



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

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No. NEPRA/Appeal/063/2024/898

October 01, 2025

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|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Saud-ur-Rehman,
S/o. Khewa Khan,
M/s. Saud-ur-Rehman Marble Factory,
Opposite Almas Tower, Warsak Road,
Peshawar | 2. Chief Executive Officer
PESCO Ltd,
WAPDA House, Sakhi Chashma,
Shami Road, Peshawar |
| 3. Saeed Khan Akhunzada,
Advocate High Court,
Chamber No. 19, Muslim Block,
District Courts, F-8 Markaz,
Islamabad
Cell No. 0300-8597974 | 4. Executive Engineer (Operation),
PESCO Ltd,
Rural Division,
Peshawar |
| 5. Sub Divisional Officer (Operation),
PESCO Ltd,
Warsak-I Sub Division,
Peshawar
Cell No. 0370-1340161 | 6. POI/Electric Inspector,
Peshawar Region,
Benevolent Fund Building,
3rd Floor, Near Jans Bakers,
Peshawar Cantt,
Phone No. 091-9211343 |

Subject: **Appeal No.063/2024 (PESCO vs. Saud-ur-Rehman) Against the Decision Dated 04.10.2023 of the Provincial Office of Inspection to Government of the Khyber Pakhtunkhwa Peshawar Region, Peshawar**

Please find enclosed herewith the decision of the Appellate Board dated 01.10.2025 (03 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.063/POI-2024

Peshawar Electric Supply Company Limited

.....Appellant

Versus

Saud-ur-Rehman, S/o. Khewa Khan, M/s. Saud-ur-Rehman Marble Factory,
Opposite Almas Tower, Warsak Road, Peshawar

.....Respondent

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

For the Appellant:

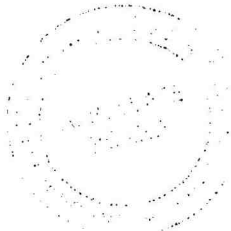
Mr. Saeed Khan Akhunzada Advocate

For the Respondent:

Nemo

DECISION

1. Through this decision, the appeal filed by Peshawar Electric Supply Company Limited (hereinafter referred to as the "Appellant") against the decision dated 04.10.2023 of the Provincial Office of Inspection, Peshawar Region, Khyber Pakhtunkhwa (hereinafter referred to as the "POI") is being disposed of.
2. Brief facts of the case are that Mr. Saud-ur-Rehman (the "Respondent") is an industrial consumer of the Appellant bearing Ref No.30-26161-0966134 with a sanctioned load of 159 kW and the applicable Tariff category is B-2(b). During checking dated 29.05.2023 of the Appellant, the impugned meter of the Respondent was found 50% slow (yellow phase=17% +blue phase=33% slow), therefore, the Appellant charged a detection bill of 52,786 units for twelve months i.e., May 2022 to May 2023, to the Respondent @ 50% slowness of the meter. The Respondent filed a complaint before POI on 04.09.2023 and challenged the above detection bill, which was disposed of by the POI vide the decision dated 04.10.2023, wherein the detection bill of 52,786 units was cancelled and the Appellant was directed to charge revised bill of 8,228 units +35 kW MDI @ 50% slowness of the meter.
3. Being dissatisfied, the Appellant filed instant appeal before the NEPRA against the afore-referred decision of the POI, which was registered as Appeal No. 063//POI-2024. In its appeal, the Appellant opposed the maintainability of the impugned decision, *inter-alia*, on the following grounds that the impugned detection bill of 52,786 units for twelve months i.e.



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May 2022 to May 2203 was debited to the Respondent on account of 50% slowness of the meter as observed on 29.05.2023; that the POI has not applied his judicial mind to the facts that the POI has not addressed the issue that AMR meter is computerized equipment which continuously sends the data to its server and stores the same permanently; that the CSM 2021 has not answered the question of burnt/damaged CTs of AMR meter as the CTs are fixed outside the metering equipment; that the POI has ignored the fact that subject assessment was vetted by the said forum prior communication to the Respondent and passed the impugned decision arbitrarily; and that the impugned decision is liable to be set aside. Notice dated 12.07.2024 of the appeal was issued to the Respondent for filing reply/para-wise comment, which however, were not filed.

4. Hearing of the appeal was conducted at NEPRA Head Office, Islamabad, on 25.08.2025, wherein learned counsel appeared for the Appellant, whereas no one represented the Respondent. Learned counsel for the Appellant contended that the impugned meter of the Respondent was found 50% slow during checking dated 29.05.2023, which may be verified through AMR data. Learned counsel for the Appellant further contended that the impugned meter of the Respondent remained 50% slow from May 2022 to May 2023; therefore, a detection bill of 52,786 units for the period from May 2022 to May 2023 was debited to the Respondent to account for revenue loss sustained by the Appellant. As per learned counsel for the Appellant, the POI did not consider the real aspects of the case and erroneously declared the above detection bill as null and void and allowed the Appellant to recover 50% slowness of the impugned meter for 8,228 units for two months only. He finally prayed that the impugned decision is unjustified and liable to be struck down.
5. Having heard the arguments and the record perused. Following are our observations:
 - i In the instant case, the Appellant claimed that M&T on 29.05.2023 detected that the impugned meter was found 50% slow and debited a detection bill of 52,786 units for twelve months, i.e., May 2022 to May 2023, to the Respondent, which is under dispute.
 - ii It is observed that the Appellant debited the impugned detection bill for twelve (12) months, which is contrary to Clause 4.3.3c(ii) of the CSM-2021. The said clause of the CSM-2021 restricts the Appellant to debit the slowness maximum for two months to the Respondent. To further verify the contention of the Appellant, the consumption data of the Respondent is reproduced below:

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Month	Units	Month	Units	Month	Units
Jun-21	3326	Jun-22	4493	Jun-23	4876
Jul-21	7336	Jul-22	7225	Jul-23	8369
Aug-21	3439	Aug-22	4174	Aug-23	4676
Sep-21	6035	Sep-22	6322	Sep-23	11980
Oct-21	6732	Oct-22	1711	Oct-23	13608
Nov-21	8021	Nov-22	1222	Nov-23	14303
Dec-21	8354	Dec-22	4894	Dec-23	12509
Jan-22	6469	Jan-23	5130	Jan-24	220
Feb-22	8434	Feb-23	3868	Feb-24	67
Mar-22	6835	Mar-23	3485	Mar-24	0
Apr-22	10547	Apr-23	5061	Apr-24	0
May-22	7037	May-23	3167	May-24	0
Total	82565	Total	50752	Total	70608

As evident from the above table, the consumption of the Respondent during the disputed period is considerably less than the consumption of corresponding months of the preceding and succeeding years. However, this does not entitle the Appellant to debit the detection bill beyond two billing cycles in case of a slow meter. Even otherwise, the NEPRA Authority vide order dated 13.06.2024 retained the period of supplementary/detection bill for two billing cycles in case of the slowness of the metering equipment/defective CTs as mentioned in Clause 4.4(e) of CSM-2010 (existing Clause 4.3.3 of CSM-2021).

iii In view of the aforementioned order of the Authority, the POI has rightly cancelled the detection bill of 52,786 units for twelve months, i.e., May 2022 to May 2023, being contrary to the aforesaid clause of the CSM-2021 as well as in violation of the order dated 13.06.2024 of the Authority. The Respondent may be charged 50% slowness for two months prior to the checking dated 29.05.2023 as per Clause 4.3.3c(ii) of the CSM-2021, and the bills with enhanced MF due to 50% slowness w.e.f the checking dated 29.05.2023 and onwards till the replacement of the impugned meter, pursuant to Clause 4.3.3c(i) of the CSM-2021.

6. The impugned decision is modified in the above terms.

Abid Hussain
Member/Advisor (CAD)

Dated: 01-10-2025

Naweed Illahi Sheikh
Convener/DG (CAD)

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

