



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

NEPRA Office , Atta Turk Avenue (East), G5/1, Islamabad  
Tel. No.+92 051 2013200 Fax No. +92 051 2600028  
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 047/POI 2015/ 306 - 309

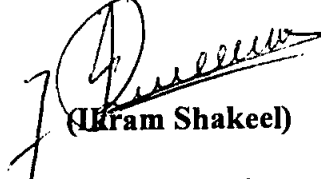
March 14, 2016

1. Ghulam Asghar  
Prop: Chachar Flour Mill,  
Behind UBL Bank,  
Adda Mian Wali Qureshian,  
Tehsil & District Rahim Yar Khan
2. The Chief Executive Officer  
MEPCO Ltd,  
Khanewal Road, Multan
3. Sub Divisional Officer (Op),  
MEPCO Ltd,  
Mian Wali Qureshian Sub Division,  
Tehsil & District Rahim Yar Khan
4. Electric Inspector  
Multan Region,  
249-G, Shah Rukun-e-Alam Colony,  
Phase II, Multan

Subject: Appeal Titled Ghulam Asghar Vs. MEPCO Against the Decision Dated 31.03.2015 of the Electric Inspector/POI to Government of the Punjab Multan Region, Multan

Please find enclosed herewith the decision of the Appellate Board dated 11.03.2015, regarding the subject matter, for information and necessary action accordingly.

Encl: As Above

  
(Uram Shakeel)  
March 14, 2016

No. NEPRA/AB/Appeal-047/POI-2015/ 3/0  
Forwarded for information please.

Assistant Director  
Appellate Board

1. Registrar
2. Director (CAD)

CC:

1. Vice Chairman/Member (CA)



# National Electric Power Regulatory Authority

## Before Appellate Board

In the matter of

Appeal No. NEPRA/Appeal-047/POI-2015

Ghulam Asghar S/o Rais Bakhshanda  
Prop: Chachar Flour and Oil Mills,  
Mian Wali Qureshian, District Rahim Yar Khan

.....Appellant

Versus

Multan Electric Power Company Limited

.....Respondent

For the appellant:

Mr. Ghulam Asghar

For the respondent:

Mr. Muhammad Din Shakir Line Superintendent

## DECISION

1. This decision shall dispose of appeal filed by Ghulam Asghar against the decision dated 31.03.2015 of the Provincial Office of Inspection/Electric Inspector Multan Region, Multan (hereinafter referred to as POI) under section 38 (3) of the Regulation of Generation, Transmission and Distribution of Electricity Power Act 1997 (hereinafter referred to as the Act).
2. The appellant is an industrial consumer of Multan Electric Power Company Limited (hereinafter referred to as MEPCO) bearing consumer Ref. No. 28-15627-1856002R with a sanctioned load of 15 kW and governed under tariff B-1. As per facts of the case, electricity meter of the appellant was checked by MEPCO Surveillance Team on 11.06.2014 and the meter was found dead stop with one potential transformer (PT) damaged. A detection bill of Rs. 103,508/- for 5,722 units for the period of March 2014 to May 2014 along with average

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bill of 3,269 units for June 2014 were charged to the appellant during August 2014 on 30 % load factor basis.

3. Being aggrieved with the aforementioned detection bill of Rs. 103,508/- for 5,722 units for the period March 2014 to May 2014 along with average bill of Rs. 3,269 units for June 2014 charged in August 2014, a petition was filed before POI on 14.09.2014. During the pendency of the petition, the appellant also challenged arrear bills of Rs. 61,990/- and Rs. 5,175/- for the months of October 2014 and November 2014 respectively. Meter change order (MCO) dated 05.03.2014 was issued but the meter was not replaced immediately and there is controversy regarding actual date of replacement of the meter. Petition of the appellant was disposed of by POI vide its decision dated 31.03.2015 with the following conclusion.

*“Summing up all the above observations & conclusion, this forum declares the charging of detection bill of Rs. 1,03,508/- for the cost of 5722-units for the period 03/2014 to 05/2014 and average bill for 06/2014 for the cost of 3269-units as Null, Void and of no legal effect. The Respondents are directed to withdraw the same and charge revised detection for the cost of 2025-units and consumption of 2770-units may be charged for 06/2014 on the basis of corresponding previous consumption being higher than the average. However, the consumer is held liable to pay the cost of 3713-units less charged due to wrong execution of the MCO No. 315 dated 05.03.2014. Furthermore, the decision announced by this forum on dated 24.03.2014 may be implemented in its true letter & spirit; and the petitioner’s account may be overhauled accordingly by adjudicating all Debits, Credits & already made Payments.*

*Disposed of in above terms.”*

4. Being dissatisfied with the decision dated 31.03.2015 of POI (hereinafter referred to as the impugned decision), the appellant has filed the instant appeal. The appellant inter alia, stated that the relief granted to the appellant was not according to the petition filed before POI and



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therefore he prayed that the disputed amount of Rs. 176,533/- should not be recovered from him.

5. Notice of the appeal was issued to the respondent for filing reply/parawise comments which were not filed.
6. Notice was issued to both the parties and the appeal was heard at Multan on 26.02.2016. Mr. Ghulam Asghar the appellant, appeared in person and Mr. Muhammad Din Shakir Line Superintendent entered his appearance for the respondent MEPCO. The appellant repeated the same arguments as given in the memo of the appeal and contended that MEPCO Metering and Testing (M&T) report dated 11.06.2014 was controversial and therefore the detection bills for 2,025 units for the period March 2014 to May 2014 allowed vide the impugned decision @ 33 % slowness of the meter was not justified and liable to be withdrawn. Similarly the appellant pleaded that the detection bill of 2,770 units for the month June 2014 determined on the consumption basis of June 2013 was not fair and instead be revised on the basis of average consumption of last eleven months. The appellant averred that the arrear bills of Rs. 61,990/- for October 2014 and Rs. 5,175/- for November 2014 charged due to the clerical mistake of MCO were not justified and were challenged before POI but there was no direction for cancellation of those unjustified bills in the impugned decision. The appellant finally prayed that the disputed amount of Rs. 176,533/- shall not be recovered from him. Mr. Muhammad Din Shakir Line Superintendent, the representative of MEPCO, offered no arguments and submitted that subsequently written arguments would be sent but the same were however not filed.
7. We heard the arguments of the appellant and considered the record placed before us. It is observed as under:
  - i. The meter being defective, detection bills of Rs. 103,508/- for 57,22 units for the period March 2014 to May 2014 and bill of 3,269 units for June 2014 calculated on 30% load factor basis were charged to the appellant in August 2014.



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- ii. It is rightly determined by POI that the electricity meter became 33% slow and the appellant was liable to be charged the detection bill @ 33% slowness of the meter (i.e. for 2,025 units) for the period March 2014 to May 2014. Therefore the detection bill of Rs. 103,508/- for 5,722 units for the period March 2014 to May 2014 is not justified and liable to be withdrawn. There is no force in the arguments of the appellant in this regard and therefore the impugned decision to this extent is correct, justified and liable to be upheld.
  - iii. Detection bill for 3,269 units for June 2014 determined on the basis of 30% load factor is not justified and the appellant is not liable to pay the same and as determined in the impugned decision, the appellant is liable to be charged 2,770 units for June 2014 on the basis of corresponding month i.e. June 2013. There is no force in the arguments of the appellant for charging the same on the basis of average of last eleven months which is dismissed. The impugned decision to this extent is correct and liable to be maintained.
  - iv. As per impugned decision, the appellant is liable to be charged a difference bill of 3,713 units less charged during the period of July 2014 to October 2014 due to wrong entries of MCO. Impugned decision to this extent is justified and liable to be maintained.
  - v. As the meter of the appellant was replaced, there was no reason for charging arrear bills of Rs. 61,990/- in October 2014 and Rs. 5,175/- in November 2014. We are convinced with the stance of the appellant that such bills were not justified and liable to be withdrawn. Those bills were disputed by the appellant but there is no determination regarding same in the impugned decision which needs to be modified accordingly.
8. In view of the above discussion of foregoing paragraphs following is concluded:
- i. The detection bill of Rs. 103,508/- for 5,772 units for the period March 2014 to May 2014 and average bill of 3,269 units for June 2014 charged in August 2014 are null, void and the appellant is not liable to pay the same. Impugned decision to this extent is maintained.



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- ii. The appellant is liable to be charged detection bill for 2,025 units for the period of March 2014 to May 2014 and 2,770 units for June 2014 due to defective meter. Impugned decision is upheld to this extent.
  - iii. The appellant is liable to be billed for 3,713 units for the period July 2014 to October 2014 due to wrong entries of MCO and impugned decision to this extent is upheld.
  - iv. Arrear bills of Rs. 61,990/- charged in October 2014 and Rs. 5,175/- charged in November 2014 are declared null, void and of no legal effect and the appellant is therefore not liable to pay the same. Impugned decision is silent regarding this aspect and is therefore modified to that extent.
9. The appeal is disposed of in above terms.

Muhammad Qamar-uz-Zaman  
Member

Nadir Ali Khoso  
Convener

Muhammad Shafique  
Member

Date: 11.03.2016

