



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

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No. NEPRA/Appeal/079/POI/2020/ 1061


December 28, 2021

1. Saif-ur-Rehman,  
S/o. Mehmood,  
Through Muhammadi Madni Sanjrani,  
S/o. Hafeez-ur-Rehman,  
R/o. House No. 1775/B-17,  
Mohallah Tariqabad, Shahid Colony,  
Police Line Road, Multan
2. Chief Executive Officer,  
MEPCO Ltd,  
MEPCO Complex, Khanewal Road,  
Multan
3. Sub Divisional Officer (Op),  
MEPCO Ltd,  
Nawan Shehar Sub Division,  
Lodhran
4. POI/Electric Inspector,  
Multan Region,  
249-G, Shah Ruken-e-Alam Colony,  
Phase II, Multan

Subject: Appeal Titled MEPCO Vs. Saif-Ur-Rehman Against the Decision Dated 11.03.2020 Provincial Office of Inspection to Government of the Punjab Multan Region, Multan

Please find enclosed herewith the decision of the Appellate Board dated 10.12.2021, regarding the subject matter, for information and necessary action accordingly.

Encl: As Above

  
(Ikram Shakeel)  
Deputy Director (M&E)/  
Appellate Board

Forwarded for information please.

Director (IT) –for uploading the decision on NEPRA website



# National Electric Power Regulatory Authority

## Before Appellate Board

In the matter of

## Appeal No.079/POI-2020

Multan Electric Power Company Limited .....Appellant

Versus

Saif-ur-Rehman S/o Mehmood, Through Muhammad Madni Sanjrani,  
S/o Hafeez-ur-Rehman, R/o House No.1775/B-17, Mohallah  
Tariqabad, Shahid Colony, Police Line Road, Multan .....Respondent

### **APPEAL UNDER SECTION 38(3) OF REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST THE DECISION DATED 11.03.2020 PASSED BY PROVINCIAL OFFICE OF INSPECTION MULTAN REGION MULTAN**

#### For the Appellant:

Mr. Muhammad Arif SDO

Mr. Muhammad Kashif Aziz MI

#### For the Respondent:

Mr. Abdul Sattar

Mr. Muhammad Mari

### **DECISION**

1. As per facts of the case, the Respondent is the consumer of MEPCO having three domestic connections including the connection having Ref No.07-15113-0873600 U with a sanctioned load of 2 k W and the applicable tariff is A-1(a) (hereinafter referred to as the disputed connection). The billing meter of the disputed connection of Respondent was checked by the Metering and Testing (M&T) MEPCO and reportedly it was found defective in April 2019 and the onward bills were charged on an estimated basis. Later on, the Respondent complained to the MEPCO that the billing meter of





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the disputed connection was stolen. In response, the Surveillance Team MEPCO visited the premises of the Respondent in September 2019, and reportedly, the discrepancies of the higher connected load, missing billing meter of the disputed connection, and charging of the low consumption were observed. The MEPCO registered the FIR No.575/2019 dated 05.09.2019 against the Respondent with Police on account of stolen billing meter of disputed connection. A new meter was installed by the MEPCO to the dispute connection of the Respondent in October 2019. Subsequently, a detection bill of Rs.74,205/- for 3,009 units for the period June 2019 to August 2019 three (3) months was charged by the MEPCO to the disputed connection of the Respondent on the basis of 30% load factor of the connected load i.e.5 kW and added in the bill for November 2019.

2. Being aggrieved, the Respondent initially filed a complaint before the Provincial Office of Inspection, Multan Region, Multan (the POI) against the above detection bill charged by the MEPCO. The POI vide inter alia, interim order directed the Respondent to deposit 50% of the above-mentioned detection bill against which the Respondent deposited an amount of Rs.40,000/-. Meanwhile, the Respondent filed writ petition No.19002/2019 before the Lahore High Court, Multan Bench for implementation of the interim orders of the POI by the MEPCO. The Honorable Lahore High Court, Multan Bench vide order dated 09.12.2019 directed the MEPCO for compliance with the interim orders of the POI. The matter was decided by the POI vide decision dated 11.03.2020 in which the detection bill of Rs.74,205/- for 3,009 units for the period June 2019 to August 2019 three (3) months along with estimated bills for the period







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May 2019 to August 2019 were cancelled and the MEPCO was allowed to charge the bills for the period May 2019 to August 2019 @ 250 units/month. The MEPCO was further directed to overhaul the billing account of the Respondent, accordingly.

3. This appeal has been filed against the afore-referred decision by the MEPCO before the NEPRA. In its appeal, the MEPCO opposed the impugned decision inter alia, on the following grounds; (1) the Surveillance Team MEPCO visited the premises of the Respondent in September 2019 and reportedly, the discrepancies of the higher connected load, missing billing meter of the disputed connection and charging of low consumption were observed; (2) the FIR No.575/2019 dated 05.09.2019 was lodged against the Respondent with Police on account of theft of the billing meter of disputed connection; (3) the detection bill of Rs.74,205/- for 3,009 units for the period June 2019 to August 2019 three (3) months was charged to the disputed connection of the Respondent on the basis of 30% load factor of the connected load i.e.5 kW; (4) the Respondent approached MEPCO for the installments of the above detection bill, hence the XEN MEPCO granted him six installments but he did not pay the same; (5) the impugned decision is based on a misconception of law and facts, which is liable to be set aside.
4. Notice for filing reply/para-wise comments to the appeal was sent to the Respondent, which however were not filed.
5. After issuing notice, hearing of the appeal was held at the NEPRA Regional Office, Multan on 26.10.2021, which was attended by both parties. The MEPCO representatives explained that the Surveillance Team MEPCO visited the premises of



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the Respondent and reportedly, the discrepancies of the higher connected load, missing billing meter of the disputed connection and charging of low consumption were observed. As per representatives for the MEPCO, the billing meter of the disputed connection of the Respondent was stolen, hence the FIR was registered against the Respondent with the Police and a detection bill of Rs.74,205/- for 3,009 units for the period June 2019 to August 2019 was charged to the disputed connection of the Respondent against which he made payment of Rs.40,000/-. According to the representatives for the MEPCO, the Respondent gave an undertaking to the XEN MEPCO on 13.12.2019 to pay the remaining amount of the above-said detection bill and assured that the cases from the Lahore High Court and POI will be withdrawn. The MEPCO submitted that the installments of the disputed bill were made but the same were not paid by the Respondent. The MEPCO defended the charging of the abovementioned detection bill and opposed the determination of the POI in this regard. The MEPCO finally prayed to set aside the impugned decision. On the other hand, the representative for the Respondent argued that the billing meter of the disputed connection became defective in May 2019 but the MEPCO failed to replace the said meter within two (2) months as per Clause 4.4 of the CSM. The representatives for the Respondent denied the allegation of MEPCO regarding tampering with the meter and averred that the MEPCO in its reply before the POI stated that the meter was defective. As per representatives for the Respondent, the MEPCO did not level allegations of tampering with the meter in the FIR registered against the Respondent. According to the representatives for the Respondent, the MEPCO neither provided the Surveillance Team Report nor the billing meter was misplaced by the Respondent.





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The representatives for the Respondent finally prayed that the impugned decision is liable to be maintained.

6. Having heard the arguments and perusal of the record, it is observed that:

- i. The billing meter of the disputed connection of the Respondent became defective in April 2019 and the MEPCO charged the estimated billing for the period April 2019 to September 2019. Subsequently, the MEPCO charged the detection bill of Rs.74,205/- for 3,009 units for the period June 2019 to August 2019 three (3) months to the disputed connection of the Respondent on the basis of 30% load factor of the connected load i.e.5 kW on the plea that the less consumption was charged during the said months which is not compatible with the connected load. Since the billing meter of the Respondent became defective in April 2019, therefore the MEPCO was bound to replace the said meter within two (2) months as per CSM, which however was not done in this case. Moreover, the above detection bill was charged to the Respondent on the basis of connected load i.e. 5 kW, which was neither regularized by the MEPCO nor verified by the POI being the competent forum. Moreover, the MEPCO could not prove the theft of electricity through the tampered meter since they took another stance before the POI that the billing meter was defective. Under these circumstances, the Respondent cannot be held responsible for the payment of the detection bill of Rs.74,205/- for 3,009 units for the period June 2019 to August 2019 three (3) months and the same is liable to be cancelled, which is also decision of the POI.
- ii. Similarly, the bills charged during the period April 2019 to September 2019 by



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the MEPCO due to the defective meter are not compatible with the sanctioned load i.e. 2 kW and the same are liable to be withdrawn. The Respondent is liable to be charged the bills for the period April 2019 to September 2019 based on the sanctioned load i.e. 2 kW as per Annex-VIII of the CSM. Calculation in this regard is done in the below table:

Bill type	Months	Units/month to be charged
Normal	Apr-2019 to Sep-2019	$= \text{Sanctioned load (kW)} \times \text{Load Factor} \times \text{No. of Hours/month}$ $= 2 \times 0.2 \times 730 = \mathbf{292 \text{ units}}$

7. From the above, it is concluded that the detection bill of Rs.74,205/- for 3,009 units for the period June 2019 to August 2019 three (3) months and the bills for the period April 2019 to September 2019 are unjustified, hence the same should be cancelled. The Respondent may be charged the revised bills @ 292 units/month for the period April 2019 to September 2019. The billing account of the Respondent may be overhauled after adjusting payments made against the above-disputed bills.

8. Foregoing in view, the appeal is partially accepted.

Abid Hussain  
Member/Advisor (CAD)

Nadir Ali Khoso  
Convener/Senior Advisor (CAD)

Dated: 10.12.2021

