



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

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No. NEPRA/Appeal/118/POI/2020/ 4/8

April 18, 2022

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|--|--|
| 1. Matloob Hassan (Alias Hassan Ali),<br>S/o. Mehboob Ali,<br>House No. 102, Mohallah Sheikhan Sadaat,<br>Khangarh, Tehsil & District Muzaffargarh | 2. Chief Executive Officer,<br>MEPCO Ltd,<br>MEPCO Complex, Khanewal Road,<br>Multan                 |
| 3. Executive Engineer (Operation),<br>MEPCO Ltd,<br>Muzaffargarh Division,<br>Muzaffargarh   | 4. POI/Electric Inspector,<br>Multan Region,<br>249-G, Shah Ruken-e-Alam Colony,<br>Phase II, Multan |

Subject: **Appeal Titled MEPCO Vs. Matloob Hassan Against the Decision Dated 29.07.2020 Provincial Office of Inspection to Government of the Punjab Multan Region, Multan**

Please find enclosed herewith the decision of the Appellate Board dated 12.04.2022, 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.

1. Additional Director (IT) --for uploading the decision on NEPRA website



## National Electric Power Regulatory Authority

### Before The Appellate Board

In the matter of

### Appeal No.118/POI-2020

Multan Electric Power Company Limited

.....Appellant

Versus

Matloob Hassan S/o Mehboob Ali, House No.102, Mohallah Sheikhan  
Sadaat, Khangarh, Tehsil & District Muzaffargarh

.....Respondent

**APPEAL UNDER SECTION 38(3) OF REGULATION OF GENERATION,  
TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997  
AGAINST THE DECISION DATED 29.07.2020 PASSED BY THE PROVINCIAL  
OFFICE OF INSPECTION MULTAN REGION MULTAN**

For the Appellant:

Mr. Muhammad Imran SDO

For the Respondent:

Nemo

### DECISION

1. As per facts of the case, the Respondent is a domestic consumer of MEPCO having connection bearing Ref No.06-15713-0280801 with a sanctioned load of 1 kW and the applicable tariff category is A-1(a). The billing meter of the Respondent was checked by metering and testing (M&T) MEPCO on 12.07.2019 and reportedly, it was found tampered (88.2% slow) for committing theft of electricity, and the running load was noticed as 5.8 Amp. Therefore, FIR No.1907-10 dated 16.07.2019 was registered against the Respondent with the police, and a detection bill of Rs.127,603/- for 5,034 units for



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the period, March 2019 to June 2019 (4 months) was charged by the MEPCO to the Respondent and added in the bill for August 2019. The electric supply of the Respondent was disconnected and the billing meter was removed by the MEPCO due to non-payment of the above detection bill.

2. Being aggrieved, the Respondent initially filed a civil suit before the Civil Court Muzaffargarh, which was subsequently withdrawn by the Respondent to prefer an application before the Provincial Office of Inspection, Multan Region, Multan (the POI) against the abovementioned detection bill. The matter was decided by the POI vide decision dated 29.07.2020 in which the detection bill of Rs.127,603/- for 5,034 units for the period, March 2019 to June 2019 (4 months) was cancelled and the MEPCO was directed to charge the revised bills @ 657 units/month for the disputed months i.e. April 2019, May 2019, and July 2019. MEPCO was further directed to overhaul the billing account of the Respondent and to the restoration of electric supply through a healthy meter.
3. This appeal has been filed against the afore-referred decision before the NEPRA *inter alia*, on the following grounds that the Respondent failed to give notice before approaching the POI; that the POI did not consider the malafide intention of the Respondent, who changed the preserved status of the disputed meter; that 88.2% slowness in the billing meter was declared by the M&T MEPCO and the Respondent was rightly charged the bills with raised multiplication factor; that the consumption data of the Respondent was not rightly analyzed by the POI as the Respondent was involved in illegal

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abstraction of electricity since long; that the detection bill for the period March 2019 to June 2019 was rightly charged to the Respondent; that the POI failed to observe the case in letter and spirit and passed the impugned decision on surmises and conjectures and the POI has no lawful jurisdiction to decide the same.

4. Notice for filing reply/para-wise comments to the appeal was issued to the Respondent, which however were not submitted.
5. After issuing notices, hearing of the appeal was held at the NEPRA Regional Office Multan on 21.03.2022, which was attended by the SDO MEPCO and no one appeared for the Respondent. SDO MEPCO reiterated the same arguments as given in memo of the appeal and argued that the Respondent was found involved in misuse of electricity through tampering the meter during checking dated 12.07.2019, hence FIR was lodged against him and the criminal proceedings are under process. SDO MEPCO termed the charging of detection bill of Rs.127,603/- for 5,034 units for the period, March 2019 to June 2019 as justified and payable by the Respondent. SDO MEPCO submitted that the impugned decision for declaring the above detection bill as null and void is unjustified and liable to be withdrawn.
6. Having heard the arguments and the perusal of the record, it is observed as under:
  - i. MEPCO alleged that the Respondent was stealing electricity by tampering the meter and the POI has no jurisdiction to adjudicate the instant matter. It is noticed that the matter pertains to the billing due to a tampered meter and the POI is empowered to

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entertain such disputes pursuant to the judgment of the honorable Supreme Court of Pakistan reported as PLD 2012 SC 371. Section 38 of the NEPRA Act, 1997 also authorizes the POI for adjudication of the dispute of such nature. Hence objection of MEPCO in this regard is overruled.

- ii. As regards another objection of the MEPCO for not issuing notice as per the Electricity Act, 1910 by the Respondent before filing a complaint to the POI, it is elucidated that the matter was adjudicated by the POI under the NEPRA Act, 1997 and as per procedure laid down in Punjab (Establishment and Powers of Office of Inspection) Order, 2005, which do not require for service of any notice before approaching the POI. The above objection of MEPCO is not valid, therefore overruled.
- iii. Examination of record shows that discrepancy of illegal abstraction of electricity through tampering the billing meter was observed during the M&T MEPCO checking dated 12.07.2019 and FIR No.1907-10 dated 16.07.2019 was lodged against the Respondent. However, the said discrepancy was neither pointed out by the meter reader during the monthly readings nor the disputed meter was produced before the POI being a competent forum for verification. Besides, the detection bill of Rs.127,603/- for 5,034 units for the period, March 2019 to June 2019 was charged in violation of Clause 9.1c(3) of the Consumer Service Manual (CSM). Said clause of the CSM allows MEPCO to charge the detection bill maximum for three months to the Respondent being a general supply consumer ie. A-1. It is further observed that



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the above detection bill was worked out on the basis of enhanced MF=8.47 due to 88.2% slowness of the meter instead of connected load as required in the theft cases, which is inconsistent with provisions of the CSM. Hence the POI has rightly cancelled the detection bill of Rs.127,603/- for 5,034 units for the period, March 2019 to June 2019 charged by the MEPCO.

iv. Similarly, the determination of the POI for revision of the bills @ 657 units/month for the months i.e. April 2019, May 2019, and July 2019 on the basis of connected load is correct and the same should be maintained.

v. The billing account of the Respondent may be overhauled by the MEPCO after adjusting payments made against the disputed bill.

7. Foregoing in view, the appeal is dismissed.

Abid Hussain  
Member/Advisor (CAD)

Nadir Ali Khoso  
Convener/Senior Advisor (CAD)

Dated: 12.04.2022