



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

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OFFICE OF THE  
REGISTRAR

No. NEPRA/CAD/TCD-09/10398-99

July 22, 2016

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. AHMED CHARI S/O KHUDADAD UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LTD REGARDING ARREARS IN BILL (CONSUMER #AL-362157)**  
COMPLAINT# KE-2038/2015

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

Encl: As above

  
(Iftikhar Ali Khan)  
Deputy Registrar

22/7/16

Copy to:

Mr. Ahmed Chari S/o Mr. Khudadad  
Hajiani Khadija Manzil Street No. 2  
Block-C, Yousuf Haroon Road Baghdadadi Layari  
Karachi



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

Complaint No: KE-2038-2016

Mr. Ahmed Chari S/o Khudadad, ..... Complainant  
Hajiani Khadija Manzil, Street No. 2,  
Block-C, Yousuf Haroon Road, Baghdadi, Layari,  
Karachi.

Versus

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

Date of Hearing: May 24, 2016

On behalf of:  
Complainant: Mr. Ahmed Chari

Respondent:

- i. Mr. Shafqat Abbasi GM (Operations)
- ii. Mr. Abid Shabbir, AM (Operations)
- iii. Mr. Asif Shajar DGM (Regulations)
- iv. Mr. Imran Hanif AM (Regulations)

Date of Decision: July 21, 2016

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. AHMED CHARI S/O KHUDAD UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING ARREARS IN BILL (CONSUMER # AL-362157)**

**DECISION**

This decision shall dispose of the complaint dated February 15, 2016 filed by Mr. Ahmed Chari (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 has stated that in the month of January 2016, KE charged him unjustified bill including arrears amounting to Rs.12,169/-. Thereupon, he approached KE for correction of said bill, however, KE representative(s) instead of resolving his issue offered him a 30% billing rebate and advised him to pay the rest of disputed arrears (i.e. Rs.9,155/- out of Rs.12,169/-). The Complainant prayed that KE be directed to charge actual dial bill and adjust/waive of the unjustified arrears in the bill.

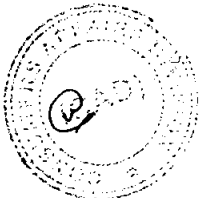
3. The matter was taken up with KE for submission of para-wise comments. In response, KE vide letter dated March 4, 2016 reported that a site inspection was carried out at the premises of the Complainant after serving inspection notice dated January 4, 2016 under section 20 of the Electricity Act, 1910. As per the Site Inspection Report (SIR) dated January 4, 2015, a discrepancy of "Extra phase used" was reported and connected load was found to be 2.716 kW against sanctioned load of 1.00 kW. Thereupon, a notice dated January 4, 2016 under section 39, 39-A, 44 and 26-A of the Electricity Act, 1910 was served upon the Complainant to explain the reasons of the mentioned discrepancy. After lapse of the stipulated time period, a detection bill amounting to Rs.12,169/- for 944 units was charged on the basis of connected load for a period of six months, i.e. from March 27, 2015 to September 28, 2015. KE further added that the Complainant was using electricity through proscribed 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 28, 2016 submitted his rejoinder, wherein he denied the allegations (stealing of electricity and detection bill) leveled by KE and raised observations over issuance of notices, and further submitted that the SIR prepared by KE is false and fabricated. Accordingly, the matter was again taken up with KE in light of submission of the Complainant and also some additional information/documents were sought from KE with respect to billing history of the premises, rationale of detection bill, copy of FIR and copy of MCO etc. In response, KE vide letter dated April 11, 2016 has submitted the required information/documents. KE further 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 further into the matter, a hearing was held on May 24, 2016 at Karachi, which was attended by both the parties, who advanced their respective arguments based on their earlier submissions. During the course of hearing, the Complainant informed that he pays his bills regularly and denied the allegations leveled by KE. In this regard, KE apprised that the detection bill was charged to the Complainant on the basis of connected load of the premises of the Complainant. Further, the recorded consumption of the Complainant's account is on lower side which is not in accordance with his connected load..

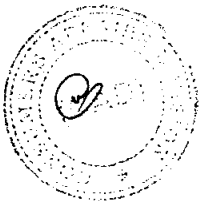
6. The case has been examined in detail in light of the available record, relevant documentary evidence, arguments advanced during the hearing and applicable law, following has been observed:

- i. The connection is a residential (Tariff A1-R) single phase, having sanctioned load of 1 kW.
- ii. As per report of KE, site inspection of the Complainant's premises was carried out on January 4, 2016 and discrepancy of "Extra phase used" was found. On the basis of the said discrepancy, KE assessed the consumption of the Complainant as 1560 units (260 units per month) as per connected load of 2.7 kW, for the period of 6 six months from March 27, 2015 to September 28, 2015 and after deducting already charged 566 units, KE charged detection bill of 994 units amounting to Rs.12,169/-. The Complainant completely denied the allegations leveled by KE.
- iii. The billing statement of the Complainant's account as provided by KE, is as under:



Month	No of units KWh consumed		
	2014	2015	2016
January	149 (Assd)	98	58 (SIR)
February	31 (Assd)	47	101
March	39	46	215
April	60	58	50
May	120 (Assd)	159	300 (Assd)
June	126 (Assd)	130	
July	108 (Assd)	61	
August	118	79 (Avg)	
September	64	79 (Avg)	
October	47	677 (Adj)	
November	53	70	
December	6	55	

- a. As per site inspection of the premises carried out on January 4, 2015 the above table depicts the consumption of the Complainant as under:
- Consumption of the Complainant during the disputed period i.e. from April 2015 to September 2015 was 566 units (Average monthly= 94 units), excluding October 2015 adjustment consumption of 677 units
  - Consumption of the Complainant in the corresponding months of previous year i.e. from April 2014 to September 2014 was 596 units (Average monthly = 99 units) including three 3 assessed bills. As per the record, it is transpired that the consumption of the Complainant has no difference in consumption during the period for which KE has charged detection bill as compared with the consumption recorded in the corresponding months of previous year.
  - Whereas, if we take account of consumption recorded in the billing month of October 2015, then the quantum of detection bill charged shall be on higher side.
  - SIR was conducted in the billing month of January 2016, whereas the detection bill has been charged for April 2014 to September 2014 which is against the standard practice of charging detection bill.
- b. KE has charged assessed bills to the Complainant in the year 2014 and in the month of May 2016, which are on higher side and are unjustified as the consumption of the Complainant's account is on lower side.
- The consumption of the Complainant during the period of 6 months after inspection on normal billing i.e. from November 2015 to April 2016 was 549 units (Average monthly = 91 units). The above billing analysis shows that the consumption of the complainant's account has never changed before and after of SIR. Therefore the detection and assessed bills charged by KE are without legal justification and are in clear violation of CSM.
- iv. KE has penalized the Complainant on account of direct theft of electricity i.e extra phase use. As per provisions of Consumer Service Manual (CSM), FIR is mandatory in case of direct theft of



electricity. If the consumer was involved in theft of electricity by using extra phase/hook, then KE should have lodged FIR against him, but the record is silent in this case. Further, KE has not provided any proof from which it could be ascertained that the Complainant was involved in theft of electricity.

7. In view of foregoing, detection bill amounting to Rs.12,169/- for 944 units, charged against the Complainant is without any legal justification. KE has failed to substantiate its case with any cogent evidence. Further, the non compliance of the procedure provided in Chapter 9 has tainted the entire proceedings. The perusal of the billing history of the Complainant also does not support the claim of KE. In view of that, KE is hereby directed to withdraw the said detection bill charged against the Complainant, adjust the said assessed/average bills in the Complainant's future bills and submit Compliance report within thirty (30) days.

Islamabad, June 21 , 2016

Member (Consumer Affairs) 21/7/16.

