



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

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No. NEPRA/Appeal/038/2024/ 663


July 11, 2025

- | | |
|---|---|
| 1. Abdul Majeed,
S/o. Piran Ditta,
R/o. Chak No. 147/WB,
P. O. Dakota, Tehsil Mailsi,
District Vehari | 2. Chief Executive Officer,
MEPCO Ltd,
MEPCO Complex, Khanewal Road,
Multan |
| 3. Malik Mureed Hussain Makwal,
Advocate High Court,
15-New Block, District Courts,
Multan.
Cell No. 0301-7510406 | 4. Mehar Muhammad Riaz,
Advocate High Court,
58-Jinnah Block, District Courts,
Multan
Cell No. 0303-9091687 |
| 5. Executive Engineer (Operation),
MEPCO Ltd,
Mailsi Division,
Mailsi | 6. Sub Divisional Officer (Op),
MEPCO Ltd,
Sardar Pur Jhandir Sub Division,
Mailsi |
| 7. POI/Electric Inspector,
Multan Region,
Energy Department, Govt. of Punjab,
249-G, Shah Rukan-e-Alam Colony,
Phase-II, Multan | |

Subject: **Appeal No.038/2024 (MEPCO vs. Abdul Majeed) Against the Decision Dated 15.03.2024 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 11.07.2025 (05 pages), regarding the subject matter, for information and necessary action accordingly.

Encl: As Above


(Ikram Shakeel)
Deputy Director
Appellate Board

Forwarded for information please.

1. Director (IT) –for uploading the decision of the Appellate Board on the NEPRA website



National Electric Power Regulatory Authority

Before The Appellate Board

In the matter of

Appeal No.038/POI-2024

Multan Electric Power Company Limited

.....Appellant

Versus

Abdul Majeed S/o. Piran Ditta, R/o. Chak No.147/WB,
P.O.Dokota, Tehsil Mailsi, District

.....Respondent

APPEAL U/S 38(3) OF REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997

For the Appellant:

Malik Mureed Hussain Advocate

For the Respondent:

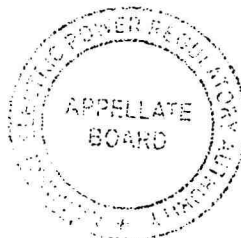
Mr. Muhammad Riaz Mehar Advocate

DECISION

1. Brief facts leading to the filing of instant appeal are that Abdul Majeed (hereinafter referred to as the "Respondent") is a domestic consumer of Multan Electric Power Company Limited (hereinafter referred to as the "Appellant") bearing Ref No.15-15354-1065400-U with sanctioned load of 1 kW and the applicable tariff category is A-1. The impugned meter of the Respondent was found defective during checking dated 18.03.2021, the connected load was observed as 6 kW and the Respondent was found involved in misuse of tariff, i.e. domestic connection used for agriculture purpose. Notice dated 29.03.2021 was issued to the Respondent regarding the above discrepancy and a detection bill amounting to Rs.201,872/- for 7,845 units for the period from October 2020 to March 2021 (6 months) was charged by the Appellant to the Respondent and added to the bill for May 2021.

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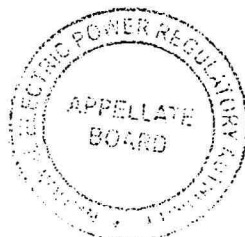
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2. Being aggrieved with the abovementioned actions of the Appellant, the Respondent approached the Provincial Office of Inspection, Multan Region, Multan (hereinafter referred to as the "POI") and assailed the above detection bill. The matter was disposed of by the POI vide the decision dated 15.03.2024, wherein the detection bill of Rs.201,872/- for 7,845 units for the period from October 2020 to March 2021 (6 months) along with bills for the period from August 2020 to February 2021 was cancelled and the Appellant was directed to charge the revised bills for the period from August 2020 to February 2021 on DEF-EST code and restore the electricity of the premises without recovery of RCO.
3. Subject appeal has been filed against the afore-referred decision dated 15.03.2024 of the POI (hereinafter referred to as the "impugned decision") by the Appellant before the NEPRA. In its appeal, the Appellant opposed the impugned decision *inter alia*, on the main grounds that the impugned is illegal, void, without jurisdiction, self-contradictory; that the POI miserably failed to appreciate real facts of the case and law applicable on the subject and erred in giving the observations; that the meter was found defective and the connected load was observed as 6 kW; that notice dated 29.03.2021 was issued to the Respondent but the same was neither replied nor did the Respondent visit the Appellant's office; that the Respondent was involved in misuse of tariff; that the consumption of the Respondent remained very less as compared to the connected load observed during the checking; that the impugned detection bill of Rs.201,872/- for 7,845 units for the period from October 2020 to March 2021 was charged to the Respondent after adopting all the codal and legal formalities ; that the POI passed the impugned decision without applying conscientious mind; and that the impugned decision is liable to be set aside.
4. Upon filing of the instant appeal, a Notice dated 06.06.2024 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which were filed on 02.07.2024. In his reply, the Respondent prayed for dismissal of the appeal *inter alia* on the main grounds that the appeal is time-barred that the Appellant did not follow the procedure as laid down in CSM; that neither any notice was served nor the impugned meter was checked by the Appellant through neutral local native; that the POI after correct perusal of record cancelled the detection bill of Rs.201,872/- for 7,845 units for the period from October 2020 to March 2021 and that the impugned decision is liable to be upheld.
5. Hearing of the subject appeal was conducted at NEPRA Regional Office Multan on 07.02.2025, which was attended by the counsels for the Appellant and the Respondent.

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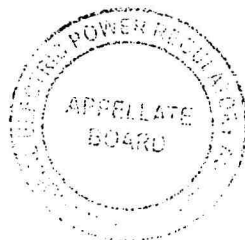
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Learned counsel for the Appellant repeated the same contention as contained in memo of the appeal and contended that the impugned meter of the Respondent was found defective, the connected load was observed as 6 kW, and the Respondent was found using electricity of domestic connection for irrigation purpose during checking dated 18.03.2021. Learned counsel for the Appellant further contended that notice dated 29.03.2021 was served to the Respondent, which however remained unanswered, hence the detection bill of Rs.201,872/- for 7,845 units for the period from October 2020 to March 2021 was charged to the Respondent to recover the revenue loss sustained by the Appellant. As per learned counsel for the Appellant, the POI without going into the merits of the case and perusal of consumption data rendered the impugned decision, which is liable to be struck down in the best interest of justice. On the contrary, learned counsel for the Respondent repeated its objection regarding limitation and argued that the appeal is time-barred and the same is liable to be dismissed on this sole ground. Learned counsel for the Respondent rebutted the version of the Appellant regarding the impugned detection bill and argued that the entire proceedings were carried out by the Appellant unilaterally as such the impugned detection bill was charged in violation of provisions of the CSM-2021. Learned counsel for the Respondent supported the impugned decision and prayed for upholding the same.

6. Arguments were heard and the record was perused. Following are our observations:

6.1 While considering the preliminary objection of limitation raised by the Respondent, it is noted that the Appellant applied for the copy of the impugned decision dated 15.03.2024 on 24.04.2024, which was delivered by the POI on the same date i.e. 24.04.2024. The Appellant filed the appeal before the NEPRA on 07.05.2024 which is within thirty (30) days of the receipt of the impugned decision as per Section 38 of the NEPRA Act, 1997. There is no force in the arguments of the Respondent that the time of limitation starts from the date of announcement. Reliance in this regard is placed on the judgment of the honorable Lahore High Court Lahore cited as 2016 YLR 1916, wherein it was held that the POI is required to send a copy of the impugned decision to the parties and the period of limitation for filing the appeal will start from the date of receipt of the impugned decision. In view of the above, the objection of the Respondent regarding limitation is not

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valid and, therefore dismissed.

6.2 In the instant case, the Appellant claimed that the impugned meter of the Respondent was found defective, connected load was observed as 6 kW and the Respondent was involved in misuse of tariff as observed on 18.03.2021, therefore a detection bill of Rs.201,872/- for 7,845 units for the period from October 2020 to March 2021 was debited to the Respondent based on connected load, which was challenged by the Respondent before the POI.

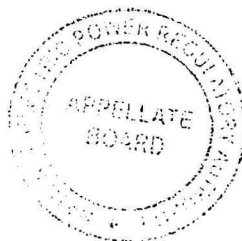
6.3 As per the judgment of the Supreme Court of Pakistan reported in *PLD 2012 SC 371*, the POI is the competent forum to check the metering equipment, wherein theft of electricity was committed through tampering with the meter and decide the fate of the disputed bill, accordingly. In the instant case, the Appellant neither produced the impugned meter before the POI for the verification of alleged defectiveness nor could adhere to the procedure to establish misuse of electricity as laid down in Chapter 9 of the CSM-2021.

6.4 To authenticate the charging of the impugned detection bill, consumption data as provided by the Appellant is reproduced below:

Year	2016	2017	2018	2019	2020	2021
January	101	57	37	104	25	2
February	311	93	152	52	18	12
March	20	57	105	61	61	0
April	203	156	134	69	-7	dc
May	240	135	100	41	32	dc
June	204	136	189	149	44	
July	221	51	119	123	23	
August	172	195	94	1	10	
September	20	161	110	65	8	
October	20	109	83	37	12	
November	60	7	108	45	5	
December	74	30	78	9	8	
Average	137	99	109	63	20	5
Detection bill @ 1,314 units/month						

As evident from the above table, such high consumption of 1314 units as charged by the Appellant has never been recorded in the billing history of the Respondent. The Appellant even could not justify the assessment of the impugned detection bill before the POI as well

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as before us. If presumed, the Respondent was involved in the misuse of the tariff as to why the Appellant did not proceed in accordance with the procedure as laid down under Chapter 7 of the CSM-2021.

6.5 In view of the foregoing discussion, we are of the considered view that the detection bill of Rs.201,872/- for 7,845 units for the period from October 2020 to March 2021 charged by the Appellant to the Respondent is unjustified and the same is cancelled as already determined by the POI.

6.6 As actual consumption was not charged by the Appellant from August 2020 to March 2021, it would be fair and appropriate to charge the revised bills to be calculated in the below table as per Annex VIII of the CSM-2021:

$$\begin{aligned}\text{Units/month assessed as per CSM-2021} &= \text{Connected load (kW)} \times \text{Load Factor} \times \text{No. of Hrs.} \\ &= 6 \times 0.2 \times 730 = \mathbf{876 \text{ units}}\end{aligned}$$

6.7 The Respondent may be charged the revised bills @ 876 units/month for the period from October 2020 to March 2021 and charge the difference of tariff i.e. D-1 instead of A-1. The impugned decision is modified to this extent.


7. In view of what has been stated above, we concluded that:

7.1 The detection bill of Rs.201,872/- for 7,845 units for the period from October 2020 to March 2021 charged to the Respondent is unjustified and the same is cancelled.

7.2 The Respondent may be charged the revised bills @ 876 units/month for the period from October 2020 to March 2021 and charge the difference of tariff i.e. D-1 instead of A-1.


7.3 The billing account of the Respondent may be overhauled, accordingly.


8. The impugned decision is modified in the above terms.


Abid Hussain
Member/Advisor (CAD)

Dated: 11-07-2025

Appeal No.038/POI-2024


Naweed Illahi Sheikh
Convener/DG (CAD)


Muhammad Irfan-ul-Haq
Member/ALA (Lic.)

