



Registrar

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

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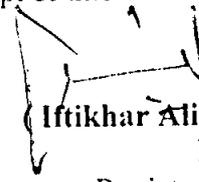
NEPRA/R/TCD.09(CAD)/15346-47  
November 11, 2016

Chief Executive Officer  
K-Electric Limited (KEL)  
KE House, Punjab Chowrangi  
39 – B, Sunset Boulevard, Phase-II  
Defence Housing Authority  
Karachi.

Subject: **ORDER IN THE MATTER OF COMPLAINT FILED BY MR. ABDUL QAYYUM S/O ALI AKBAR UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING DETECTION BILL (CONSUMER # LA-014855)**  
Complaint # KE-2006/2016

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

**Encl: As above**

  
(Iftikhar Ali Khan)  
Director  
Registrar Office

Copy to:  
Mr. Abdul Qayyum  
Flat No. 04, Plot No. 21-A, Sadaf Arcade,  
National Highway, DHA Phase-I  
Karachi



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

Complaint No: KE-2006-2016

**Mr. Abdul Qayyum** ..... **Complainant**  
Flat No. 04, Plot No. 21-A, Sadaf Arcade  
National Highway, DHA Phase-I  
Karachi.

Versus

**K- Electric Limited** ..... **Respondent**  
KE House, 39-B, Sunset Boulevard, Phase II  
DHA, Karachi.

**Date of Hearing:** May 25, 2016

**On behalf of  
Complainant:** Mr. Abdul Qayyum

**Respondent:** Mr. Asif Shajar - DGM (Regulations)

**Date of Order:** November , 2016

**Subject:** ORDER IN THE MATTER OF COMPLAINT FILED BY MR. ABDUL QAYYUM S/O ALI AKBAR KHAN UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING DETECTION BILL (CONSUMER # LA-014855)

**ORDER**

This Order shall dispose of the complaint filed by Mr. Abdul Qayyum S/o Ali Akbar Khan (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.

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(2). The Complainant submitted that in the month of June 2015 he received arrears bill amounting to Rs. 7,533/- from KE despite the fact that all the bills have already been paid. In this regard, he approached KE for resolution of his complaint, whereby KE informed him that the disputed amount has been charged on the basis of theft of electricity. Moreover, Complainant added that KE charged other extra/excessive bill amounting to Rs.22,561/- in the month of November 2015, whereas, earlier to this he filed a complaint with the office of Federal Ombudsman with respect to the unjustified arrears amounting to Rs.7,000/- but due to not appearing in the scheduled hearing of Federal Ombudsmen, the case was closed by the ibid office with advice to re-submit the afresh complaint, however, he did not wished to pursue his case further before Federal Ombudsman. The Complainant prayed for intervention of the Authority in the matter for resolution of his grievances.

(3). The matter was taken up with KE for submission of para-wise comments. In response, KE vide letter dated January 28, 2016 reported that a site inspection was carried out at the premises of the Complainant after serving inspection notice dated November 11, 2015 under section 20 of the Electricity Act, 1910. As per site inspection report (SIR) a discrepancy of "light directly used" was reported and connected load was found to be 3.171 kW against sanctioned load of 1.00 kW. Thereupon, a notice under section 39, 39-A, 44 and 26-A of the Electricity Act, 1910 dated November 11, 2015 was served upon the Complainant to explain the reasons behind the reported discrepancy, however the Complainant refused to acknowledge the same. After lapse of the stipulated time period, a detection bill amounting to Rs.22,561/- for 1718 units was issued on the basis of connected load, covering a period of six (06) months commencing from April 26, 2015 to October 28, 2015. Moreover, KE added that since the Complainant was involved in using electricity through unauthorized means; 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 letter dated March 09, 2016 submitted rejoinder, wherein he raised objections over the report of KE and denied the allegation leveled upon him. Accordingly, the matter was again taken up with KE in light of submissions of the Complainant and some additional documents also were sought from KE with respect to billing history of the Complainant, rationale of detection bill, copy of MCO, copy of FIR etc. In response, KE vide its letter dated March 15, 2016 submitted the required documents and submitted 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.

(5). To examine the matter further, a hearing in the matter was held at Karachi on May 25, 2016 which was attended by both the parties, wherein the parties advanced respective arguments based upon their earlier submissions.



(6). After examining the case in detail in light of the available record, relevant documentary evidence, and applicable law. Following has been observed:

- i. The connection of premises is single phase, under residential category (House) Al-R, having sanctioned load of 1 kW. As per report of KE, site inspection of premises of the Complainant was carried out on November 11, 2015 and discrepancy of "light directly used" was found. On the basis of this discrepancy, KE assessed the consumption of the Complainant as 2191 units (365 units per month) as per the reported load of 3.171 kW in its SIR for the covering period of six (06) months i.e. from April 26, 2015 to October 28, 2015 and after deducting already charged 473 units, KE issued detection bill of 1718 units amounting to Rs.22,561/-. The Complainant denied the said allegations leveled by KE and raised observations over the issuance of notices, detections, SIR and detection bill.
- ii. The billing statement of the Complainant's accounts provided by KE is as under:

Month	No of units kWh consumed		
	2014	2015	2016
January	102	87	76
February	101	78	91
March	104	71	95
April	141	87	84
May	31	73	106
June	25	91	108
July	51	107	62
August	121	81	99
September	88	90	129
October	93	31	
November	96	49 (SIR)	
December	110	92	

- iii. The inspection of the premises was carried out on November 11, 2015. KE has charged the detection bill to the Complainant for the period commencing from April 26, 2015 to October 28, 2015 and the above table depicts the consumption of the Complainant as under:

- Consumption during the disputed period i.e. from April 2015 to October 2015 was 473 units (Average monthly= 79 units)



- The consumption account in corresponding months of previous year i.e. from April 2014 to October 2014 was 409 units (Average monthly = 68 units).
  - The above billing analysis reveals that the consumption of the Complainant was already on higher side during the period for which KE has charged detection bill as compared with the consumption recorded in the corresponding months of the previous year (2014).
  - Consumption during the period of ten (10) months after inspection i.e. from December 2015 to September 2016 was 942 units (Average monthly = 94 units)
  - The consumption during the same months of corresponding years i.e. from December 2014 to September 2015 was 875 units (Average monthly = 88 units).
  - From this, it is transpired that there is no remarkable difference in the consumption of the Complainant during the period of ten (10) months after inspection as compared with the consumption recorded in the corresponding months of the previous years. Additionally, the recorded consumed units at the premises of the Complainant does not support the account of KE that the Complainant was involved in theft of electricity and KE has failed to submit any concrete proof in support of their version.
- iv. Moreover, during the analysis it has been also observed that KE has charged another detection bill amounting to Rs. 7,515/- upon the Complainant in the year 2015 without any cogent reason and did not bother to intimate the same in any correspondence to this office, which prima facie is also unjustified.
- v. KE has penalized the Complainant on account of theft of electricity i.e. light directly used. 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.
- vi. From the documents provided by KE it has not been established that the procedure laid down in the CSM for establishing illegal abstraction of electricity has been followed in true letter and spirit. Further, KE has not provided any proof from which

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it could be ascertained that the Complainant was involved in illegal abstraction of electricity.

(7). In view of above, the detection bill 1718 units amounting to Rs.22,561/- charged by KIE is without any legal justification. KIE has failed to substantiate its case with any cogent evidence. Further, non-compliance of the procedure provided in Chapter 9 of CSM has tainted the entire proceedings. Therefore, KIE is hereby ordered as under:

- a) To waive the impugned detection bill, LPS and any other illegal/hidden charges levied by KIE during the disputed period.
- b) To regularize the excessive load in accordance with the relevant procedures laid down in CSM.
- c) To ensure compliance with the procedure provided in CSM for all cases falling under Chapter 09 thereof and take legal action against the responsible officials who failed to follow the applicable rules and regulations in true letter and spirit.

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

  
Member (Consumer Affairs)  
15/11

Islamabad, November 10, 2016

