



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

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No. NEPRA/AB/Appeal/122/2022/ 579

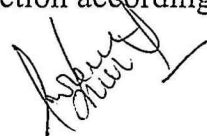
September 14, 2023

1. Muhammad Younas,
S/o. Malik Muhammad Bakhsh,
R/o. Bait Wasava Shumail,
P/o. Kot Sultan, Tehsil Layyah
2. Chief Executive Officer,
MEPCO Ltd,
MEPCO Complex, Khanewal Road,
Multan
3. Abdul Ghafoor Gujjar,
Advocate High Court,
Al-Wahid Law Chambers,
District Courts, Layyah
4. Executive Engineer (Operation),
MEPCO Ltd,
Kot Addu Division,
Kot Addu, District Muzaffargarh
5. Sub Divisional Officer (Operation),
MEPCO Ltd,
2nd Sub Division,
Kot Addu, District Muzaffargarh
6. POI/Electric Inspector,
Multan Region, Energy Department,
Govt. of Punjab, 249-G,
Shah Rukan-e-Alam Colony,
Phase-II, Multan

Subject: **Appeal Titled Muhammad Younas Vs. MEPCO Against the Decision Dated 16.05.2022 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 14.09.2023 (05 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 Appellate Board

In the matter of

Appeal No.122/POI-2022

Muhammad Younas S/o. Malik Muhammad Bakhsh,
R/o. Bait Wasava Shumail, P/o. Kot Sultan,
Tehsil & District Layyah

.....Appellant

Versus

Multan Electric Power Company Limited

.....Respondent

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

For the Appellant:

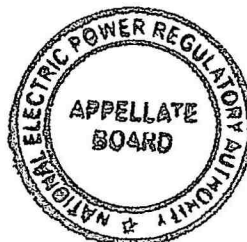
Mr. Abdul Ghafoor Advocate

For the Respondent:

Mr. Faisal Kareem SDO

DECISION

1. Briefly speaking, Muhammad Younas (hereinafter referred to as the "Appellant") is a domestic consumer of the MEPCO (hereinafter referred to as the "Respondent") bearing Ref No.17-15722-3921801-R with a sanctioned load of 1 kW and the applicable Tariff category is A-1R. The premises of the Appellant was checked by the Respondent on 30.12.2020 and reportedly, the billing meter of the Appellant was found static and electricity was being used directly. The impugned meter of the Appellant was removed and checked by the M&T, which vide report dated 07.01.2021 declared the impugned meter as tampered. FIR No.42/2021 dated



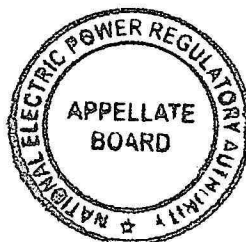
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29.01.2021 was registered with the police against the Appellant on account of the theft of electricity. Thereafter, a detection bill of 2,409 units for three months for the period from October 2020 to December 2020 was charged by the Respondent to the Appellant on the basis of 20% load factor of the connected load i.e. 5.5 kW.

2. Being aggrieved, the Appellant challenged the above-mentioned detection bill before the Provincial Office of Inspection, Multan Region, Multan (hereinafter referred to as the "POI"). During the joint checking of the POI, the connected load of the Appellant was observed as 2.6 kW. The matter was disposed of by the POI vide the decision dated 16.05.2022 (hereinafter referred to as the "impugned decision"), wherein the detection bill of 2,409 units for three months for the period from October 2020 to December 2020 was declared null and void. As per the POI decision, the Respondent may charge the revised detection bill of 1,133 units to the Appellant.
3. Through the instant appeal, the Appellant challenged the impugned decision before the NEPRA *inter alia*, on the following grounds that the Appellant did not follow the procedure as laid down in Chapter 9 of the Consumer Service Manual to establish theft of electricity; that neither any notice was issued nor any inspection was carried in the presence of the Appellant; that the detection bill of 2,409 units for three months for the period from October 2020 to December 2020 was debited without considering the consumption history; that the entire proceedings of the Respondent are based on personal grudge and with malafide intention; that the POI has punished



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the Appellant by charging 1,133 units and that the impugned decision to this extent is liable to be set aside.

4. Proceedings by the Appellate Board

Upon filing of the instant appeal, a Notice dated 08.11.2022 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which however were not submitted.

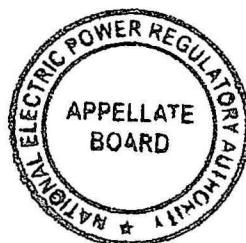
5. Hearing

5.1 Hearing in the matter of the subject Appeal was conducted on 23.06.2023 at NEPRA Regional Office Multan in which learned counsel was present on behalf of the Appellant and the SDO represented the Respondent. During the hearing, learned counsel for the Appellant reiterated the same version as contained in memo of the appeal.

5.2 The representative for the Respondent repudiated the version of the Appellant and averred that the Appellant was stealing electricity through tampering with the impugned meter as observed by the M&T on 07.01.2021 for which FIR was registered against him and a detection bill of 2,409 units for three months for the period from October 2020 to December 2020 was debited to the Appellant. He termed the above detection bill as justified and payable by the Appellant.

6. Arguments heard and the record perused. Following are our observations:

6.1 Detection bill of 2,409 units for three months for the period from October 2020 to December 2020



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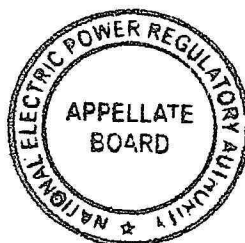
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In its appeal, the Appellant has claimed that the impugned billing meter was replaced with a new meter on 30.12.2020, which was subsequently declared tampered with in unilateral checking dated 07.01.2021 and a detection bill of 2,409 units for three months for the period from October 2020 to December 2020 was debited by the Respondent, which was challenged by him before the POI.

6.2 It is observed that the above detection bill was charged based on the connected load i.e. 5.5 kW, which is higher than the connected load i.e. 2.6 kW observed during the joint checking of the POI. Therefore, the detection bill of 2,409 units for three months for the period from October 2020 to December 2020 charged to the Appellant is illegal, unjustified being inconsistent with the foregoing clause of the CSM-2010 and the same is liable to be cancelled.

6.3 Since nominal consumption was charged during the disputed period from October 2020 to December 2020, it would be fair and appropriate to revise the detection bill for three months i.e. October 2020 to December 2020 @ 20% load factor of the connected load i.e. 2.6 kW as noticed during the POI joint checking. Calculation in this regard is done in the below table:

<u>Period: October 2020 to December 2020 (3 months)</u>	
A. Total units to be charged = Connected Load x LF x No. of Hrs. x No. of Months	
	= 2.6 x 0.2 x 730 x 3 = 1,140 units
B. Total units already charged = 7 units	
C. Net units to be charged = A-B = 1,133 units	



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Thus the Appellant is liable to be charged the revised detection bill of 1,133 units for three months for the period from October 2020 to December 2020. The impugned decision is liable to be maintained to this extent.

7. Foregoing in view, the appeal is dismissed.

Abid Hussain
Member

Muhammad Irfan-ul-Haq
Member

Naweed Illahi Sheikh
Convener

Dated: 14-09-2023

