



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

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No. NEPRA/Appeal/119/POI/2020/ 1048


December 28, 2021

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| 1. Mst. Bushra Kamal,
Through Kamal Karim Qureshi,
R/o. Mohallah Bukhari Wala,
Near Government Girls College,
Muzaffargarh | 2. Chief Executive Officer,
MEPCO Ltd,
MEPCO Complex, Khanewal Road,
Multan |
| 3. Executive Engineer (Op),
MEPCO Ltd,
Muzaffargarh Division,
Muzaffargarh | 4. POI/Electric Inspector,
Multan Region,
249-G, Shah Ruken-e-Alam Colony,
Phase II, Multan |

Subject: **Appeal Titled MEPCO Vs. Mst. Bushra Kamal Against the Decision Dated 13.07.2020 Provincial Office of Inspection to Government of the Punjab Multan Region, Multan**

Please find enclosed herewith the decision of the Appellate Board dated 08.12.2021, 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. 119/POI-2020

Multan Electric Power Company Limited

.....Appellant

Versus

Mst. Bushra Kamal, Through Kamal Qureshi,
R/o Mohallah Bukhari wala, Near Government Girls College,
Muzaffargarh

.....Respondent

APPEAL UNDER SECTION 38(3) OF REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST THE DECISION DATED 17.07.2020 PASSED BY PROVINCIAL OFFICE OF INSPECTION MULTAN REGION, MULTAN

For the Appellant:

Mr. M. Shahid Iqbal SDO
Mr. Munir Hussain

For the Respondent:

Mr. Kamal Kareem Qureshi

DECISION

1. As per facts of the case, the Respondent is a domestic consumer of the Multan Electric Power Company Limited (MEPCO) having Ref No.11-15711-0832732 U with sanctioned load of 1 kW under the A-1(a) Tariff. The display of the billing meter of the Respondent became defective in May 2019, therefore the MEPCO charged the bills with DEF-EST code during the period May 2019 to November 2019. The defective meter of the Respondent was replaced with a new meter on 19.12.2019 and it was sent for checking to the Metering and Testing (M&T) MEPCO laboratory





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on 26.12.2019 and reportedly, its display was found washed and 5,028 units were found uncharged. However, a detection bill of Rs.118,024/- for net 3,813 units was charged to the Respondent by the MEPCO in December 2019 on account of pending units.

2. Being dissatisfied, the Respondent initially filed a complaint before the Provincial Office of Inspection, Multan Region, Multan (the POI) against the charging of the above detection bill. The POI disposed of the matter vide decision dated 17.07.2020, wherein the detection bill of Rs.118,024/- for net 3,813 units charged by the MEPCO was cancelled and the MEPCO was directed to overhaul the billing account of the Respondent.
3. Being aggrieved with the decision dated 17.07.2020 of the POI (hereinafter referred to as the impugned decision), the MEPCO has filed the instant appeal before the NEPRA. In its appeal, the MEPCO contended that the detection bill of Rs.118,024/- for net 3,813 units was charged to the Respondent in December 2019 on account of pending units as observed on the defective meter, which was replaced on 19.12.2019. The MEPCO termed the above-said detection bill as justified and payable by the Respondent. The MEPCO opposed the impugned decision, inter alia, on the following grounds; (1) the POI had failed to see the case in letter and spirit and the policy formulated in the Consumer Service Manual (CSM) and passed the impugned decision on surmises and conjectures; (2) the POI neither applied the judicious mind nor consider the facts while deciding the case and; (3) the impugned decision may be set aside.





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4. Notice of the appeal was sent to the Respondent for filing reply/para-wise comments, which however were not filed.
5. Hearing of the appeal was held at the NEPRA Regional Office Multan on 25.10.2021 in which both the parties were in attendance. Learned counsel for the MEPCO reiterated the same arguments as given in memo of the appeal and averred that 5,028 units were found less charged during the M&T MEPCO checking dated 26.12.2019, therefore, the detection bill of Rs.118,024/- for net 3,813 units was charged to the Respondent. As per learned counsel for the MEPCO, the above detection bill was charged after the adjustment of units already charged during the period May 2019 to November 2019. Learned counsel for the MEPCO finally prayed for setting aside the impugned decision. On the other hand, the Respondent appearing in person repudiated the contentions of learned counsel for the MEPCO and argued that neither prior notice was served nor he was associated during the M&T MEPCO checking, as such he was not responsible to pay the detection bill of Rs.118,024/- for net 3,813 units charged by the MEPCO on account of pending units as the disputed meter was under the custody of the MEPCO. The Respondent finally prayed for the maintainability of the impugned decision.
6. Arguments were heard, the record was perused. It is observed that the detection bill of Rs.118,024/- for net 3,813 units charged by the MEPCO on account of pending units, however, the disputed meter was neither produced before the POI for verification of the pending units nor was the data retrieval done in presence of the





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Respondent. After the removal of the defective billing meter of the Respondent in December 201, the MEPCO kept the same in its custody. It is further observed that the Respondent was charged the bills @ DEF-EST code by the MEPCO to the Respondent during the period i.e. May 2019 to November 2019 in which the disputed meter remained defective. Therefore, there is no justification for charging the additional bill based on incredible data retrieval report. From the foregoing reasons, we hold that the second detection bill of Rs.118,024/- for net 3,813 units charged by the MEPCO to the Respondent in December 2019 as already decided by the POI.

7. Foregoing in view, the appeal is dismissed.

Abid Hussain
Member/Advisor (CAD)

Nadir Ali Khoso
Convener/Senior Advisor (CAD)

Dated: 08.12.2021

