





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The appellant prayed that the entire amount of detection bill i.e. Rs.186,000/- is unjustified and may be withdrawn.

4. Notice of the appeal was issued to IESCO for filing reply/para-wise comments, which however were not filed.
5. After issuing notice, the appeal was fixed for hearing in NEPRA Head Office Islamabad on 12.11.2020 in which both the parties were in attendance. The appellant reiterated the same arguments as narrated in memo of the appeal and contended that the premises was vacated by the tenant in September 2017 after clearing all electricity dues whereas IESCO debited the detection bill of Rs.186,000/- for 10,118 units in October 2017 pertaining to the unbilled units. The appellant averred that he approached IESCO time and again and lastly before POI for withdrawal of the above detection bill. As per appellant, POI has rendered the impugned decision in favor of IESCO without considering the merits of the case and no responsibility was fixed on the meter reader IESCO for the fake readings taken during the previous months. The appellant informed that he had agitated the entire detection bill of Rs.186,000/- and did not agree for any adjustment. Conversely, learned counsel for IESCO termed the above detection bill as justified and payable by the appellant. During the hearing, both the parties agreed to remand back the case to POI for a speaking order on merits after hearing both the parties.
6. Having heard the arguments and perusal of the impugned decision reveals that "an adjustment of Rs.40,000/- was allowed by POI to the appellant against the detection bill of Rs.186,000/- but there is no rational and explanation given in the impugned decision. This establishes that the impugned decision is not speaking. Hence, the impugned decision is set aside and the matter is remanded back to POI for adjudication on merits





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after providing the opportunity of hearing to both the parties.

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

Muhammad Qamar-uz-Zaman
Member/Senior Advisor (Finance)

Muhammad Shafique
Member/Senior Advisor (Legal)

Nadir Ali Khoso
Convener/Director General (M&E)

Dated: 25.11.2020

