



National Electric Power Regulatory Authority Islamic Republic of Pakistan

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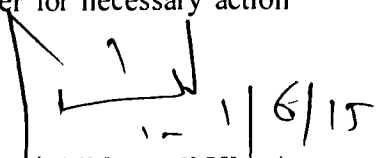
June 01, 2015

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

Subject: **DECISION IN THE MATTER OF COMPLIANT FILED BY SHEIKH NISAR AHMED PARCHAMWALA THROUGH MR. JAMEEL IQBAL SYED, GENERAL SECRETARY, ANJUMAN-E-MUTASSAREEN-E-K-ELECTRIC KARACHI DIVISION UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC REGARDING ARREARS IN THE BILL - COMPLAINT # KE-889/2014**

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

Encl:/As above


(Iftikhar Ali Khan)
Deputy Registrar

Copy to:

Sheikh Nisar Ahmed Parchamwala
C/o Jameel Iqbal Syed,
General Secretary,
Anjuman-e-Mutassareen-e-K-Electric Karachi Division
Office No. 102, Azim Centre, Hasan Ali Afandi Road,
Light House, Paper Market, Karachi



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

Complaint No: KE-889/2014

Sheikh Nisar Ahmed Parchamwala, **Complainant**
C/o Jameel Iqbal Syed,
General Secretary,
Anjuman-e-Mutassareen e K-Electric Division,
Office No.102,Azim Centre, Hasan Ali Afandi Road,
Light House, Paper Market, Karachi.

Versus

K-Electric Limited **Respondent**
(Formerly Karachi Electric Supply Company (K.E.S.C)),
KE-I house No. 39-B, Sunset Boulevard, Phase II,
Defence Housing Authority, Karachi.

Date of Hearing: March 27, 2015

Date of Decision: May *27*, 2015

On behalf of:

Complainant: Sheikh Nisar Ahmed Parchamwala

Respondent: Mr. Rafique Ahmed Shaikh (General Manager)

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY SHEIKH NISAR AHMED PARCHAMWALA THROUGH MR. JAMEEL IQBAL SYED, GENERAL SECRETARY, ANJUMAN E MUTASSAREEN E K-ELECTRIC KARACHI DIVISION UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING ARREARS IN THE BILL

Decision

1. This decision shall dispose of the complaint dated November 12, 2014 filed by Mr. Jameel Iqbal Syed on behalf of Sheikh Nisar Ahmed Parchamwala (hereinafter referred to as "the Complainant") under Section 39 of the Regulation of Generation, Transmission and Distribution

of Electric Power Act, 1997 against K-Electric Limited (hereinafter referred to as "the Respondent" or "KE").

2. The Complainant in his complaint had stated that an amount of Rs. 4269.52/- and Rs. 21758.58/- were shown as outstanding dues in the bill for the month of April, 2014 against Consumer Nos. LA-300664 & LA-300665 respectively, whereas no amount was outstanding and all bills were paid previously within the due date. He approached KE and lodged a complaint in this regard but he did not receive any response from KE. Since then, monthly electricity bills are being received with installments amounting to Rs. 612/- & Rs. 1711/- on consumer Nos. LA-300664 & LA-300665 respectively and so far he has paid Rs. 13966.80/-. The Complainant had requested for waiver off extra amount paid by him and also the adjustment of already paid amount of Rs. 13966.80/- in future bills.
3. The matter was taken up with KE for submission of parawise comments. In response, KE vide letter dated December 04, 2014 reported that a site inspection was carried out at the premises of the Complainant after serving separate inspection notices dated March 26, 2014 under section 20 of the Electricity Act, 1910. As per Site Inspection Report (SIR), discrepancy of "single phase meter installed & light in use by three phase using grip system" was reported on both meters. Thereafter, notices dated March 26, 2014 under section 39, 39A, 44 & 26A of Electricity Act 1910 were served on the consumer to provide an opportunity to explain the reason of the reported discrepancy which was not acknowledged by the consumer. After lapse of the stipulated time, detection bills of 139 units amounting to Rs. 4,271/- and 949 units amounting to Rs. 21,759/- covering a period of six (06) months from September 25, 2013 to March 25, 2014 were issued to the consumer Nos. LA-300664 & LA-300665 respectively. KE added that the combined consumption of the premises has increased after removal of the discrepancy as such consumer was involved in theft of electricity therefore 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 letter dated December 31, 2014 raised his objections over the report of K-Electric and denied the allegations of KE. The case was again taken up with KE in light of rejoinder of the Complainant and also some additional information was sought from KE with respect to billing history, rationale of detection bill, copy of MCO etc vide letter dated January 26, 2015; which KE submitted vide letter dated February 11, 2015.
5. To probe further into the matter, a hearing was given on March 27, 2015 at Karachi, which was attended by both the parties. During the hearing, the parties advanced arguments on the basis of their earlier submissions.
6. The case has been examined in detail in light of available record, arguments advanced during the hearing by the parties, relevant documentary evidence and applicable law. Following has been observed:
 - i. Two commercial connections (single phase) bearing consumer Nos. LA-300664 and LA-300665 were installed at Complainant's premises. As per the submission of KE, an inspection of the Complainant's premises was carried out on March 26, 2014 and discrepancy of "single phase meter installed & light in use by three phase using grip

system” was found. On the basis of this discrepancy, KE assessed the consumption of the consumer No. LA-300664 as 314 units for the period from September 25, 2013 to March 25, 2014 and after deducting already charged 175 units, KE raised detection bill of 139 units amounting to Rs. 4271/-. Further, KE assessed the consumption of the consumer No. LA-300665 as 1987 units for the same period and after deducting already charged 1038 units, KE raised detection bill of 949 units amounting to Rs. 21,759/-. The Complainant has denied the allegation of KE for illegal abstraction of electricity. KE has made installments of the detection bill and the Complainant has paid Rs. 13966/- in installments out of total detection bill of Rs.26030/-.


ii. The billing history of the Complainant’s account as per record provided by KE is as under:

Month	YEARS											
	NUMBER OF UNITS CONSUMED											
	2012			2013			2014			2015		
	LA30064	LA30065	Total	LA30064	LA30065	Total	LA30064	LA30065	Total	LA30064	LA30065	Total
January	182	80	162	67	90	157	31	98	129	24	135	159
February	279	249	528	49	133	182	28	139	167	28	161	189
March	182	0	182	35	196	231	36	218	254	30	248	278
April	182	241	423	77	497	574	46	265	311			
May	0	315	315	65	467	532	43	368	411			
June	37	245	282	58	353	411	49	395	444			
July	153	186	339	67	327	394	26	146	172			
August	97	203	300	50	344	394	57	320	377			
September	265	265	530	60	402	462	36	284	320			
October	146	211	357	26	225	251	34	180	214			
November	100	170	270	28	165	193	33	221	254			
December	85	125	210	26	193	219	44	171	215			

The above table shows that the consumption of connection bearing account Nos. LA-300664 and LA-300665 for the period from October 2013 to March 2014 during which KE has charged the detection bill is 175 units (Monthly average 29 units) and 1038 units (Monthly average 173 units) respectively. Whereas the consumption of these consumer numbers in corresponding month of previous year was 482 units (Monthly average 80 units) and 925 units (Monthly average 154 units) respectively. This shows that there was minor reduction in the consumption of account No. LA300664 and minor increase in the consumption of account No. LA300665 during the period for which KE has charged detection bill as compared with the consumption recorded in the corresponding months of the previous year. The combined consumption of both meters is 1213 units (Monthly average= 202 units) for the same period whereas the combined consumption of both connection in corresponding months of the previous year i.e. from October 2012 to March 2013 is 1407 units (Monthly average= 235 units). As such there is no remarkable difference in consumption pattern of the Complainant. Further the consumption of the consumer Nos. LA-300664 and LA-300665 during a period of one year after inspection i.e April 2014 to March 2015 is 450 units (Monthly average 38 units) and 2894 units (Monthly average 241 units) respectively whereas, the consumption in the corresponding months of previous

year is 552 (Monthly average 46) and 3428 units (Monthly average 286 units) respectively for consumer Nos. LA-300664 and LA-300665 respectively. The combined consumption of both the connection for a period of one year after inspection i.e April 2014 to March 2015 is 3344 units (Monthly average 279 units). Whereas, the combined consumption in the corresponding months of previous year is 3980 units (Monthly average 332 units). As such, there is no remarkable difference in consumption pattern of the Complainant during last three years and the billing history of the Complainant's account does not support the submission of KE that the Complainant was involved in theft of electricity.

- iii. KE has penalized the Complainant on account of illegal abstraction of electricity. In this regard, a procedure is laid down in Consumer Service Manual (CSM). From the record, it has not been established that KE had followed the procedure given in CSM prior to imposition of detection bills.
7. Keeping in view all the above circumstances, KE is directed to withdraw the detection bills amounting to Rs. 4271/- and Rs. 21,759/- charged on consumer Nos. LA300664 and LA300665 respectively.
8. Compliance report be submitted within thirty (30) days.


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

Islamabad, May 27 , 2015

