



**National Electric Power Regulatory Authority**  
**Islamic Republic of Pakistan**

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**OFFICE OF THE  
REGISTRAR**

No. NEPRA/CAD/TCD-09/15886-87

November 03, 2015

Chief Executive Officer  
K-Electric Limited  
KE House No. 39-B, Sunset Boulevard, Phase-II,  
Defense Housing Authority, Karachi.

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. KHALIQ -  
UR-REHMAN UNDER SECTION 39 OF THE REGULATION OF  
GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC  
POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING  
DETECTION BILL (CONSUMER # AL-042103)**  
COMPLAINT # KE-1104/2014

Please find enclosed herewith the decision of NEPRA regarding the subject matter for necessary action and compliance within thirty (30) days.

**Encl: As above**

  
**(Iftikhar Ali Khan)**  
Deputy Registrar

Copy to:

Mr. Khaliq-Ur-Rehman  
B-140, Al-Falah, CHS, Malir Halt,  
Karachi



**BEFORE THE**  
**NATIONAL ELECTRIC POWER REGULATORY AUTHORITY**  
**(NEPRA)**

Complaint No: KE-1104-2014

**Mr. Khaliq-ur-Rehman**  
B-140, Al-Falah, CHS,  
Malir Halt, Karachi.

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**Complainant**

**Versus**

**K- Electric Limited**  
(Formerly, Karachi Electric Supply Company (KESC))  
KE House, 39-B, Sunset Boulevard,  
DHA-II, Karachi.

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**Respondent**

**Date of Hearing:** 3<sup>rd</sup> August 2015

**Date of Decision:** 2<sup>nd</sup> November 2015

**On behalf of:**

**Complainant:** 1) Mr. Khaliq-ur-Rehman  
2) Mr. Tauqeer Hussain

**Respondent:** 1) Mr. Rafique Ahmed Sheikh, GM (Regulations)  
2) Mr. Sajjad Zaheer, DGM

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. KHALIQ-UR-REHMAN UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING DETECTION BILL (CONSUMER NO. LA-042103)**

**DECISION**

This decision shall dispose of the complaint dated November 24, 2014 filed by Mr. Khaliq-ur-Rehman (hereinafter referred to as the "Complainant") against K-Electric Limited (hereinafter referred to as the "Respondent" or "KE") under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997.

2. The Complainant in his complaint stated that he has been paying his bills regularly, however he received a bill for the month of October, 2014 in which arrears were included without any notice. Thereafter, he approached KE for redressal of his issue, however, his issue was not resolved by KE. The Complainant has prayed for waiver of the arrears.

3. The matter was taken up with KE for submission of parawise comments. In response, KE vide its letter December 17, 2014 reported that a site inspection was carried out at the Complainant's premises on August 11, 2014 after serving a notice under Section 20 of the Electricity Act, 1910. During the course of inspection, a discrepancy of "extra phase in use & double feeder use through kunda" was reported and connected load was found to be 4.764 kW against sanctioned load of 1.0 kW. Thereupon, a notice dated August 11, 2014 under section 39, 39A, 44 & 26A of Electricity Act 1910 was served upon the Complainant to

provide an opportunity to explain the reason behind the reported discrepancy, however the same was not acknowledged by the Complainant. After lapse of stipulated time period, a detection bill amounting to Rs. 30,172/- for 2,242 units was processed on the basis of Site Inspection Report (SIR), covering a period of six (06) months from February 02, 2014 to August 04, 2014. In addition to this, KE informed that it is not possible to lodge FIR in all cases due to requirement of supporting documents, which are not provided by the consumers after detection of theft. KE further added that the Complainant was involved in theft of electricity, therefore the detection bill is justified and liable to be paid by the Complainant.

4. The report of KE was sent to the Complainant for information/comments. In response, the Complainant vide his letter dated December 24, 2014 raised his observations over the report of KE and denied the allegations leveled against him by KE. He negated the facts mentioned regarding the connected load in Site Inspection Report (SIR) and termed it as baseless. Accordingly, the matter was again taken-up with KE for submission for comments/report on the rejoinder. In response, KE vide its letter dated January 09, 2015 reiterated its earlier version and informed that physical inspection of the premises was not allowed by the Complainant, however, the connected load was verbally informed to the inspection team as 4.764 kW. In order to proceed further into the matter, some additional information was sought from KE with respect to billing history of the Complainant's account, rationale of detection bill, copy of MCO, etc. In response, KE vide its letters dated April 10, 2015 and April 27, 2015 submitted the required information/documents.

5. To probe further into the matter, a hearing was held on August 03, 2015 at Karachi. The hearing was attended by both the parties, whereby both the parties advanced their respective arguments on the basis of their earlier versions. During the course of hearing, it was transpired that two connections are installed at the Complainant's premises. Accordingly, KE was directed to provide updated billing history of both connections installed at Complainant's premises, which was provided by KE vide its letter dated August 18, 2015.

6. The case has been examined in light of the documents provided by both the parties, arguments advanced during the hearing and applicable law. Following has been observed:

i. As per report of KE, an inspection of the Complainant's premises was carried out on August 11, 2014 and discrepancy of "extra phase in use & double feeder use through kunda" was detected. On the basis of this discrepancy, KE assessed the consumption of the Complainant as 3,520 units for the period from February 02, 2014 to August 04, 2014 (6 months) and after deducting already charged 1,277 units during this period, KE raised detection bill amounting to Rs. 30,207/- for 2,243 units. The Complainant has denied the allegations leveled by KE.

ii. The billing statement of the Complainant's accounts, provided by KE, is as under:

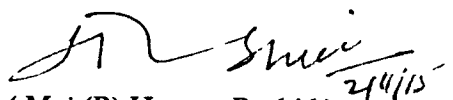
Month	YEARS											
	NUMBER OF UNITS CONSUMED											
	2012			2013			2014			2015		
	Consumer No LA-042103	Consumer No AL-352932	Total	Consumer No LA-042103	Consumer No AL-352932	Total	Consumer No LA-042103	Consumer No AL-352932	Total	Consumer No LA-042103	Consumer No AL-352932	Total
January	98	219	317	61	106	167	136	175	311	138	265	403
February	98	202	300	101	142	243	130	243	373	136	235	371
March	109	248	357	113	113	226	106	217	323	140	234	374
April	113	377	490	144	188	332	176	347	523	167	201	368
May	166	281	447	198	302	500	219	309	528	225	258	483
June	177	177	354	218	320	538	267	309	576	237	314	551
July	155	104	259	184	170	354	226	219	445	229	290	519
August	179	209	388	269	210	479	283	229	512			
September	267	227	494	163	162	325	249	279	528			
October	216	280	496	212	120	332	250	280	530			
November	162	280	442	201	161	362	203	236	439			
December	186	136	322	147	120	267	166	261	427			

The inspection of the premises was carried out on August 11, 2014. The above table reveals the following:

- a. The consumption of the Complainant's connection bearing consumer No. LA-042103 (against which KE has raised detection bill) during the disputed period i.e. from March, 2014 to August, 2014 is 1,277 units (Average monthly = 213 units), whereas the consumption of the Complainant in corresponding months of previous year i.e. from March, 2013 to August, 2013 is 1,126 units (Average monthly = 188 units). From this, it is transpired that the consumption of the Complainant's connection against which detection bill has been charged was fractionally on a higher side during the period for which KE has charged detection bill as compared to the consumption recorded in the corresponding months of the previous year.
  - b. The consumption of the Complainant during the period of 11 months after inspection i.e. from September, 2014 to July, 2015 is 2,140 units (Average monthly = 195 units), whereas the consumption of the Complainant in corresponding months of previous year i.e. from September, 2013 to July, 2014 is 1,983 units (Average monthly = 180 units). There is no remarkable difference in the consumption of the premises during 11 months after inspection as compared with the consumption of corresponding months of previous year. If the Complainant was involved in theft of electricity then there should have been remarkable difference in the consumption after inspection
  - c. The combined consumption of both connections installed at the Complainant's premises during the disputed period i.e. from March, 2014 to August, 2014 was 2,907 units (Average monthly = 485 units), whereas the consumption of the Complainant in corresponding months of previous year i.e. from March, 2013 to August, 2013 was 2,429 units (Average monthly = 405 units). From this it is transpired that the combined consumption of both connections was on higher side during the period for which KE has charged detection bill as compared to the consumption recorded in the corresponding months of the previous year.
  - d. The combined consumption of both connections installed at the Complainant's premises during the period of 11 months after inspection i.e. from September, 2014 to July, 2015 is 4,993 units (Average monthly = 454 units), whereas the consumption of the Complainant in corresponding months of previous year i.e. from September, 2013 to July, 2014 was 4,365 units (Average monthly = 397 units). There is no remarkable difference in the consumption of the premises during 11 months after inspection as compared with the consumption of corresponding months of previous year. As such, the billing history of the Complainant's account does not support the version of KE that the Complainant was involved in theft of electricity. Further reasonable number of units are being recorded/billed by KE during last three years, which shows that there is no involvement of the Complainant in theft of electricity
- iii. KE has penalized the Complainant on account of illegal abstraction of electricity i.e. extra phase in use. In this regard, a procedure is laid down in Consumer Service Manual (CSM) as per which lodging of FIR is mandatory in case of direct theft of electricity, but in the instant case neither FIR was lodged nor the matter was reported to the concerned police station. Further, KE has not provided any proof from which it could be ascertained that the Complainant was involved in theft of electricity.

7. Foregoing in view, the detection bill amounting to Rs. 30,207/-, charged against the Complainant is void, illegal, and unjustified, therefore, KE is hereby directed to withdraw the said detection bill and submit compliance report within thirty (30) days.

Islamabad, November 02, 2015

  
( Maj (R) Haroon Rashid )  
Member (Consumer Affairs)  
