



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

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No. NEPRA/AB/Appeal-081/POI-2016/093-097

January 16, 2017

1. Abdul Rehman Alamgir,
S/o Pervaiz Alamgir,
R/o House No. 2,
Street No. 38, Kadim Park,
Behind Ittefaq Hospital, Lahore
2. The Chief Executive Officer
LESCO Ltd,
22-A Queens Road,
Lahore
3. Malik Zahid Hussain
Advocate High Court,
Office No. 13, Third Floor,
Saif Centre, 8-Fane Road,
Lahore
4. Sub Divisional Officer,
LESCO Ltd,
Behar Colony Sub Division,
Near Railway Station, PECO Road,
Kot Lakhpat, Lahore
5. Electric Inspector
Lahore Region, Energy Department,
Govt. of Punjab, Block No. 1,
Irrigation Complex, Canal Bank,
Dharampura, Lahore

Subject: **Appeal Titled LESCO Vs. Abdul Rehman Alamgir Against the Decision Dated 23.02.2016 of the Electric Inspector/POI to Government of the Punjab Lahore Region, Lahore**

Please find enclosed herewith the Decision of the Appellate Board dated 16.01.2017, regarding the subject matter, for information and necessary action accordingly.

Encl: **As Above**

(Ikram Shakeel)

No. NEPRA/AB/Appeal-081/POI-2016/098

January 16, 2017

Forwarded for information please.

Assistant Director
Appellate Board

- ✓ 1. Registrar
2. Director (CAD)

CC:

1. Member (CA)



National Electric Power Regulatory Authority

Before Appellate Board

In the matter of

Appeal No. NEPRA/Appeal-081/POI-2016

Lahore Electric Supply Company LimitedAppellant

Versus

Abdul Rehman Alamgir S/o Pervaiz Alamgir R/o House No.2,
Street No. 38, Kadim Park, Behind Ittefaq Hospital, LahoreRespondent

For the appellant:

Mr. Malik Zahid Hussain, Advocate
Mr. Mashrootul Hassan UDC, LESCO

For the respondent:

Mr. Saqib Shahzada

DECISION

1. Through this decision, an appeal filed by Lahore Electric Supply Company Limited (hereinafter referred to as LESCO) against the decision dated 23.02.2016 of the Provincial Office of Inspection/Electric Inspector Lahore Region, Lahore (hereinafter referred to as POI) under Section 38(3) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997 (hereinafter referred to as the NEPRA Act 1997) is being disposed of.
2. Brief facts of the case are that the respondent is a domestic consumer of LESCO bearing Ref No.13-11216-0118802U with a sanctioned load of 1kW under A-1a tariff. The Electricity meter of the respondent was checked by Metering and Testing (M&T) LESCO on 25.11.2013 and reportedly it was found dead stop. The respondent was charged by LESCO on the basis of defective code for the period January 2014 to April 2014 (4 months). However due to default in payment of the electricity bills, supply of the respondent was disconnected and the electricity meter was also removed by LESCO from the premises on 02.12.2014. Subsequently after issuing notice to the respondent regarding above discrepancy, a detection bill amounting to Rs.77,415/-



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for 1,881 units for the period June 2013 to November 2013 (6 months) was charged by LESCO to the respondent on the basis of connected load (2.418 kW + AC) in March 2015.

3. Being aggrieved with the irregular billing, the respondent filed an application before POI on 09.04.2015 and challenged the aforementioned matter. POI disposed of the matter vide its decision dated 23.02.2016, the operative portion of which is reproduced below:

"Summing up the aforesaid discussion, it is held that: 1. The disputed energy meter became defective on 25.11.2013 as per M&T Checking Report. 2. The disputed energy meter recorded 001567 KWH X1 up-to 25.11.2013 as recorded by M&T Checking Team on 25.11.2013 and the same is liable to be charged up to the date of disconnection i.e. 02.12.2014 by the LESCO. 3. The detection bill arrears amounting to Rs.77,415/- charged in the bill of March/2015 is null, void and of no legal consequence and the petitioner is not liable to pay the same. 4. The respondents are directed to restore supply of the petitioner through new accurate meter immediately and overhaul the account of the petitioner by refunding already deposited Rs.38,715/- on 04.12.2015 accordingly."

The instant appeal has been preferred against the aforementioned decision; inter-alia on the grounds that the electricity meter of the respondent was found dead stop during M&T LESCO checking on 25.11.2013 and the connected load observed was higher than the sanctioned load; that the detection bill amounting to Rs.77,415/- for 1,881 units for the period June 2013 to November 2013 (6 months) charged to the respondent on the basis of connected load was justified and that POI had not decided the complaint of respondent within 90 days as prescribed under section 26(6) of the Electricity Act 1910.

4. Notice of the appeal was issued to the respondent for filing of comments/reply which, however, were not filed. The hearing of the appeal was conducted in NEPRA provincial office Lahore on 09.12.2016 in which no one appeared for the appellant LESCO, however Mrs. Pervaiz Alam the mother of the respondent along with Mr. Saqib Shahzada the uncle of the respondent entered their appearance and submitted that they would not claim refund of the money i.e. Rs.38,715/-

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already deposited, if the appeal is not pressed and withdrawn by LESCO. In order to provide fair opportunity of pleading the appeal, the hearing was adjourned for 23.12.2016.

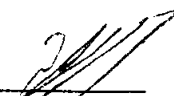
5. On said date, both the parties were present. Mr. Saqib Shahzada uncle of the respondent repeated the offer and contended that they would not claim the already deposited amount of Rs.38,715/- being half of the disputed bill. The offer was accepted by the representatives of LESCO and the matter was settled. In view of the settlement inter se the parties, the appeal is disposed of accordingly.



Muhammad Qamar-uz-Zaman
Member



Nadir Ali Khoso
Convener



Muhammad Shafique
Member

Dated: 16.01.2017

