



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

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No. NEPRA/Appeal/055/2026/ 761

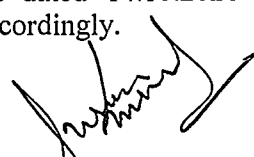
October 14, 2026

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|---|--|
| 1. Jahanzaib Khan,
C/o. Khurshid Ahmad,
R/o. H-1, House No. 112,
Hayatabad, Peshawar
Cell No. 0340-5775717
0335-0191284 | 2. Chief Executive Officer,
PESCO Ltd,
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| 3. Executive Engineer (Operation),
PESCO Ltd,
Khyber Division,
Peshawar
Cell No. 0300-9735678 | 4. Sub Divisional Officer (Operation),
PESCO Ltd,
Hayatabad Sub Division,
Peshawar
Cell No. 0300-4647612 |
| 5. POI/Electric Inspector,
Peshawar Region,
Benevolent Fund Building,
3rd Floor, Near Jans Bakers,
Peshawar Cantt,
Phone No. 091-9211343 | |

Subject: **Appeal No.055/2026 (PESCO vs. Jahanzaib) Against the Decision Dated 09.02.2026 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 14.10.2026 (11 pages), regarding the subject matter, for information and necessary action, accordingly.

Encl: **As Above**


(Ikram Shakeel)
Additional 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.055/POI-2026

Jahanzaib Khan C/o. Khurshid Ahmed,
R/o. House No.112, Street H-1, Hayatabad, Peshawar

.....Appellant

Versus

Peshawar Electric Supply Company Limited

.....Respondent

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

For the Appellant:
Mr. Jahanzaib Khan

For the Respondent:
Mr. M. Zikria XEN
Mr. Sajjad Ahmed SDO

DECISION

1. Through this decision, the appeal filed by Mr. Jahanzaib Khan (hereinafter referred to as the "Appellant") against the decision dated 09.02.2026 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 the Appellant is a domestic consumer of Peshawar Electric Supply Company Limited (hereinafter referred to as the "Respondent") having two connections i.e., (i) single phase connection bearing Ref No.06-26215-0077414 with sanctioned load of 04 kW and the applicable tariff category is A-1 (hereinafter referred to as the "first connection") & (ii) three phase connection bearing Ref No.06-26215-0077415 with a sanctioned load of 06 kW, and the applicable Tariff category is A-1(b) (hereinafter referred to as the "second connection"). The Appellant alleged that total eight (08) meters of the first connection were replaced by the Respondent officials from February 2014 to November 2024, whereas three (03) meters of the second connection were replaced from April 2014 to January 2017, however the Respondent neither provided any justification for the replacement of total eleven (11) meters of both connections nor could retrieve

the data of the impugned meters. According to the Appellant, normal bills were issued against the first connection till September 2023 and the same were paid by him regularly. Thereafter, the Respondents debited irregular bills from October 2023 and onward till disconnection of the first connection, which resulted in accumulation of arrears to the tune of Rs.615,052/- against the first connection. Similarly, the Appellant admitted that the bills charged against the second connection till March 2024 were normal and he made payments regularly. Thereafter, the Respondents charged the irregular/inflated bills w.e.f April 2024 and onwards against the second connection. However, he made partial payments, which resulted in accumulation of the arrears to the tune of Rs.2,012,794/-.

3. Being aggrieved with the above actions of the Respondent, the Appellant initially approached the Respondent, however the grievance of the Appellant was not redressed by the Respondent. Thereafter, the Appellant filed a complaint before Wafaqi Mohtasib and challenged the irregular/inflated bills charged by the Respondent against both connections. After litigation before different forums i.e. Wafaqi Mohtasib, FIA, Civil Court and Consumer Court etc., the Appellant finally approached the POI and challenged the arrears of Rs.615,052/- accumulated till July 2025 against first connection and the arrears of Rs.1,972,879/- accumulated against the second connection. The complaint of the Appellant was disposed of by the POI vide decision dated 09.02.2026, the operative portion of which is reproduced below:

"It is therefore decided that the amount of Rs.615,052/- debited against A/C Ref. No.06-26215-0077414 and Rs.1,972,879/- against A/C Ref. No.06-26215-0077415 shall be transferred to the deferred column and be recovered from the Consumer in easy installments along with current bill and a revised bill be prepared and delivered to the Consumer for payment."

4. The Appellant filed subject appeal before NEPRA against the afore-referred decision of the POI (hereinafter referred to as the "impugned decision"), which was registered as the Appeal No. 055/POI-2026. In his appeal, the Appellant opposed the impugned decision *inter alia*, on the main grounds that his electricity meters were repeatedly changed, particularly, the single-phase meter, which was changed eight (8) times; that the meters were removed without prior notice; that the removed meter remained in the custody of the SDO for approximately 23–45 consecutive days before being sent to the M&T Lab; that the lab report allegedly mentioned an EPROM (Erasable Programmable Read Only Memory) error and the final reading could not be retrieved; that if the



National Electric Power Regulatory Authority

meter's EPROM data could not be retrieved, then how the monthly consumption shown in the bills was generated; that the meter testing was conducted without the representation of the Appellant; that the Respondent even failed to provide the Meter Change Order (MCO), snapshots and PITC report; that the Respondents have done irregular billing against both connections; that the POI directed the Respondent to transfer the disputed arrears to the deferred column and recover through installments along with current bills; that the impugned decision does not clearly specify the amount/installment plan, creating a possibility of an unaffordable burden; that due to irregular billing by the Respondent, arrears accumulated to the tune of Rs.615,052/- and Rs.1,972,879/- against the first and second connections respectively; that the Appellant prayed for cancellation of (i) exaggerated/unjustified charges from the bills, (ii) restore the current billing; (iii) reinstall the meters of the premises and to conduct an impartial technical review to justify the repeated meter replacements.

5. Upon the filing of the instant appeal, a notice dated 19.05.2026 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days. Thereafter, hearing of the subject appeal was conducted on 16.06.2026, which however was adjourned due to non-appearance of the Respondent. In order to provide an opportunity of hearing to the Respondent, the case was again fixed on 29.07.2026. On the said date, the case was discussed in detail with parties, subsequently, hearing was adjourned by this forum vide order dated 11.08.2026, the operative portion of which is reproduced below:

"In view of the above, the hearing is adjourned with the direction to this office to provide a copy of the appeal to the SDO of the Respondent for submission of reply/parawise comments. The Respondent is directed to submit the record pertaining to both single and three phase connections of the Appellant, containing the MCOs, M&T checking reports, detection proforma, PITC data for the period from 2016 to 2026 and the billing history/payment history of both the single-phase and three-phase connections from January 2016 to date, in order to substantiate the bills raised against the Appellant. The aforesaid documents shall be submitted within seven (07) working days, positively. It may be noted that no further adjournment shall be granted and the matter will be decided on the basis of the available record in accordance with law."

6. In compliance with the foregoing order of this forum, the Respondent submitted reply along with supporting documents on 12.08.2026. In the reply, the Respondent rebutted the version of the Appellant regarding irregular billing against both connections and stated that the electricity meters installed at the Appellant's premises remained intact and in their original condition during their



National Electric Power Regulatory Authority

period of use. According to the Respondent, the Appellant did not pay electricity bills within the prescribed due dates and made partial payments, resulting in accumulation of substantial arrears and due to continued default and accumulation of arrears, the electricity meters were removed. As per the Respondent, the Appellant subsequently approached various courts and obtained stay orders, pursuant to which the electricity supply was restored, thereafter, the Appellant approached the Federal Investigation Agency (FIA), alleging that the recorded electricity units had been incorrectly billed and requesting testing of the meter, therefore, the Metering & Testing (M&T) Department tested the impugned meter and reported that it was functioning properly and recording consumption correctly. The Respondent contended that the Appellant subsequently approached the Consumer Court, which referred the matter to POI for decision. The Respondent further contended that the POI directed the consumer to deposit Rs.200,000/- in addition to the regular monthly bill, which was deposited, but the remaining outstanding bills were not paid by the Appellant. The Respondent further stated that no detection bill was issued against either of both connections and the billed units were based on actual consumption recorded by the meters. The Respondent referred to letter No. 5378-82 dated 21.05.2026 issued by the Additional Director General (Commercial), whereby a schedule for payment of outstanding dues in installments was approved against both connections of the Appellant. The Respondent finally prayed that the complaint be dismissed on the ground that the Appellant's allegations are unsupported by the available record and the Appellant be directed to clear the outstanding electricity dues in accordance with the applicable laws, rules and regulations

7. The Appellant submitted additional comments vide application dated 17.08.2026, wherein he repeated the same contention as contained in memo of the appeal and *inter alia*, requested verification of the complete meter replacement and billing record of both connections. He stated that bills were issued against more than eleven different meter numbers and requested the Respondent to produce the complete history of installation, replacement, testing and custody of such meters. He further contended that abnormal billing suddenly increased substantially in respect of both the three-phase and single-phase connections without satisfactory explanation. The Appellant alleged that despite repeated requests, the faulty three-phase meter was not timely replaced and that the relevant M&T laboratory testing was not conducted transparently in his presence. He particularly relied upon the laboratory report stating that the EPROM of the single phase meter was faulty and requested determination of billing strictly in accordance with the



National Electric Power Regulatory Authority

applicable NEPRA Consumer Service Manual (the "CSM"). He also requested production of the original notices, M&T reports, detection calculations, PITC data, and billing/payment history and system audit trail relating to changes in meter numbers and billing data. The Appellant further referred to the Consumer Court proceedings and alleged non-compliance with the direction for restoration of supply after payment of Rs.200,000. Accordingly, he requested that the Respondent's assertions and the disputed bills be reconciled with the original documentary, technical and electronic records before determination of the matter. The Appellant submitted record related to the case on 25.08.2026, 07.09.2026 and 16.09.2026 along with written arguments, wherein he alleged that Mr. Shah Riaz the official and concerned SDO for the Respondent have personal grudge with them and Mr. Shah Riaz has grabbed money from the Appellant for replacement of faulty meter, however neither faulty meter was replaced nor the money was returned by the concerned official. He stated that the M&T report itself contradictory wherein on one hand, the impugned meters were declared OK, while on the other hand, the EPROM is declared faulty and data is not retrievable, hence the record of data retrieval be sought for verification. The Appellant submitted that the impugned meters are installed on the pole and he does not have physical control over the meters, hence he cannot be held accountable for payment of any detection bill.

8. Meanwhile, a hearing was conducted at NEPRA Head Office Islamabad on 02.09.2026, which was attended by both parties. The Appellant appearing in person repeated the same contention as contained in memo of the appeal and *inter alia*, submitted that the Respondent have done irregular billing against both of his connections against which he made partial payments but due to irregular billing, the arrears of Rs.615,052/- and Rs.2,012,794/- accumulated against the first and second connections, respectively. The Appellant further contended that total eleven (11) meters were replaced by the Respondent from the year 2014 to date, however neither the Respondent served prior notice nor associated the Appellant during the alleged checkings, hence he cannot be held responsible for payment of any irregular bill. The Appellant further submitted that he approached difference forums for redressal of his grievance and finally before the POI, who even neither perused the record nor considered the facts of the case and rendered the impugned decision on mere surmises and conjectures. He averred that Mr. Shah Riaz the official for the Respondent is involved in maladministration and irregular billing despite payment by him, he neither replaced the impugned meters nor returned the money. The Appellant informed that the Respondents have disconnected electricity of both connections of the premises since long despite regular payments



National Electric Power Regulatory Authority

done by him against the irregular bills. The Appellant finally prayed for setting aside the impugned decision and determination of disputed bills afresh after correct perusal of record and the documentary evidences. On the contrary, the Respondent's official rebutted the version of the Appellant and averred that the aforesaid arrears accumulated against both connections of the Respondent due to partial payments against the regular bills charged from the year 2023 to 2025. He averred that the Appellant impugned the functioning of the impugned meters of both connections, which were subsequently checked in M&T laboratory and found within permissible limits. As per the Respondent's representative, three (03) single meters of the first connection became defective during the disputed period, whereas, three phase meter of the second connection is functioning accurately and still installed on the pole. According to the Respondent's official, the Appellant made partial payments against both connections, therefore electricity of both connections is disconnected in order to avoid further revenue loss sustained due to non-payment of regular monthly bills. He defended the impugned decision and prayed for dismissal of the appeal being devoid of merits.

9. Arguments were heard and the record placed before us was examined. Following has been observed:

- i. The Appellant agitated the replacement of total eleven meters (eight single phase meters and eight three phase meters) against his both connections from the years 2014 to 2024 and pleaded for verification of accuracy of said meters by this forum. In this regard, reliance is placed upon the Article 181 of the Limitation Act, 1908, which provides period of three years for filing complaint before the competent forum. However, the claim of the Appellant beyond 03 years is barred by time being inconsistent with Article 181 of the Limitation Act, 1908. In this regard, reliance is placed on the judgment of the honorable Lahore High Court in the case titled "Muhammad Hanif vs. NEPRA" reported as 2018 CLC 1689 Lahore, wherein it is held as under;

"The petitioner at the most can invoke Article 181 of The Limitation Act, 1908 which is the residuary provision and caters the issue of limitation where no period of limitation is provided elsewhere in the Schedule of The Limitation Act 1908 or under section 48 of The Code of Civil Procedure (V of 1908) Article 181 of The Limitation Act 1908 prescribes three years for filing an application that applies when the right to apply accrues as prescribed in Article 181 of Limitation Act, 1908.



National Electric Power Regulatory Authority

- ii. Even otherwise, the Appellant admitted that the regular bills were issued against the first connection till September 2023 and the same were paid by him without any default. Thereafter, the Respondents debited irregular bills from October 2023 and onward till disconnection of the first connection, which resulted in accumulation of arrears to the tune of Rs.615,052/- against the first connection. Similarly, the Appellant admitted that the bills charged against the second connection till March 2024 were normal and he made payments regularly. Thereafter, the Respondents charged the irregular/inflated bills w.e.f April 2024 and onwards against which he made partial payments, however the arrears accumulated to the tune of Rs.2,012,794/-.
- iii. Foregoing in view, it is opined that the claim of the Respondent with regard to the replacement of the eleven (11) meters for the years 2014 to 2024 is barred by time as well as contradictory to his own statement and the same is rejected.
- iv. Single phase connection bearing Ref No. 06-26215-0077414 (first connection):

The Appellant admitted that the Respondent charged monthly bills till September 2023 on normal mode, thereafter, irregular bills were debited from October 2023 to July 2025. This resulted in accumulation of arrears of Rs.615,052/- against the first connection of the Appellant. To verify the contention of the Appellant, consumption data is analyzed below:

Table-1:

Period before dispute						Disputed period		Remarks
Month	Units	Month	Units	Month	Units	Month	Units	
Oct-20	116	Oct-21	110	Oct-22	109	Oct-23	180	Active
Nov-20	158	Nov-21	132	Nov-22	109	Nov-23	106	Meter(002087083)
Dec-20	159	Dec-21	108	Dec-22	91	Dec-23	758	Active
Jan-21	165	Jan-22	109	Jan-23	89	Jan-24	677	Active
Feb-21	118	Feb-22	104	Feb-23	84	Feb-24	778	Active
Mar-21	128	Mar-22	111	Mar-23	94	Mar-24	1796	Active
Apr-21	108	Apr-22	102	Apr-23	96	Apr-24	0	Same read
May-21	163	May-22	122	May-23	73	May-24	3341	Meter(002095605)
Jun-21	148	Jun-22	102	Jun-23	97	Jun-24	1431	Active
Jul-21	153	Jul-22	104	Jul-23	104	Jul-24	0	Same Read
Aug-21	134	Aug-22	102	Aug-23	106	Aug-24	0	Same Read
Sep-21	66	Sep-22	62	Sep-23	108	Sep-24	1245	Disconnected
Average	135	Average	106	Average	97	Average	1,146	-



National Electric Power Regulatory Authority

As evident from the above table, the billing meter bearing No.002087083 (the “first meter”) was installed by the Respondent in November 2023 and it was subsequently replaced with a new meter bearing No.002095605 (the “second meter”) by the Respondent in May 2024. Thereafter, the first meter was checked by the M&T department of the Respondent, which vide report dated 27.06.2024 declared the first meter as accurate with reading index noted as 6,471. Similarly, the second meter was also checked by the M&T department of the Respondent, which vide report dated 06.08.2025 declared the same ok with reading index noted as 3663. However the Appellant was not associated in the aforesaid checkings of the Respondent. It is further observed that the Respondent charged the bills @ 1,146 units/month during the disputed period from October 2023 to September 2024, which is much higher than the normal average consumption of the Appellant for the last three years. It is further noted that the average consumption charged @ 1,146 units/month during the disputed period is even considerably higher than the 584 units/month [4 kW x 730 hrs. x 0.2 (LF)] assessed as per the formula given in CSM-2021.

- v. In view of foregoing discussion, we are of the considered view that the dispute of irregular bills arose from the installation of first meter in November 2023, therefore the bills for the period from November 2023 to September 2024 charged against the first connection (single phase connection) of the Appellant are not justified being excessive and the same are cancelled.
- vi. The Appellant is liable to be charged the revised bills @ 584 units/month from November 2023 to September 2024 against the first connections (single phase connection) as calculated @ 20% load factor of the sanctioned load i.e. 4 kW as given in CSM-2021. Impugned decision is liable to be modified to this extent.
- vii. Three phase connection bearing Ref No. 06-26215-0077415 (second connection):
With regard to the disputed billing charged against the second connection (three phase connection), the Appellant admitted that the Respondent charged normal monthly bills till March 2024, thereafter debited irregular bills from April 2024 and onwards. This resulted in accumulation of arrears to the tune of Rs.2,012,794/- against the second connection of the Appellant.
- viii. To verify the contention of the Appellant regarding irregular billing done by the Respondent, the consumption data of second connection is analyzed in the below table-B:



National Electric Power Regulatory Authority

Table-B

Period before dispute				Disputed period			
Month	Units	Month	Units	Month	Units	Month	Units
Apr-22	884	Apr-23	373	Apr-24	256	Apr-25	1256
May-22	1308	May-23	285	May-24	460	May-25	2457
Jun-22	1767	Jun-23	379	Jun-24	1266	Jun-25	4278
Jul-22	1055	Jul-23	436	Jul-24	2443	Jul-25	5187
Aug-22	1118	Aug-23	424	Aug-24	4195	Aug-25	0
Sep-22	1064	Sep-23	403	Sep-24	3598	Sep-25	3542
Oct-22	897	Oct-23	390	Oct-24	3461	Oct-25	681
Nov-22	794	Nov-23	419	Nov-24	1524	Nov-25	0
Dec-22	717	Dec-23	223	Dec-24	1171	Dec-25	0
Jan-23	897	Jan-24	181	Jan-25	2029	Jan-26	0
Feb-23	1091	Feb-24	148	Feb-25	1675	Feb-26	0
Mar-23	603	Mar-24	126	Mar-25	1155	Mar-26	14
Average	1016	Average	316	Average	2,258		

Perusal of billing record of the second connection of the Appellant revealed that the billing meter bearing No.000043071 was installed by the Respondent in April 2017 and the billing was carried out by the Respondent w.e.f April 2017 and onwards till disconnection against the reading recorded by the above said meter. Hence, the contention of the Appellant with regard to the replacement of the three phase meter of second connection has no force and the same is rejected.

- ix. Now the fate of the disputed bills for the period from April 2024 to October 2025 need to be determined. It is observed that the Respondent charged the bills @ 2,258 units/month during the disputed period from April 2024 to October 2025, which are much higher than the normal average consumption of the Appellant for the last two years. It is further observed that the normal average consumption charged @ 316 units/month during the undisputed period i.e. April 2023 to March 2024 is even not compatible with 1,095 units/month $[6 \text{ kW} \times 730 \text{ Hr.} \times 0.25 \text{ (LF)}]$ assessed as per the formula given in CSM-2021.
- x. The Appellant even disputed the accuracy of three phase meter bearing No.000043071 and pleaded for checking of said meter in his presence. In this regard, readings of the impugned three phase meter given in the PITC data are compared below with the actual readings of the impugned meter as provided by the Respondent in September 2026:



National Electric Power Regulatory Authority

Table-C

Readings	Off-peak	Peak	Total	Readings	Off-peak	Peak	Total
Jun-26	92314	20248	112562	Sep-2026	92363	20254	112617

It is observed that the readings of the impugned meter of the second connection recorded in the bill of June 2026 are equivalent to the readings of impugned meter noted by the Respondent in September 2026. This indicates that the bills charged to the Appellant during the disputed period seems justified.

- xi. However for the satisfaction of the Appellant, it would be judicious that the accuracy of the impugned meter bearing No. 000043071 of the second connection (three phase connection) be checked by the M&T department in the presence of the Appellant and;
- a. If the impugned meter of the second connection found within permissible limits, the recovery of the arrears accumulated against the second connection be made in easy installments as already decided by the POI.

Or

- b. In case, the impugned meter of second connection found running fast during the joint checking of the Respondent, the Appellant be afforded credit/refund against the units charged during the disputed period April 2024 to October 2025.

10. In view of what has been stated above, it is concluded as under:

- i. Single phase connection bearing Ref No. 06-26215-0077414 (first connection)
The bills for the period from November 2023 to September 2024 charged by the Respondent to the single phase connection of the Appellant are not justified being excessive and the same are cancelled. The Appellant may be charged the revised bills @ 584 units/month from November 2023 to September 2024 against the first connection (single phase connection) as calculated on the basis of 20% load factor of the sanctioned load i.e. 4 kW, pursuant to the formula given in CSM-2021.
- ii. Three phase connection bearing Ref No. 06-26215-0077415 (second connection)
For the satisfaction of the Appellant, the accuracy of the impugned meter bearing No. 000043071 of the second connection (three phase connection) be checked in the presence of the Appellant and;
- a. If the impugned meter bearing No.000043071 found working within permissible



National Electric Power Regulatory Authority

limits, the recovery of the arrears accumulated against the second connection of the Appellant be made in easy installments as already decided by the POI.

Or

b. In case, the impugned meter of second connection found running fast during the joint checking of the Respondent, the Appellant may be afforded credit/refund against the units charged during the disputed period April 2024 to October 2025.

iii. Billing account of the both the connections of the Appellant may be overhauled after adjusting the payment made against the disputed bills.

11. Impugned decision is modified in the above terms.

Abid Hussain
Member/Advisor (CAD)

Naweed Illahi Sheikh
Convener/DG (CAD)

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

Dated: 14-10-2026