



National Electric Power Regulatory Authority
Islamic Republic of Pakistan

NEPRA Office Building, G-5/1, Attaturk Avenue (East), Islamabad
Phone: 051-9206500, Fax: 051-2600026

Website: www.nepra.org.pk, Email: registrar@nepra.org.pk

OFFICE OF THE
REGISTRAR

No. NEPRA/R/CAD/TCD-09/14603-04

October 05, 2015

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

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. ALI RAZA S/O HABIB SHAH C/O MR. MUHAMMAD GHAYOOR UNDER SECTION 39 OF REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING DETECTION BILL (CONSUMER NO. LB-174826)**
Complaint # KE-2031/2015

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. Ali Raza S/o Habib Shah
C/o Muhammad Ghayoor
H. No. R-300, Hussain Hazara Goth, Block 11,
Model Village, Gulshan-e-Iqbal,
Karachi



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

Complaint No: KE-2031-2015

Mr. Ali Raza S/o Habib Shah Complainant
C/o Muhammad Ghayoor,
H.No. R-300, Hussain Hazara Goth, Block 11,
Model Village, Gulshan-e-Iqbal, Karachi.

Versus

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

Date of Hearing: 3rd August 2015

Date of Decision: October 02, 2015

On behalf of:

Complainant: Mr. Muhammad Ghayoor

Respondent: Mr. Rafique Ahmed Sheikh, GM (Regulations)

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. ALI RAZA S/O HABIB SHAH C/O MR. MUHAMMAD GHAYOOR 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. LB-174826)**

DECISION

This decision shall dispose of the complaint dated 13th February 2015 filed by Mr. Ali Raza S/o Habib Shah C/o Mr. Muhammad Ghayoor (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 KE charged him arrears of Rs. 12,000/- in his bill for the month of July 2014 for which he complained to KE but the same was not entertained. After lapse of two months, electricity supply of his premises was disconnected by KE without explaining the reasons for arrears. He again approached KE and the arrears were temporarily deferred and he regularly paid the bills till the end of the year 2014. However, same arrears were again charged to him in the bill for the month of December



2014 without any justification. The Complainant has requested for investigation of the matter and provision of relief to him.

3. The matter was taken up with KE for submission of parawise comments. In response, KE vide its letter dated 5th March 2015 reported that a site inspection was carried out at the Complainant's premises on 20th June 2014 after serving an inspection notice under section 20 of the Electricity Act, 1910 which was not acknowledged by the Complainant. As per the Site Inspection Report (SIR), a discrepancy of "meter stop, light in use through hook" was detected. Subsequently, a notice dated 20th June 2014 under section 39, 39A, 44 & 26A of Electricity Act 1910 was served to the consumer to provide an opportunity to explain the reason of the reported discrepancy which the consumer refused to acknowledge. Since no response was received from the consumer within stipulated time, therefore, a detection bill amounting to Rs. 10,985/- for 1130 units for a period of six (06) months, i.e. from 7th December 2013 to 6th June 2014, was processed. Further, consumption of the consumer increased significantly after detection and rectification of the discrepancy. The consumer was involved in direct theft of electricity, hence the detection bill is justified and liable to be paid by the consumer.

4. The report of KE was sent to the Complainant for information/comments. In response, the Complainant vide his letter dated 24th April 2015 raised his observations over the report of KE and denied the allegations leveled by KE. Accordingly, the matter was again taken-up with KE and some additional information was sought with respect to billing history of the premises, rationale of detection bill, proof of the said discrepancy, copy of FIR, etc. In response, KE vide its letter dated 21st May 2015 submitted the required information except proof of the discrepancy and copy of FIR.

5. To probe further into the matter, a hearing was held on 3rd August 2015 at Karachi which was attended by both the parties. During the hearing, the parties advanced their arguments on the basis of their earlier versions. The Complainant denied the allegations leveled by KE.

6. After examining the case 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 the report of KE, an inspection of the Complainant's premises was carried out on 20th June 2014 and discrepancy of "meter stop, light in use through hook" was found. On the basis of this discrepancy, KE assessed the consumption of the Complainant as 1660 units (277 units per month) for the period from 7th December 2013 to 6th June 2014 and after deducting already charged 530 units during this period, KE raised detection bill amounting to Rs. 10,985/- for 1130 units. The Complainant has denied the allegations leveled by KE.
- ii. The billing statement of the Complainant's account, as provided by KE, is as under:

MONTH	YEARS			
	NUMBER OF UNITS CONSUMED			
	2012	2013	2014	2015
January	70	41	47	47
February	70	38	45	53
March	80	67	47	59
April	101	163	71	129
May	149	140	113	176
June	136	171	207	218
July	132	138	108	197
August	124	66	138	179
September	140	94	123	-
October	125	138	39	-
November	120	103	94	-
December	70	57	58	-



The inspection of the premises was carried out on 20th June 2014. The above table depicts the consumption of the Complainant as under:

- Consumption of the Complainant during 6 months prior to inspection i.e. from January 2014 to June 2014 = 530 units (Average monthly = 88 units)
- Consumption of the Complainant in corresponding months of previous year i.e. from January 2013 to June 2013 = 620 units (Average monthly = 103 units)
- Consumption of the Complainant during a period of 1 year after inspection i.e from July 2014 to June 2015 = 1242 units (Average monthly = 104 units)
- Consumption of the Complainant in corresponding months of previous year i.e from July 2013 to June 2014 = 1126 units (Average monthly = 93 units)

The above billing data shows that there is no remarkable difference in the consumption of the Complainant during the period for which KE has charged the detection bill as compared with the consumption recorded in the corresponding months of previous year. Further, there is no remarkable difference in the consumption of the Complainant during the period of one year after inspection i.e July 2014 to June 2015 as compared with the consumption of corresponding months of previous years. 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.

- iii. KE is of view that the consumption of the Complainant has increased after inspection i.e 207 units consumed in the month of June 2014. From the documents, it has been observed that KE carried out inspection of the premises on 20th June 2014, whereas bill for the month of June 2014 was issued on 9th June 2014 i.e prior to the inspection; as such, the point of view of KE regarding increase in the consumption after inspection is invalid and misleading.
- iv. KE has penalized the Complainant on account of direct use of electricity. 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. In the instant case, KE has neither lodged any FIR against the Complainant nor the matter has been reported to the concerned police station. Further, from the record, it has not been established that KE has followed the procedure laid down in CSM prior to imposition of the detection bill.

7. Foregoing in view, the detection bill amounting to Rs. 10,985/-, charged against the Complainant, is illegal, invalid and unjustified, therefore, KE is directed to withdraw the said detection bill charged against the Complainant.

8. Compliance report be submitted within thirty (30) days.


(Maj (R) Haroon Rashid) 27
Member (Consumer Affairs)

Islamabad, October 02, 2015

