



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

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No. NEPRA/AB/Appeal-012/POI-2015/ 1295-1299

August 31, 2017

1. Rehmat Bibi,
W/o Bashir Ahmed,
R/o Kahan Wala, Boncki Otar,
P. O. Beharwal Kalan Khas,
Tehsil Pattoki, District Kasur
2. Chief Executive Officer
LESCO Ltd,
22-A, Queens Road,
Lahore
3. Mian Muhammad Javaid,
Advocate Supreme Court,
4-Link Farid Kot Road, Lahore
4. SDO/AM (Operation),
LESCO Ltd,
Phool Nagar Sub Division,
Phool Nagar
5. Electric Inspector
Lahore Region, Energy Department,
Govt. of Punjab, Block No. 1,
Irrigation Complex, Canal Bank,
Dharampura, Lahore

Subject: Appeal Titled LESCO Vs. Rehmat Bibi Against the Decision Dated 30.09.2014 of the Electric Inspector/POI to Government of the Punjab Lahore Region, Lahore.

Please find enclosed herewith the Decision of the Appellate Board dated 30.08.2017, regarding the subject matter, for information and necessary action accordingly.

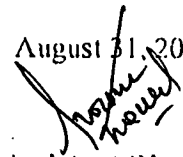
Encl: As Above

No. NEPRA/AB/Appeal-012/POI-2015/ 1300

Forwarded for information please.

(Ikram Shakeel)

August 31, 2017


Assistant Director
Appellate Board

✓ 1. Registrar

CC:

1. Member (CA)



National Electric Power Regulatory Authority

Before Appellate Board

In the matter of

Appeal No. NEPRA/Appeal-012/POI-2015

Lahore Electric Supply Company LimitedAppellant

Versus

Rehmat Bibi W/o Bashir Ahmed, R/o Khan Wala,
Boneki Otar, P.O. Beharwal Kalan Khas,
Tehsil Pattoki, District KasurRespondent

For the Appellant:

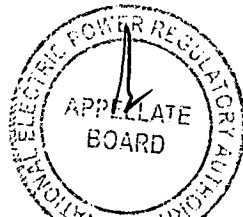
Mian Muhammad Javiad Advocate

For the Respondent:

Nemo

DECISION

1. As per facts of the case, an appeal filed by Lahore Electric Supply Company Limited (hereinafter referred to as LESCO) against the decision dated 30.09.2014 of the Provincial Office of Inspection/Electric Inspector Lahore Region, Lahore (POI) was dismissed by the Appellate Board on 19.08.2015 on the grounds of limitation. Said decision was challenged by LESCO before the Honorable Lahore High Court Lahore through Writ Petition No.29335 of 2015, whereby the decision dated 19.08.2015 of the Appellate Board was set aside by the Honorable High Court vide the decision dated 25.04.2016 with the directions to NEPRA to decide the matter on merits.
2. In pursuance of the directions of Honorable High Court, the appeal was reheard in Lahore on 15.08.2017 wherein Mian Muhammad Javiad represented the appellant



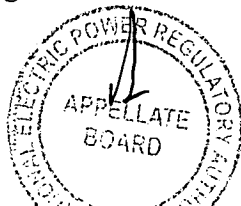


National Electric Power Regulatory Authority

LESCO but no one entered appearance for the respondent. LESCO representative reiterated the same arguments as contained in memo of the appeal and contended that the electricity bills for the period October 2012 to May 2014 were charged to the respondent as per actual meter reading, however payment against the same bills were made by the respondent in installment. LESCO representative explained that due to default in payment of electricity bills, the arrears accumulating to Rs.476,656/- were charged in June 2014 along with the current bill total amounting to Rs.522,440/-. According to LESCO, aforesaid bill was challenged by the respondent before the Honorable Lahore High Court Lahore through Writ Petition No.22013/2014 and the matter was subsequently referred by the honorable High Court to POI for decision within a period of fortnight. LESCO argued that the impugned decision for withdrawal of Rs.522,445/- was without any reason and illegal, therefore liable to be set aside.

3. Arguments heard, record perused and observed as under:

- i. The respondent challenged the electricity bill of Rs.522,445/- charged by LESCO in June 2014 before POI, which contained disputed arrears of Rs.476,656/-.
- ii. Meter of the respondent was checked by POI on 22.09.2014 in presence of both the parties, which was found working within permissible limit and the kWh reading recorded by the meter was noted as 61321.63, whereas the last kWh reading charged by LESCO in the bill for July 2014 was 79,257, which is obviously higher than the actual meter reading. Computation of the difference of readings is given below:





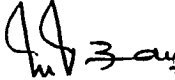
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Description	Dated	kWh Reading
Monthly reading	July 2014	79,257
POI inspection	22.09.2014	61,321
Difference (Excess units)		17,936

Above difference of reading observed during POI checking dated 22.09.2014 established that the respondent was charged 17,936 units in excess by LESCO during the disputed period i.e. October 2012 to June 2014. Therefore the respondent is liable to be provided a credit of 17,936 units during the same period. Since the dispute of excessive billing pertain to the period i.e. October 2012 to June 2014 (21 months), therefore it would be fair and appropriate to refund $(17,936 \text{ units} \div 21 \text{ months} =) 854$ units per month during the said period and the tariff of relevant month as approved and notified officially be made applicable for the purpose of adjustment/credit.

iii. The electricity bill amounting to Rs.522,445/- containing arrears of Rs.476,656/- served in June 2014 should be cancelled and revised after making the adjustment of cost of 17,936 units as explained in sub para (ii) above.

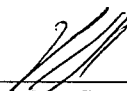
4. The impugned decision is modified in above terms.



Muhammad Qamar-uz-Zaman
Member



Nadir Ali Khoso
Convener



Muhammad Shafique
Member

Dated: 30.08.2017

