



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

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No. NEPRA/Appeal/051/POI/2020/ 1044


December 28, 2021

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| 1. Muhammad Iftikhar,<br>S/o. Muhammad Yasin,<br>R/o. Pakkah Sandhela,<br>Tehsil & District Muzaffargarh | 2. Chief Executive Officer,<br>MEPCO Ltd,<br>MEPCO Complex, Khanewal Road,<br>Multan                 |
| 3. Executive Engineer (Op),<br>MEPCO Ltd,<br>Muzaffargarh Division,<br>Muzaffargarh                      | 4. POI/Electric Inspector,<br>Multan Region,<br>249-G, Shah Ruken-e-Alam Colony,<br>Phase II, Multan |

Subject: **Appeal Titled MEPCO Vs. Muhammad Iftikhar Against the Decision Dated 18.10.2019 Provincial Office of Inspection to Government of the Punjab Multan Region, Multan**

Please find enclosed herewith the decision of the Appellate Board dated 08.12.2021, regarding the subject matter, for information and necessary action accordingly.

Encl: **As Above**

  
(Ikram Shakeel)  
Deputy Director (M&E)/  
Appellate Board

Forwarded for information please.

Director (IT) –for uploading the decision on NEPRA website





## National Electric Power Regulatory Authority

### Before Appellate Board

In the matter of

### Appeal No. 051/POI-2020

Multan Electric Power Company Limited

.....Appellant

Versus

Muhammad Iftikhar S/o Muhammad Yasin,  
R/o Pakkah Sandhela, Tehsil & District Muzaffargarh

.....Respondent

**APPEAL UNDER SECTION 38(3) OF REGULATION OF GENERATION,  
TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997  
AGAINST THE DECISION DATED 18.10.2019 PASSED BY PROVINCIAL  
OFFICE OF INSPECTION MULTAN REGION, MULTAN**

For the Appellant:

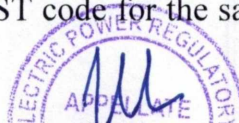
Mr. M. Shahid Iqbal SDO  
Mr. Munir Hussain Clerk

For the Respondent:

Mr. Muhammad Iftikhar

### DECISION

1. As per facts of the case, the Respondent is a domestic consumer of the Multan Electric Power Company Limited (MEPCO) having Ref No.06-15711-0520800 with a sanctioned load of 1 kW under A-1 tariff. The billing meter (first meter) of the Respondent became defective in May 2017, hence, the MEPCO charged the billing with DEF-EST code w.e.f September 2017 and onwards till the replacement of the first meter vide the Meter Change Order (MCO) dated 11.11.2017. The new meter (second meter) of the Respondent also became defective in January 2018 and the Respondent was billed with DEF-EST code for the said month. The second meter of







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the Respondent was replaced with a new meter by the MEPCO in February 2018. The removed first meter was checked in the Metering and Testing (M&T) MEPCO laboratory on 08.04.2019 and reportedly, 2,344 units were found pending. Therefore a detection bill of Rs.54,511/- for 2,344 units was charged to the Respondent by the MEPCO in April 2019.

2. Being dissatisfied, the Respondent filed a complaint before the Provincial Office of Inspection, Multan Region, Multan (the POI) on 06.05.2019 against the charging of the above detection bill. The POI disposed of the matter vide decision dated 18.10.2019, wherein the detection bill of 2,344 units was declared as null and void and the MEPCO was directed to charge the bills for the months i.e. May 2017, December 2017 and February 2018 on the basis of the DEF-EST Code as per Clause 4.4(e) of the Consumer Service Manual (CSM). The MEPCO was further directed to overhaul the billing account of the Respondent.
3. Being dissatisfied with the decision dated 18.10.2019 of the POI (hereinafter referred to as the impugned decision), the MEPCO has filed the instant appeal before the NEPRA. In its appeal, the MEPCO contended that the billing meter of the Respondent became defective, which was removed and sent to the M&T MEPCO laboratory, wherein 2,344 units were found pending as per the data retrieval report, hence the detection bill of Rs.54,511/- for 2,344 units was correctly charged to the Respondent in April 2019. MEPCO opposed the impugned decision, inter alia, on the following grounds; (1) the POI had failed to see the case in letter and spirit and passed the impugned decision on surmises and conjectures; (2) the impugned decision is without







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justification as the POI did not apply the judicious mind and; (3) the impugned decision may be set aside.

4. Notice of the appeal was sent to the Respondent for filing reply/para-wise comments, which however were not filed.
5. Hearing of the appeal was held at the NEPRA Regional Office Multan on 25.10.2021 in which both the parties were in attendance. With regard to the issue of limitation, the SDO MEPCO explained that a copy of the impugned decision dated 18.10.2019 was received on 23.10.2019 and the appeal was filed before the NEPRA on 21.11.2019 within thirty (30) days as per Section 38(3) of the NEPRA Act 1997. SDO MEPCO reiterated the same arguments as given in memo of the appeal and contended that the first meter was replaced with the second meter by the MEPCO vide the MCO dated 11.11.2017 and checked in the M&T MEPCO laboratory, wherein 2,344 units were found pending in the first meter. The MEPCO further contended that the detection bill of Rs.54,511/- for 2,344 units was charged to the Respondent. As per the SDO MEPCO, the above detection bill is justified and payable by the Respondent. Conversely, the Respondent argued that the removed first meter remained in the custody of the MEPCO, hence he could not be held responsible for the pending units as neither the said data retrieval was conducted in his presence nor the meter under dispute was produced before the POI. The Respondent supported the impugned decision and prayed that the same may be maintained.







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6. Arguments were heard and the record was perused. It is observed as under:

- i. The display of the Respondent's first meter became vanished in May 2017, however, the MEPCO fed DEF-EST code w.e.f September 2017 and onwards till the replacement of the first meter vide the MCO dated 11.11.2017 for further billing purpose. Subsequently, the MEPCO found 2,344 uncharged units in the defective first meter and charged the detection bill of Rs.54,511/- for 2,344 units to the Respondent, which was agitated before the POI.
- ii. It is observed that the detection bill of 2,344 units was charged by the MEPCO based on the data retrieval report dated 08.04.2019. However, the MEPCO neither associated the Respondent during the M&T checking dated 08.04.2019 nor produced the disputed first meter before the POI for the verification. Hence, there is no justification to charge the detection bill of Rs.54,511/- for 2,344 units to the Respondent and the same is liable to be cancelled, which is also the determination of the POI.
- iii. Perusal of the billing statement reveals that the discrepancy of display washed in the Respondent's first meter was noticed by the MEPCO in May 2017 and it was replaced with the second meter vide the MCO dated 11.11.2017. The second meter of the Respondent also became defective and it was replaced with a new meter in February 2018, however, MEPCO did not feed DEF-EST code timely and continued to charge the estimated billing to the Respondent. As such, the bills for the period May 2017 to February 2018 are unjustified and the same are liable to be declared as null and void.







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- iv. According to Clause 4.4 of the CSM, the Respondent may be charged the bills for the period May 2017 to February 2018 as per consumption of corresponding months of the previous year i.e. May 2016 to February 2017, or average consumption of last eleven (11) months i.e. June 2016 to April 2017, whichever is higher. The impugned decision is liable to be modified to this extent.
7. Summing up the foregoing discussion it is concluded that the impugned decision to the extent of cancellation of detection bill of Rs.54,511/- for 2,344 units is correct and maintained. However, the Respondent should be charged the revised bills for the period May 2017 to February 2018 as per consumption of corresponding months of the previous year i.e. May 2016 to February 2017, or average consumption of last eleven (11) months i.e. June 2016 to April 2017, whichever is higher due to the defective meters. The billing account of the Respondent may be revised after making adjustments of payments made against the above bills.
8. Impugned decision is modified in the above terms.

Abid Hussain  
Member/Advisor (CAD)

Nadir Ali Khoso  
Convener/Senior Advisor (CAD)

Dated: 08.12.2021

