



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

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No. NEPRA/AB/Appeal-142/POI-2017/ 137-141

January 19, 2018

1. Muhammad Saleem,  
S/o Abdul Aziz,  
M/s Saleem Oil Mills,  
(Through Riaz Hussain Shahid),  
Occupier Consumer,  
R/o Ali Town, Budha Road,  
Multan
2. Chief Executive Officer,  
MEPCO Ltd,  
MEPCO Complex, Khanewal Road,  
Multan
3. Sardar Mazhar Abbas Mahar,  
Advocate High Court,  
45-Zikriya Block,  
District Courts, Multan
4. Sub Divisional Officer (Op),  
MEPCO Ltd,  
Shah Rukan-e-Alam Sub Division,  
Multan
5. Electric Inspector  
Multan Region,  
249-G, Shah Ruken-e-Alam Colony,  
Phase II, Multan

Subject: Appeal Titled Muhammad Saleem Vs. MEPCO Against the Decision Dated 21.07.2017 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 18.01.2018, regarding the subject matter, for information and necessary action accordingly.

Encl: As Above

No. NEPRA/AB/Appeal-142/POI-2017/ 142  
Forwarded for information please.

(Ikram Shakeel)

January 19, 2018

  
Assistant Director  
Appellate Board

✓  
1. Registrar

CC:

1. Member (CA)



# National Electric Power Regulatory Authority

## Before Appellate Board

In the matter of

Appeal No. NEPRA/Appeal-142/POI-2017

Muhammad Saleem S/o Abdul Aziz, M/s Saleem Oil Mills,  
(Through Riaz Hussain Shahid), Occupier consumer,  
R/o Ali Town Budhla Road, Multan

.....Appellant

Versus

Multan Electric Power Company Limited

.....Respondent

For the appellant:

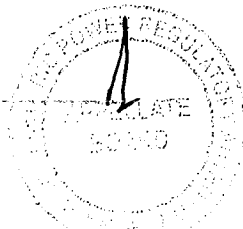
Mr. Riaz Hussain

For the respondent:

Mr. Tanveer Akhtar SDO

## DECISION

1. This decision shall dispose of an appeal filed by the appellant against the decision dated 21.07.2017 of Provincial Office of Inspection, Multan region, Multan (hereinafter referred to as POI) under Section 38 (3) the NEPRA Act, 1997.
2. As per facts of the case, the appellant is an industrial consumer of MEPCO bearing Ref No. 27-15191-0155702 R with a sanctioned load of 33 kW under B-2(b) tariff. Electricity meter of the appellant was checked by metering and testing (M&T) MEPCO on 24.03.2016 and reportedly it was found 36.23% slow. A detection bill of 16,918 units/74 kW MDI for the period 01.09.2015 to 24.03.2016 was charged to the appellant by MEPCO on account of 36.23% slowness of the meter. Multiplication Factor (MF) of





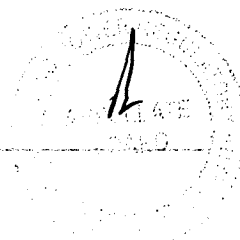
## National Electric Power Regulatory Authority

the appellant was raised from 20 to 31.36 by MEPCO to account for 36.23 % slowness with effect from April 2016 and onwards.

3. Being aggrieved with the above irregular billing, the appellant approached POI on 20.05.2016 and challenged the electricity bill amounting to Rs.375,000/- for April 2016 along with the aforesaid detection bill. Complaint of the appellant was disposed of vide POI decision dated 21.07.2017, the operative portion of which is reproduced below:

*“Keeping in view all the aspects of the case and summing up all the above narrated conclusions, this forum declares the charging of detection bill for the cost of  $T_L=16918$  ( $P=3762$  &  $OP=13516$ ) kWh units & 74-kW MDI for the period from 01.09.2015 to 24.03.2016 as Null, Void & of no legal effect. Respondents are directed to charge the petitioner @ 36.23% slowness for the period of 10/2015 to MCO/Enhancement of multiplication factor. The account of the Petitioner be overhauled accordingly.”*

4. The appellant was dissatisfied with the decision dated 21.07.2017 of POI (hereinafter referred as the impugned decision), therefore filed the instant appeal before NEPRA. In its appeal, the appellant contended that MEPCO charged the detection bill of 16,918 units/74 kW MDI for the period 01.09.2015 to 24.03.2016 to the appellant on account of 36.23% slowness of the meter, which is contrary to clause 4.4(e) of Consumer Service Manual (CSM). As per appellant, he received electricity bill of Rs.375,000/- for April 2016 with enhanced MF=31.36 due to 36.23% slowness, which was paid under duress in order to avoid the disconnection of supply. According to the appellant, the

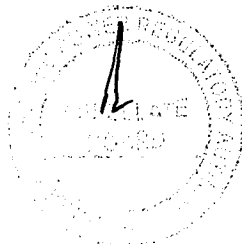




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impugned decision is against the clause 4.4(e) of CSM, which provides charging of the detection bill maximum for two billing cycles due to a defective/slow meter. The appellant pointed out that POI miserably failed to appreciate the real facts of the case and erred in giving the direction for charging the 36.23% slowness for the period of October 2015 and onwards till meter change order (MCO). The appellant finally prayed for modification of the impugned decision on the ground that the said slowness be charged maximum for two billing cycles as per provision of CSM.

5. Notice of the appeal was issued to the appellant for filing reply/parawise comments which however were not filed.
6. Hearing of the appeal was held in Multan on 05.01.2018 in which Mr. Riaz Hussain represented the appellant and Mr. Tanveer Akhtar SDO appeared for the respondent MEPCO. The representative for the appellant reiterated the same arguments as given in memo of the appeal and pleaded that the impugned decision be modified as per CSM. On the other hand, SDO MEPCO supported the impugned decision and prayed for upholding the same.
7. We have heard arguments of both the parties and perused the record placed before us. It has been observed that:
  - i. 36.23% slowness of billing meter of the appellant was observed during M&T checking on 24.03.2016, therefore a detection bill of 16,918 units/74 kW MDI for

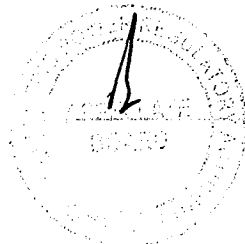




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the period 01.09.2015 to 24.03.2016 was charged to the appellant by MEPCO on account of 36.23% slowness of the meter. Multiplication Factor (MF) of the appellant was raised from 20 to 31.36 by MEPCO in April 2016. The appellant agitated the electricity bill amounting to Rs.375,000/- for April 2016 along with the aforesaid detection bill before POI on 20.05.2016.

- ii. Charging the detection bill for the period 01.09.2015 to 24.03.2016 (6 months and 24 days) to the appellant by MEPCO is violative of clause 4.4(c) of CSM, which allows charging the detection bill maximum for two billing cycles due to slowness of the meter. We are convinced with the stance of appellant that the detection bill of 16,918 units/74 kW MDI for the period 01.09.2015 to 24.03.2016 charged by MEPCO on account of 36.23% slowness of the meter is unjustified and liable to be withdrawn.
- iii. Since 36.23% slowness of the meter was observed by MEPCO in March 2016, therefore the appellant is liable to be charged the detection bill for two billing cycles i.e. February 2016 to March 2016 due to 36.23% slowness of the meter in pursuance of clause 4.4(e) of CSM. Impugned decision for charging the detection bill w.e.f October 2015 and onwards is contrary to the forgoing clause of CSM and liable to be modified to this extent.
- iv. Pursuant to clause 4.4(c) of CSM, where a meter has been found slow, the consumer could be charged with enhanced MF till the replacement of slow meter.





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In the instant case, MEPCO has rightly charged the electricity bills with enhanced MF=31.36 to the appellant w.e.f April 2016 and onwards till the replacement of meter. Objection of the appellant in this regard is not sustainable.

8. Forgoing in consideration, it has been concluded that:

- i. The detection bill of 16,918 units/74 kW MDI for the period 01.09.2015 to 24.03.2016 charged to the appellant by MEPCO on account of 36.23% slowness of the meter is unjustified and should be cancelled as already determined in the impugned decision.
- ii. The appellant should be charged the detection bill for the period February 2016 to March 2016 on account of 36.23% slowness of the meter.
- iii. Electricity bills charged with enhanced MF=31.36 by MEPCO w.e.f April 2016 and onwards till the replacement of the meter are justified and the appellant is obligated for payment of the same.

9. The impugned decision is modified in above terms.

Muhammad Qamar-uz-Zaman  
Member

Nadir Ali Khoso  
Convener

Muhammad Shafique  
Member

Dated: 18.01.2018

