



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

NEPRA Office , Ataturk 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/052/2023/ 552

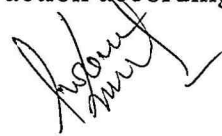
September 19, 2023

1. Haji Mureed,  
S/o. Malik Ghulam Qadir,  
R/o. Mouza Jaisal Wain, Jhang Road,  
Near Chaudhary CNG Station,  
Tehsil & District Muzaffargarh
2. Chief Executive Officer,  
MEPCO Ltd,  
MEPCO Complex, Khanewal Road,  
Multan
3. Executive Engineer (Operation),  
MEPCO Ltd,  
Muzaffargarh Division,  
Muzaffargarh
4. Sub Divisional Officer (Operation),  
MEPCO Ltd,  
Muzaffargarh-I Sub Division,  
Muzaffargarh
5. POI/Electric Inspector,  
Multan Region, Energy Department,  
Govt. of Punjab, 249-G,  
Shah Rukan-e-Alam Colony,  
Phase-II, Multan

Subject: **Appeal Titled MEPCO Vs. Haji Mureed Against the Decision Dated 27.03.2023 of the Provincial Office of Inspection to Government of the Punjab Multan Region, Multan**

Please find enclosed herewith the decision of the Appellate Board dated 19.09.2023 (06 pages), regarding the subject matter, for information and necessary action accordingly.

Encl: **As Above**

  
(Ikram Shakeel)  
Deputy Director (AB)

Forwarded for information please.

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



# National Electric Power Regulatory Authority

## Before The Appellate Board

In the matter of

### Appeal No. 052/POI-2023

Multan Electric Power Company Limited

.....Appellant

Versus

Haji Mureed S/o. Malik Ghulam Qadir, R/o. Mouza Jaisal Wain,  
Jhang Riad, Near Chaudhary CNG Station,  
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 27.03.2023 PASSED BY THE PROVINCIAL OFFICE OF INSPECTION MULTAN REGION, MULTAN**

For the Appellant:

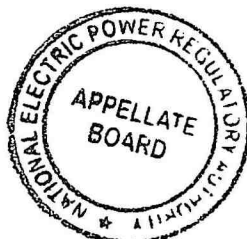
Mr. Muhammad Shahid Iqbal SDO

For the Respondent:

Mr. Mureed Hussain

### **DECISION**

1. Briefly speaking, Haji Mureed (hereinafter referred to as the "Respondent") is a domestic consumer of the Multan Electric Power Company Limited (hereinafter referred to as 'the Appellant') bearing Ref No.01-15711-0337602 having sanctioned load of 1 kW under the A-1(a) tariff category. Reportedly, the billing meter of the Respondent became defective with erratic behavior, hence, it was replaced with a new meter by the Appellant on 13.04.2022 and sent to the Metering and Testing (M&T) laboratory for checking. As per the data retrieval report dated 15.09.2022, 2,156 units were found uncharged being the difference between the final reading of the removed meter and units already charged by the Appellant till April 2022. Therefore a detection



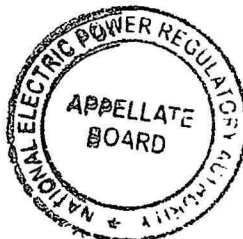
11-06m



## National Electric Power Regulatory Authority

bill of Rs.65,865/- for 2,156 units for nine months for the period from August 2021 to April 2022 was debited to the Respondent by the Appellant and added to the bill for September 2022.

2. Being aggrieved, the Respondent approached the Provincial Office of Inspection, Multan Region, Multan (hereinafter referred to as the "POI") vide complaint dated 10.10.2022 against the charging of the above detection bill. The POI vide the decision dated 27.03.2023 set aside the detection bill of Rs.65,865/- for 2,156 units for the period from August 2021 to April 2022. The Appellant was directed to adjust the payments made against the detection bill.
3. Being dissatisfied, the Appellant has filed the instant appeal before the NEPRA against the POI decision dated 27.03.2023 (hereinafter referred to as the "impugned decision"). In its appeal, the Appellant contended that the POI had failed to see the case in true prospective which resulted in miscarriage of justice rendering the impugned decision void abinitio, and of no consequence, and has passed an illegal order with material irregularity. The Appellant further contended that the Respondent has not come to lower forum with clean hands and had concealed the material facts as the impugned meter was checked in M&T and pending units were charged to the Respondent as a detection bill. As per the Appellant, the POI has not given any cogent reason and passed the impugned decision in an illegal manner, which is liable to be set aside.
4. Notice dated 18.05.2023 for filing reply/para-wise comments against the subject appeal



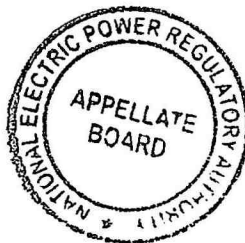
11-50



## National Electric Power Regulatory Authority

was issued to the Respondent, which remained unanswered.

5. Hearing of the subject appeal was conducted at NEPRA Regional Office Multan on 23.06.2023, which was attended by both parties. The Appellant repeated the same contention as contained in memo of the appeal and averred that the impugned meter became defective, which was replaced with a new meter by the Appellant in April 2022. As per the Appellant, during subsequent checking of the M&T team of the Appellant, 2,156 units were found uncharged due to the difference between the final reading of the removed meter and units already charged, therefore detection bill of Rs.65,865/- for 2,156 units for the period from August 2021 to April 2022 was debited to the Respondent by the Appellant and added to the bill for September 2022. The Appellant opposed the impugned decision for cancellation of the above detection bill and prayed for setting aside the same. On the other hand, the Respondent repudiated the contention of the Appellant and averred that the Appellant already debited the average bills for the period from August 2021 to April 2022, hence there is no justification to debit the above detection bill, which ultimately tantamount the double charging of the bills for the same cause of action. He defended the impugned decision and prayed for upholding the same.
6. Arguments heard and the record examined. Following are our observations:
  - 6.1 Detection bill amounting to Rs.65,865/- for 2,156 units for the period from August 2021 to April 2022 debited to the Respondent  
The record presented before us shows that the impugned meter of the Respondent



M. S.



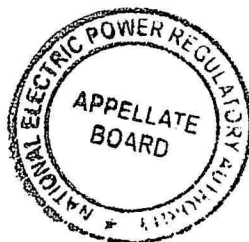
## National Electric Power Regulatory Authority

became defective with open error in August 2021, hence estimated billing was done by the Appellant. Subsequently, the impugned billing meter was replaced with a new meter by the Appellant in April 2022 and checked in M&T, whereby, 2,156 units were found uncharged. Therefore, a detection bill of Rs.65,865/- for 2,156 units for the period from August 2021 to April 2022 was debited to the Respondent by the Appellant being the difference between the final reading of the removed meter and units already charged till April 2022 and added to the bill for September 2022.

6.2 The Appellant has issued the detection bill on the basis of data retrieval from the impugned meter claimed to have been retrieved on 15.09.2022. The data retrieval of defective meters is provided under Clause 4.3 of the CSM-2021. In this regard, the following points are important:

- i. Clause 4.3 of CSM 2021 dealing with the replacement of defective meters prescribes two distinct procedures for the replacement of defective meters and charging the bills. Clause 4.3.1 of the CSM 2021 prescribes the procedure for defective/burnt meters while Clause 4.3.2 of CSM-2021 deals with the replacement of meters due to the display being washed. The data retrieval is provided only under Clause 4.3.2(c) of the CSM-2021, where the meter is defective due to the display washed. However, for defective meters for reasons other than display wash, there is no provision for data retrieval under Clause 4.3.1 of the CSM-2021. The impugned meter where data has been retrieved by the Appellant had allegedly defective with open error. Since its display was not washed, therefore, strictly under Clause 4.3.2 (c) of CSM-2021 data retrieval of the

*M. O.*





## National Electric Power Regulatory Authority

said meter is not legally justified.

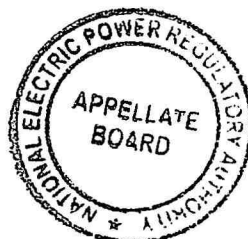
- ii. Above-referred clause of the CSM-2021 empowers the Appellant to retrieve the data within three months. However, in the instant case, the Appellant waited almost five months to download the consumption data of the impugned meter.

6.3 The objection of the Respondent regarding data retrieval by the Appellant unilaterally without his knowledge as well as the failure of data retrieval in the presence of POI also float in the face of the credibility of data retrieval by the Respondent. Nevertheless, either in the case of data retrieval or otherwise, the CSM-2021 allows recovery from the consumer for maximum of two months period. To further verify the assertion of the Appellant, consumption of the disputed period from August 2021 to April 2022 be compared with the consumption of the corresponding months of the preceding year in the below table:

Period	Normal units/month	Detection units/month
Period before the dispute August 2020 to April 2021	104	-
Disputed period August 2021 to April 2022	176	415

6.4 From the above table, it is revealed that the detection units charged @ 415 units/month for the disputed period from August 2021 to April 2022 are much higher than the normal average consumption recorded during the corresponding period of the previous year. Even otherwise, the normal average consumption charged during the disputed period is much higher than the normal average consumption of the corresponding undisputed period of the preceding year.

Handwritten signature/initials.





## National Electric Power Regulatory Authority

6.5 Thus under these circumstances, we are of the firm view that the detection bill of Rs.65,865/- for the cost of 2,156 units charged by the Appellant to the Respondent is unjustified and the same is declared null and void.

7. Foregoing in view, the appeal is dismissed.

Abid Hussain  
Member

Naweed Illahi Sheikh  
Convener

Muhammad Irfan-ul-Haq  
Member

Dated: 19-09-2023

