



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

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No. NEPRA/Appeal/094/2023/ 35/

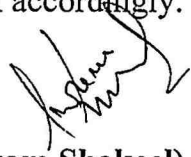
March 18, 2024

- | | |
|---|--|
| 1. Muhammad Anwar,
S/o. Muhammad Rafique,
Through Talah Rafique (Real Son),
R/o. House No. 128, Ward No. 8,
Mohallah Liaquat Pura,
Tehsil & District Muzaffargarh
Cell No. 0313-6863446
0313-6013242 | 2. Chief Executive Officer,
MEPCO Ltd,
MEPCO Complex, Khanewal Road,
Multan |
| 3. Executive Engineer (Operation),
MEPCO Ltd,
Muzaffargarh Division,
Muzaffargarh
Cell No. 0302-8382523 | 4. Sub Divisional Officer (Operation),
MEPCO Ltd,
1 st Sub Division,
Muzaffargarh
Cell No. 0302-8382539 |
| 5. POI/Electric Inspector,
Multan Region,
Energy Department, Govt. of Punjab,
249-G, Shah Rukan-e-Alam Colony,
Phase-II, Multan | |

Subject: **Appeal No.094/2023 (MEPCO Vs. Muhammad Anwar) Against the Decision Dated 18.08.2023 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 (03 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.094/POI-2023

Multan Electric Power Company Limited

.....Appellant

Versus

Muhammad Anwar S/o. Muhammad Rafique,
Through Talah Rafique (Real Son), R/o. House No.128,
Tehsil and District Muzaffargarh

.....Respondent

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

For the Appellant:

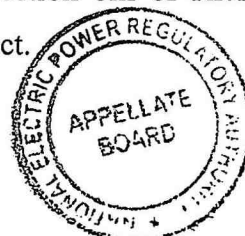
Mr. Shahid Nawaz SDO

For the Respondent:

Mr. Talah Rafique

DECISION

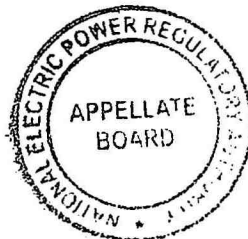
1. Briefly speaking, Mr. Muhammad Anwar (hereinafter referred to as the "Respondent") is a domestic consumer of Multan Electric Power Company Limited (hereinafter referred to as the "Appellant") bearing Ref No.12-15711-0853100-U having a sanctioned load of 02 kW and the applicable tariff category is A-1(a). The billing meter of the Respondent became defective in May 2022, hence the DEF-Est code was fed by the Appellant w.e.f May 2022 and onwards. Later on, the impugned meter of the Respondent was replaced with a new meter by the Appellant in August 2022 and sent to M&T lab for data retrieval. As per the M&T report dated 15.09.2022, 3,504 units were found pending, hence the Appellant debited a detection bill of Rs.125,593/- for 3,504 units for four months for the period from May 2022 to August 2022 to the Respondent on account of pending units and added to the bill for September 2022.
2. Being aggrieved, the Respondent filed an application 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 decision dated 18.08.2023, wherein, the detection bill of Rs.125,593/- for 3,504 units is declared void, unjustified, and of no legal effect.





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3. Being dissatisfied, the Appellant has filed the instant appeal before NEPRA and assailed the decision dated 18.08.2023 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 grounds that the POI has failed to observe the case in letter and spirit and passed the impugned decision with material irregularity; that the impugned meter was checked by the M&T team and found 3,504 uncharged units; that the application of the Respondent did not proceed under the law; that the POI has not given cogent reasons while deciding the matter and that the impugned decision is liable to be set aside.
4. Notice dated 04.10.2023 of the appeal was issued to the Respondent for filing reply/para-wise comment, which however were not filed.
5. 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 defective with vanished display in May 2022 and the same was replaced with a new meter in August 2022, therefore a detection bill of Rs.125,593/- for 3,504 units was debited to the Respondent on account of pending units. 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. On the contrary, the representative for the Respondent rebutted the version of the Appellant regarding charging of the impugned detection bill and averred that the Appellant already debited the bills with DEF-Est code, hence there is no justification to further burden the Respondent by another detection bill for the same cause of action on the basis of unilateral data retrieval report. He prayed for the dismissal of the appeal being devoid of merits.
6. Having heard the arguments and record perused. Following are our observations:
 - 6.1 As per the available record, the billing meter of the Respondent became defective in May 2022, hence the bills w.e.f May 2022 and onwards were charged by the Appellant on DEF-EST code. Thereafter, the impugned meter of the Respondent was replaced with a new meter by the Appellant in August 2022 and sent to M&T laboratory for checking. Subsequently, the Appellant charged a detection bill of Rs.125,593/- for 3,504 units to the Respondent on the basis of pending units as per the M&T report dated 15.09.2020, which was challenged by him before the POI.





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6.2 The Appellant neither produced the impugned meter before the POI for verification of alleged defectiveness nor could justify the charging of the impugned detection bill before the said forum. The Appellant even failed to follow the procedure as laid down in Chapter 4 of the CSM-10 in case of defective meter. The data retrieval was also done by the M&T of the Appellant without associating the Respondent. To further verify their contention regarding the charging of impugned detection bill on account of pending units, the average consumption charged during the disputed period is compared with the corresponding consumption of periods before and after the dispute:

Disputed period		Period after dispute	
Month	Units	Month	Units
May-22	180	May-23	305
Jun-22	181	Jun-23	214
Jul-22	190	Jul-23	465
Aug-22	438	Aug-23	352
Average	314	Average	408
Detection bill charged @1123 units per month			


Perusal of the above table shows that the average consumption charged during the disputed period is lesser than the average consumption of the corresponding months of the succeeding year. However, the detection bill charged @ 1,123 units per month for the disputed period is much higher than the average consumption of corresponding period after the dispute. Even otherwise, the Respondent was debited the bill for the period from May 2022 to August 2022 on DEF-EST code due to defective meter, as such, there is no justification to debit any detection bill on the basis of unilateral M&T checking dated 15.09.2022.


In view of foregoing discussion, it is held that the detection bill of Rs.125,593/- for 3,504 units debited to the Respondent by the Appellant on the basis of pending units is unjustified and the same is cancelled as already determined by the POI.

7. Foregoing in view, this Appeal is dismissed.


Abid Hussain
Member/Advisor (CAD)

Dated: 18-03-2024


Naweed Illahi Sheikh
Convener/DG (CAD)


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

