



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

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No. NEPRA/Appeal/046/2025/1034

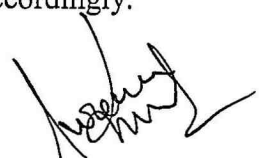
October 28, 2025

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| 1. Shafqat Zaman,
S/o. Sheikh Abdul Manan,
R/o. Kahna Nau, Dhaukhay,
Lahore
Cell No. 0334-4298759 | 2. Chief Executive Officer,
LESCO Ltd,
22-A, Queens Road,
Lahore |
| 3. Saeed Ahmed Bhatti,
Advocate High Court,
66-Khyber Block, Allama Iqbal Town,
Lahore
Cell No. 0300-4350899 | 4. Assistant Manager (Operation),
LESCO Ltd,
Kahna Sub Division,
Lahore |
| 5. POI/Electric Inspector,
Lahore Region-II,
Energy Department, Govt. of Punjab,
342-B, Near Allah Hoo Chowk,
Johar Town, Lahore
Phone No. 042-99333968 | |

Subject: **Appeal No.046/2025 (LESCO vs. Shafqat Zaman) Against the Decision Dated 31.01.2025 of the Provincial Office of Inspection to Government of the Punjab Lahore Region-II, Lahore**

Please find enclosed herewith the decision of the Appellate Board dated 28.10.2025 (04 pages), regarding the subject matter, for information and necessary action, accordingly.

Encl: **As Above**


(Ikram Shakeel)
Deputy Director
Appellate Board

Forwarded for information please.

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



National Electric Power Regulatory Authority

Before the Appellate Board

In the matter of

Appeal No.046/POI-2025

Lahore Electric Supply Company Limited

.....Appellant

Versus

Shafqat Zaman S/o. Sheikh Abdul Manan R/o. Kahna Nau,
Dhaulkay, Lahore

.....Respondent

APPEAL U/S 38(3) OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997

For the Appellant:

Mr. Saeed Ahmed Bhatti Advocate

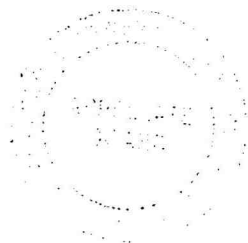
For the Respondent:

Ch. Sarfaraz

DECISION

1. Through this decision, the appeal filed by Lahore Electric Supply Company Limited (hereinafter referred to as the "Appellant") against the decision dated 31.01.2025 of the Provincial Office of Inspection, Lahore Region-II, Lahore (hereinafter referred to as the "POI") is being disposed of.
2. Brief facts of the case are that Mr. Shafqat Zaman (hereinafter referred to as the "Respondent") is an industrial consumer of the Appellant bearing Ref No.24-11535-0511305-U with a sanctioned load of 160 kW and the applicable Tariff category is B-2(b). The Respondent filed a complaint before POI on 19.07.2024 and challenged the arrears of Rs.2,534,464/- added to the bill for June 2024. During joint checking dated 28.01.2025 of POI, both the billing and backup meters were found within BSS limits with readings index noted as $T_L=13973.16$ and $T_L=13951.03$, the joint checking report was signed by both parties without raising any objection. The complaint of the Respondent was disposed of by the POI vide the decision dated 31.01.2025, wherein the arrears of Rs.2,534,464/- were cancelled and the Appellant was directed to charge a revised bill of Rs.2,389,487/- for March 2024 after excluding LPS.
3. Subject appeal has been filed by the Appellant before NEPRA against the afore-referred decision (hereinafter referred to as the "impugned decision"). In its appeal, the Appellant opposed the maintainability of the impugned decision, *inter-alia*, on the following grounds

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that the Respondent agitated the arrears of Rs.2,534,464/- till March 2024 before POI; that the impugned decision is against the law and facts of the case; that the POI misconstrued the fact of the case and erred in holding that the arrears of Rs.2,534,464/- for March 2024 are null and void and the Appellant is directed to charged revised bill of Rs.2,389,487/- for March 2024 after excuding LPS; that the impugned decision is result of misreading and non-reading of the documents/ consumption data placed on record; that the POI failed to decide the matter within 90 days, which is violative of Section 26(6) of Electricity Act 1910 and that the impugned decision is liable to be set aside. Notice dated 27.03.2025 of the appeal was issued to the Respondent for filing reply/para-wise comment, which were not filed.

4. Hearing of the appeal was conducted at the NEPRA regional office Lahore on 16.08.2025. wherein both parties tendered appearance. Learned counsel for the Appellant repeated the same contention as contained in memo of the appeal and contended that the Respondent challenged the bill of March 2024 before the POI, who vide impugned decision afforded the relief beyond the prayer of the Respondent by directing the Appellant to charge a revised bill of Rs.2,389,487/- for March 2024 to the Respondent. He termed the arrears of RS.2,534,465/- as justified and prayed for setting aside the impugned decision. On the contrary, the representative for the Respondent rebutted the version of the Appellant and argued that the Appellants are involved in excessive billing with fictitious readings, which were subsequently established during the POI joint checking dated 28.01.2025. The representative for the Respondent submitted that the billing and backup meters were found within BSS limits during the joint inspection carried out by the POI, hence the lower fourm rightly directed the Appellant to charge a revised bill, which was excessively charged to the Respondent. He finally prayed for the dismissal of the appeal.
5. Having heard the arguments and the record perused. Following are our observations:
 - i. While addressing the objection of the Appellant regarding the jurisdiction of the POI, the Respondent filed his complaint before the POI on 19.07.2024 under Section 38 of the NEPRA Act. POI pronounced its decision on 31.01.2025, i.e., after ninety (90) days of receipt of the complaint. The Appellant has objected that the POI was bound to decide the matter within 90 days under Section 26(6) of the Electricity Act, 1910. In this regard, it is observed that the forum of POI has been established under Section 38 of the NEPRA Act, which does not put a restriction of 90 days on POI to decide complaints. Section 38 of the NEPRA Act overrides provisions of the Electricity Act, 1910. Reliance in this regard is placed on the judgments of





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the honorable Lahore High Court, Lahore reported in *PLJ 2017-Lahore-627* and *PLJ-2017-Lahore-309*. The relevant excerpt of the above judgments is reproduced below:

“PLJ 2017-Lahore-627:

Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997---838(3)--Electricity Act, 1910, S. 26(6)--Constitution of Pakistan, 1973. Art. 199--Constitutional petition--Consumer of LESCO.. The sanctioned load was differed with the connected load--Determine the difference of charges of the previous period of misuse to be recovered from the consumer--Validity--No disconnection or penal action was taken against petitioner rather only difference of charges between sanctioned load and load actually used by petitioner was charged, hence Clause 7.5 of Consumer Service Manual has not been violated--Issuance of detection bill itself amounts to notice and petitioner had also availed remedy before POI against determination--Order passed by POI was beyond 90 days--Order was not passed by the respondent under Section 26(6) of the Act as Electric Inspector rather the order was passed by him in the capacity of POI under Section 38(3) of Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (NEPRA Act), therefore, argument has no substance.

PLJ-2017-Lahore-309:

The learned counsel for the petitioner submitted that there was an outer time limit of 90 days for a decision by the Electric Inspector which has not been observed and which rendered the decision of the Electric Inspector a nullity. This submission of the learned counsel has been dealt with by the Appellate Board and, in any case, is fallacious. The short and simple answer rendered by the Appellate Board was that the decision was made under Section 38 of the Act, 1997, and not in terms of Section 26 of the Electricity Act, 1910. Therefore, the outer time limit of 90 days was inapplicable.”

Keeping in view the overriding effect of the NEPRA Act on the Electricity Act, 1910, and the above-referred decisions of the honorable High Court, the objection of the Appellant is dismissed.

- ii. The Respondent filed a complaint before POI and challenged the bill of March 2024 with the plea that excessive billing was done by the Appellant. During the joint checking dated 28.01.2025 of POI, both the billing and backup meters of the Respondent were found within BSS limits. Joint checking reports were signed by both parties without raising any objection. To further check the accuracy of both the billing and backup meters, an analysis is done below:

% fastness	$\frac{-(\text{Reading of back meter} - \text{Reading of the billing meter}) \times 100}{\text{Reading of the backup meter}}$
	$= \frac{(13951 - 13973) \times 100}{13951} = -0.16\%$

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The above comparison of the reading difference between the billing and backup meters shows that the billing meter remained 0.16% fast as compared to the backup meter, which is within permissible limits of 3% as envisaged in Rule 32 of Electricity Rules, 1937. Thus, it is established that both the impugned billing and backup meters were functioning correctly as witnessed by the POI.

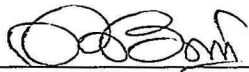
- iii. As far as the contention of the Respondent regarding excessive billing done by the Appellant, the bill of March 2024 is compared below with the reading noted by the M&T during checking dated 16.04.2024:

Date of checking	Meter No.	Off-peak Reading	Peak Reading	Total
Monthly reading noted in the bill for March 2024	00026922	9999	1827	11826
M&T checking dated 16.04.2024	00026922	9930	1837	11768

The above comparison of the consumption data shows that the Appellant debited the bill of March 2024 with the total reading of 11826, whereas the reading of the impugned billing meter of the Respondent was noted as 11768 during the M&T checking dated 16.04.2024. The Appellant subsequently adjusted the excessive billing in the future bills. This indicates that the Appellant debited the excessive bill with fictitious reading for March 2024; therefore, the Respondent cannot be held responsible for payment of LPS due to irregular billing done by the Appellant in March 2024.

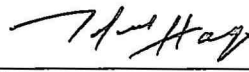
- iv. In view of the foregoing discussion, we are inclined to agree with the determination of the POI for declaring the arrears of Rs.2,534,465/- for March 2024 as null and void and revision of the bill of Rs.2,389,487/- for March 2024 after excluding LPS.

7. Foregoing in view, the appeal is dismissed.


Abid Hussain
Member/Advisor (CAD)

Dated: 28-10-2025


Naweed Illahi Sheikh
Convener/DG (CAD)


Muhammad Irfan-ul-Haq
Member/ALA (Lic.)