



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

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No. NEPRA/Appeal/079/POI/2019/ 020

January 19, 2021

1. Abdul Shakoor  
C/o. Mumtaz Ahmed,  
R/o. House No. 5-A, Sector-A,  
Judicial Town, Chattar, Islamabad
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. Executive Engineer (Electrical)  
IESCO Ltd,  
Operation Division Bhara Kahu,  
Mangu Town, Bhara Kahu,  
Islamabad
5. Sub Divisional Officer (Operation)  
IESCO Ltd,  
Bhara Kahu Sub Division,  
Bhara Kahu, Islamabad
6. Electric Inspector/POI,  
Islamabad Region,  
XEN Office, Irrigation & Power Department,  
Rawal Dam Colony, Park Road,  
Islamabad

Subject: **Appeal Titled IESCO Vs. Abdul Shakoor Against the Decision Dated 12.11.2018 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 15.01.2021, regarding the subject matter, for information and necessary action accordingly.

Encl: **As Above**

(Ikram Shakeel)  
Deputy Director (M&E)  
Appellate Board

Forwarded for information please.

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

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# National Electric Power Regulatory Authority

## Before Appellate Board National Electric Power Regulatory Authority Islamabad

In the matter of

### Appeal No.079/POI-2019

Islamabad Electric Supply Company Limited .....Appellant

Versus

Abdul Shakoor c/o Mumtaz Ahmed R/o House No.5-A,  
Sector Judicial Town Chattar, Islamabad .....Respondent

### APPEAL U/S 38 OF REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997

For the appellant:

Mr. Faisal Bin Khursheed Advocate

For the respondent:

Mr. Abdul Shakoor

### DECISION

1. Briefly speaking, the respondent is a domestic consumer of IESCO bearing Ref No.28-14122-1529990 with a sanctioned load of 6 kW and billed under the A-1R tariff. The respondent received a bill of Rs.152,773/- for 8,419 units in January 2018 against which he made a complaint before IESCO and prayed for checking the accuracy of the billing meter (hereinafter referred to as the disputed billing meter). IESCO installed a check meter (hereinafter referred to as the new meter) in series with the disputed billing meter of the respondent on 07.03.2018 and subsequently, the billing was shifted on the new meter vide meter change order (MCO) dated 07.06.2018. Later on, the disputed billing meter was checked by metering and testing (M&T) IESCO on 16.08.2018 and

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reportedly it was found within BSS limits. The electric supply of the respondent was disconnected by IESCO in October 2018 due to nonpayment of electricity dues.

2. Being aggrieved with the irregular billing, the respondent approached the Provincial Office of Inspection (POI) on 05.10.2018 and assailed the arrears of Rs.311,889/- increased till September 2018. The respondent complained against the excessive billing done by IESCO on the disputed billing meter and prayed for withdrawal of the arrears. POI vide decision dated 11.11.2018 declared the arrear bill of Rs.328,700/- for a total of 18,500 units as null & void and directed IESCO to charge the revised bill of 1,850 units only.
3. Being dissatisfied, IESCO has challenged the above-mentioned decision of POI (hereinafter referred to as the impugned decision) before NEPRA in which it is contended that the respondent agitated the bill of January 2018 for (off-peak=,6,496, peak=1,923) units before IESCO on allegation of malfunctioning of the disputed billing meter. IESCO further contended that the disputed billing meter was replaced with a new meter vide MCO dated 07.06.2018 and the disputed billing meter was checked in M&T laboratory, which declared the same within BSS limits vide report dated 16.08.2018. As per IESCO, the bill of Rs.311,889/- was charged as per actual consumption of the disputed billing meter, which however was declared by POI as null and void. IESCO opposed the maintainability of the impugned decision inter alia, on



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the grounds that POI did not consider the real aspects of the case; that the POI flouted the legal, technical facts and jumped upon assuming the jurisdiction forthwith on the very first opportunity; that the POI did not advert the provisions of NEPRA Act, 1997, Electricity Act, 1910, the CPC and passed the whimsical order and that the impugned decision is liable to be set aside being passed without lawful authority.

4. Notice for filing reply/para-wise comments to the appeal was served to the respondent, which however were not submitted.
5. Hearing of the appeal was conducted in NEPRA Head Office Islamabad on 24.11.2020, which was attended by both the parties. Learned counsel for IESCO reiterated the same version as contained in the memo of the appeal and contended that a new meter was installed in series with the disputed billing meter on 07.03.2018, which subsequently was converted as the billing meter by IESCO vide MCO dated 07.06.2018. As per learned counsel for IESCO, the disputed billing meter was found within BSS limits during M&T IESCO checking dated 16.08.2018. According to learned counsel for IESCO, the arrears of Rs.311,889/- till September 2018 are justified and payable by the respondent. On the contrary, the respondent averred that he disputed the excessive bill of Rs.152,773/- charged in January 2018 before IESCO. The respondent contended that the disputed billing meter was found fast as compared to the consumption recorded by the new meter during the period 07.03.2018 to 07.06.2018, hence the entire billing from January 2018 to June 2018 till the replacement of the disputed billing meter is illegal,



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unjustified. The respondent supported the impugned decision and prayed for upholding the same. Lastly, learned counsel for IESCO agreed to a revision of the bill for two months, which was not agreed by the respondent.

6. Arguments heard and the record perused. It is observed that the dispute of billing pertains to the period January 2018 to June 2018 charged by IESCO to the respondent on the disputed billing meter. Onward billing was shifted on the new meter by IESCO vide MCO dated 07.06.2018. Electric supply of the respondent was disconnected by IESCO in October 2018 due to non-payment of dues. IESCO is of the view that the bills charged during the period January 2018 to June 2018 are as per actual consumption recorded by the disputed billing meter. To verify the stance of IESCO, the consumption data as provided by IESCO is being scrutinized as under:

### Consumption Data

Period before dispute		Disputed period		Period after dispute	
Month	Units	Month	Units	Month	Units
Jan-17	0	Jan-18	8419	Jul-18	149
Feb-17	150	Feb-18	600	Aug-18	130
Mar-17	234	Mar-18	5060	Sep-18	143
Apr-17	150	Apr-18	989		
May-17	0	May-18	2232		
Jun-17	130	Jun-18	1200		
<b>Average</b>	<b>111</b>	<b>Average</b>	<b>3083</b>	<b>Average</b>	<b>141</b>

As evident from the above table, that the excessive bills were charged to the respondent during the disputed period i.e. January 2018 to June 2018 by IESCO as compared to the consumption recorded during the undisputed periods before and after the dispute.



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The above analysis negates the version of IESCO regarding the charging of bills as per the reading of the disputed billing meter. Besides, IESCO did not produce the disputed billing meter before POI for checking its accuracy. Therefore, we are inclined to agree with the findings of POI that the bills for the total cost of 18,500 units charged during the disputed period January 2018 to June 2018 are excessive and should be withdrawn. The respondent may be charged total of 1,850 units for the said period as already concluded by POI. The billing account of the respondent may be overhauled after adjustment of payments made against the above-disputed bills.

7. Forgoing in view, we do not find any reason to intervene in the impugned decision, the same is maintained and the appeal is dismissed, accordingly.

Muhammad Qamar-uz-Zaman  
Member/SA (Finance)

Nadir Ali Khoso  
Convener/DG (M&E)

Muhammad Shafique  
Member/SA (Legal)

Dated: 15.01.2021