



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

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No. NEPRA/Appeal/058/2023/ 350

March 18, 2024

1. Shafiq-ur-Rehman,  
S/o. Sher Muhammad,  
Prop: Fish Farm located at Qitta Badhu Auna,  
Tehsil Kabirwala, District Khanewal  
Cell No. 0300-8396572  
0301-1455763
2. Chief Executive Officer,  
MEPCO Ltd,  
MEPCO Complex, Khanewal Road,  
Multan
3. Executive Engineer (Operation),  
MEPCO Ltd,  
Kabirwala Division,  
Kabirwala  
Cell No. 0302-8403733
4. Sub Divisional Officer (Operation),  
MEPCO Ltd,  
Makhdoom Pur Sub Division,  
Kabirwala  
Cell No. 0302-8403745
5. POI/Electric Inspector,  
Multan Region,  
Energy Department, Govt. of Punjab,  
249-G, Shah Rukan-e-Alam Colony,  
Phase-II, Multan

Subject: **Appeal No.058/2023 (MEPCO Vs. Shafiq-ur-Rehman) Against the Decision Dated 24.03.2023 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 18.03.2024 (04 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 on NEPRA website



# National Electric Power Regulatory Authority

## Before The Appellate Board

In the matter of

Appeal No.058/POI-2023

Multan Electric Power Company Limited

.....Appellant

Versus

Shafiq-ur-Rehman S/o. Sher Muhammad,  
Prop: Fish Farm located at Qitta Badhu Auna,  
Tehsil Kabirwala, District Khanewal

.....Respondent

### **APPEAL UNDER SECTION 38(3) OF THE REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997**

For the Appellant:

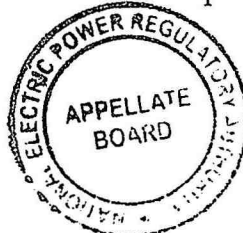
Mr. Zulfiqar Ali SDO

For the Respondent:

Mr. Shafiq-ur-Rehman

### **DECISION**

1. Briefly speaking, Mr. Shafiq-ur-Rehman (hereinafter referred to as the "Respondent") is an agricultural consumer of Multan Electric Power Company Limited (hereinafter referred to as the "Appellant") bearing Ref No.29-15922-0144003-R having a sanctioned load of 22.38 kW and the applicable tariff category is D-2(b). The Respondent approached the Appellant for rectification of the excessive bills charged from September 2022 and onwards due to a defective meter. In response, the Appellant replaced the impugned meter with a new meter on 05.12.2022 and sent it to the metering and testing (M&T) lab for checking. As per the M&T report dated 22.12.2022, the impugned meter was found running 33% slow due to one phase being dead with erratic behavior. Notice dated 27.12.2022 was served to the Respondent regarding 33% slowness of the meter and a detection bill of 11,759 units for the period from 14.06.2022 to 12.10.2022 was debited to the Respondent @ 33% slowness of the meter and added to the bill for December 2022.
2. Being aggrieved, the Respondent filed a complaint before the Provincial Office of Inspection, Multan Region, Multan (hereinafter referred to as the "POI"), and challenged the above detection bill. The complaint of the Respondent was disposed of by the POI vide





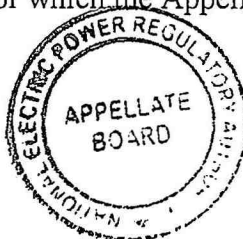
## National Electric Power Regulatory Authority

decision dated 24.03.2023, wherein the detection bill of 11,759 units for the period from 14.06.2022 to 12.10.2022 was cancelled.

3. Being dissatisfied, the Appellant has filed the instant appeal before NEPRA and assailed the decision dated 24.03.2023 of the POI (hereinafter referred to as the "impugned decision"). In its appeal, the Appellant opposed the maintainability of the impugned decision *inter alia*, on the following grounds that the detection bill of 11,759 units for the period from 14.06.2022 to 12.10.2022 was debited to the Respondent on the basis of data retrieval report; that the POI miserably failed to consult the M&T checking report, consumption data, and relevant record; that the POI decided the matter against the law and facts of the case; that the impugned decision is incorrect in the eyes of law and is needed to be declared null and void; that the POI failed to grasp the true impact of the set of circumstances; and that the impugned decision is liable to be set aside.
4. Notice dated 13.06.2023 of the appeal was issued to the Respondent for filing reply/para-wise comment, which were filed on 22.06.2023. In the reply, the Respondent prayed for dismissal of the appeal on the following grounds that the Appellant failed to prove that the impugned meter was running 33% slow from 14.06.2022 to 12.10.2022; that the impugned detection bill of 11,759 units for the period from 14.06.2022 to 12.10.2022 was served in violation of the provisions of the CSM-2021; that the impugned meter was neither checked at the site nor got checked in his presence; that the POI after correct perusal of consumption data cancelled the above detection bill; and that the impugned decision is liable to be upheld.

### 5. Hearing

- 5.1 Hearing of the appeal was conducted at NEPRA Regional Office Multan on 10.01.2024, wherein both parties were in attendance. The Appellant contended that the billing meter of the Respondent was found 33% slow during the M&T checking dated 22.12.2022, therefore the detection bill of 11,759 units for the period from 14.06.2022 to 12.10.2022 was debited to the Respondent due to 33% slowness of the meter. The Appellant argued that the POI did not consider the real aspects of the case and erroneously declared the above detection bill as null and void. The Appellant prayed that the impugned decision is unjustified and liable to be struck down.
- 5.2 Conversely, the Respondent repudiated the version of the Appellant and contended that the billing meter of the Respondent was functioning correctly till August 2022 and it became defective in September 2022 for which the Appellant was approached to rectify the fault. The





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Respondent further contended that the Appellant debited the detection bill of 11,759 units for the period from 14.06.2022 to 12.10.2022 based on unilateral M&T checking dated 22.12.2022, which was rightly set aside by the POI. The Respondent supported the impugned decision and prayed for upholding the same.

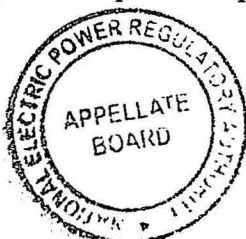
6. Having heard the arguments and record perused. Following are our observations:

6.1 The Respondent approached the Appellant for rectification of the excessive bills charged from September 2022 and onwards due to the defective meter. In response, the Appellant replaced the impugned meter with a new meter on 05.12.2022 and sent the same to the metering and testing (M&T) lab for checking. As per the M&T report dated 22.12.2022, the impugned meter was found running 33% slow due to one phase being dead with erratic behavior. Therefore a detection bill of 11,759 units for the period from 14.06.2022 to 12.10.2022 was debited to the Respondent @ 33% slowness of the meter and added to the bill for December 2022, which was challenged by him before the POI.

6.2 It is an admitted fact that the impugned meter of the Respondent was running 33% slow due to one dead phase with erratic behavior, hence only the period of defectiveness needs to be determined for which consumption data of the Respondent as provided by the Appellant is reproduced below:

Period before dispute		Disputed period		Period after dispute	
Month	Units	Month	Units	Month	Units
Jun-21	11687	Jun-22	6690	Jun-23	6683
Jul-21	7766	Jul-22	7341	Jul-23	8378
Aug-21	7041	Aug-22	1138	Aug-23	6536
Sep-21	4891	Sep-22	5430	Sep-23	5981
Oct-21	757	Oct-22	5359	Oct-23	1955
Nov-21	1559	Nov-22	3	Nov-23	539
<b>Total</b>	<b>33701</b>	<b>Total</b>	<b>25961</b>	<b>Total</b>	<b>30072</b>

6.3 Examination of the above table reveals the total consumption recorded during the disputed period is much less than the total consumption of corresponding months of the periods before and after the dispute. However, Clause 4.3.1 of the CSM-2021 restricts the Appellant to recover their revenue loss by debiting the detection bill maximum for two months in case of defectiveness of the metering equipment. Moreover, the bills for the disputed months i.e. September 2022 and October 2022 were charged on the higher side by the Appellant as compared to the corresponding consumption of previous months as well as the average





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consumption of the last eleven months, therefore, there is no justification to debit further detection bill for the said months to the Respondent.

6.4 In view of the foregoing discussion, it is concluded that the detection bill of 11,759 units for the period from 14.06.2022 to 12.10.2022 charged to the Respondent is unjustified, and the same is cancelled. The impugned decision is liable to be maintained to this extent.

6.5 It would be judicious to charge the revised bills w.e.f November 2022 and onwards till the date of replacement of the impugned meter i.e. 05.12.2022 on the basis of consumption of the corresponding month of the previous year or average consumption of the last eleven months, whichever is higher, according to Clause 4.3.1(b) of the CSM-2021.


7. In view of what has been stated above, it is concluded that:

7.1 the detection bill of 11,759 units for the period from 14.06.2022 to 12.10.2022 debited to the Respondent is unjustified and the same is cancelled.


7.2 The Respondent may be charged the revised bills w.e.f November 2022 and onwards till the date of replacement of the impugned meter i.e. 05.12.2022 based on consumption of the corresponding month of the previous year or average consumption of the last eleven months, whichever is higher, according to Clause 4.3.1(b) of the CSM-2021.


7.3 The billing account of the Respondent be overhauled after making the adjustment of payments made against the impugned detection bill.

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

  
Abid Hussain  
Member/Advisor (CAD)

Dated: 18-03-2024

  
Naweed Illahi Sheikh  
Convener/DG (CAD)

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

