



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

NEPRA Office, Ata Turk Avenue (East), G5/1, Islamabad  
Tel. No. +92 051 2013200 Fax No. +92 051 2600030  
Website: [www.nepra.org.pk](http://www.nepra.org.pk) E-mail: [office@nepra.org.pk](mailto:office@nepra.org.pk)

No. NEPRA/AB/Appeal/123/POI/2019/ 1175


November 30, 2020

1. Muhammad Ahsan  
S/o. Muhammad Zakariya,  
R/o. 124-Allam Iqbal Road,  
Garhi Shahu, Lahore
2. Chief Executive Officer  
LESCO Ltd.  
22-A, Queens Road,  
Lahore
3. Saeed Ahmed Bhatti  
Advocate High Court,  
66-Khyber Bloc, Allama Iqbal Town,  
Lahore
4. Sub Divisional Officer (Opr),  
LESCO Ltd.  
Wahga Sub Division,  
Lahore
5. Electric Inspector/POI  
Lahore Region, Energy Department,  
Govt. of Punjab, Block No. 1,  
Irrigation Complex, Canal Bank,  
Dharampura, Lahore

Subject: **Appeal Titled LESCO Vs. Muhammad Ahsan Against the Decision Dated 30.11.2018 of the Provincial Office of Inspection for Government of the Punjab Lahore Region, Lahore**

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, National Electric Power Regulatory Authority Islamabad**

In the matter of

**Appeal No. 123/POI-2019**

Lahore Electric Supply Company Limited

.....Appellant

Versus

Muhammad Ahsan S/o Muhammad Zakaria,  
R/o.124-Allama Iqbal Road, Garhi Shahu, Lahore

.....Respondent

**APPEAL UNDER SECTION 38(3) OF REGULATION OF GENERATION,  
TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997  
AGAINST THE DECISION DATED 30.11.2018 PASSED BY PROVINCIAL  
OFFICE OF INSPECTION LAHORE REGION, LAHORE**

For the appellant:

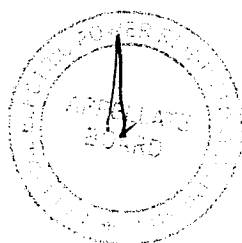
Mr. Saeed Ahmed Bhatti Advocate

For the respondent:

Nemo

## **DECISION**

1. As per facts of the case, the respondent is an industrial consumer of Lahore Electric Supply Company Limited (LESCO) bearing Ref No.46-11311-2023300 having a sanctioned load of 36 kW under the B-2b tariff. The defective billing meter of the respondent was replaced with a new meter by LESCO vide meter change order (MCO) dated 19.12.2017. Subsequently, LESCO issued a bill of Rs.270,946/- for January 2020 to the respondent which contained the detection bill of December 2017 total amounting to Rs.253,039/- for the unbilled 1,141 units/218 kW MDI + low power factor penalty (LPF) of Rs102,896/- + fixed charges of Rs.87,200/-.
2. Being aggrieved, the respondent approached the Provincial Office of Inspection (POI) and challenged the bill of Rs.270,946/- for January 2018 which included the above detection bill. POI disposed of the matter vide its decision dated 30.11.2018, wherein the

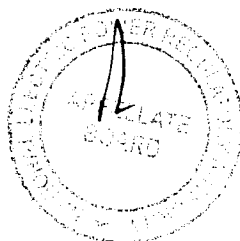




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detection bill of December 2017 total amounting to Rs.253,039/- for the unbilled 1,141 units/218 kW MDI + LPF of Rs102,896/- + fixed charges of Rs.87,200/- was declared as null and void. As per POI decision dated 30.11.2018, LESCO was directed to revise the bill of January 2018 on the basis of consumption of January 2017.

3. Being dissatisfied with the decision dated 30.11.2018 of POI (hereinafter referred to as the impugned decision), LESCO has filed the instant appeal before NEPRA, wherein it is contended that the defective meter of the respondent was replaced with a new meter vide MCO dated 19.12.2017 and the detection bill of Rs.270,946/- for the cost of unbilled 1,141 units/218 kW MDI was charged to the respondent in January 2018. LESCO termed the above detection bill as legal, valid and justified and payable by the respondent. LESCO opposed the impugned decisions inter alia, on the grounds that the aforementioned detection bill was fully proved through authentic documents but POI declared the same as void and allowed LESCO to revise the bill of January 2018 based on the consumption of January 2017; that POI neither recorded the evidence nor perused the relevant record in true perspective and decided the application of the respondent on surmises and conjectures and that the impugned decision is liable to be set aside. Notice of the appeal was sent to the respondent for filing reply/para-wise comments, which were not filed.
4. Hearing of the appeal was held at NEPRA Regional Office Lahore on 09.11.2020 in which learned counsel represented the appellant LESCO but no one made appearance for the respondent. Learned counsel for LESCO reiterated the same arguments as given in memo of the appeal and contended that the defective meter was replaced and checked in M& laboratory in which 1,141 units/218 kW MDI were found pending. LESCO further contended that the detection bill of Rs.253,039/- for 1,141 units/218 kW MDI charged to





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the respondent is justified and payable by the respondent.

5. Having heard arguments and the record perused. The respondent disputed before POI the detection bill of Rs.253,039/- for 1,141 units/218 kW MDI charged by LESCO added in the bill for January 2018. However, LESCO neither associated the respondent during M&T checking nor produced the disputed billing meter before POI for checking. Besides, LESCO did not provide any document (MCO dated 19.12.2017, M&T checking report, prior notice and detection proforma) to prove the justification of the above detection bill. Besides such high consumption i.e. 1,141 units/218 kW MDI neither corresponds to the sanctioned load of 36 kW nor matches the previous consumption of the year 2017 of the respondent. In view of the above discussion, the detection bill of Rs.253,039/- for 1,141 units/ 218 kW MDI charged by LESCO in January 2018 is unjustified and declared null and void as already decided by POI. Likewise, the determination of POI for revision of the bill for January 2018 on the basis of consumption of January 2017 is correct and maintained to this extent.
6. Foregoing in view, we do not find any reason to intervene with the impugned decision, the same is upheld and consequently the appeal is dismissed.

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

