



a/v

National Electric Power Regulatory Authority Islamic Republic of Pakistan

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**OFFICE OF THE
REGISTRAR**

No. NEPRA/R/TCD-09/ **9087-88**

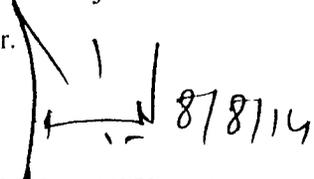
8-8-2014

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

Subject: **Decision in the Matter of Complaint Filed by Mr. Kamran Ahmed Siddiqui, under Section 39 of The Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 Against K-Electric Limited Regarding Arrears in the Electricity Bill (Consumer # AL 835247)**
Complaint # KE-515/2013

Please find enclosed the decision of Member (Consumer Affairs) in the subject matter for necessary action and compliance within 30 days of the receipt of this letter.

Encl : **As Above**


(Iftikhar Ali Khan)
Deputy Registrar

Copy to:

Mr. Kamran Ahmed Siddiqui, Flat# D-29, Crescent Apartment, Gulshan-e-Iqbal, 13/D,3, Karachi.



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No: KE-515/2013

Mr. Kamran Ahmed Siddiqui, **Complainant**
Flat # D-29,
Crescent Apartment,
Gulshan-e-Iqbal, 13/D, 3,
Karachi.

Versus

K – Electric Limited, **Respondent**
(Formerly Karachi Electric Supply Company, KESC)
KE House No.39-B,
Sunset Boulevard Phase-II,
Defence Housing Authority, Karachi.

Date of Hearings: May 02, 2014

Date of Decision: August 06, 2014

On behalf of:

Complainant: Nemo

Respondent: 1) Mr. Rafique Ahmed Sheikh, General Manager (Regulations)
2) Mr. Asif Kamal, Deputy Manager
3) Mr. Mujaddid Iqbal, Legal Coordinator

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. KAMRAN AHMED SIDDIQUI UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING ARREARS IN THE ELECTRICITY BILL (CONSUMER # AL 835247)**

DECISION

1. This decision shall dispose of the complaint dated December 24, 2013 filed by Mr. Kamran Ahmed Siddiqui (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 stated that his monthly bills are being paid in time but KE added arrears amounting to Rs.48,137/- in the current bill (December 2013). The Complainant further stated that his electricity consumption is not high and the arrears are unjustified. The Complainant prayed that KE be directed to waive off excess charges.
3. The matter was taken up with KE for submission of para-wise comments. In response, KE vide letter dated January 16, 2014 reported that a site inspection was carried out at the premises of the Complainant after serving site inspection notice dated October 23, 2013 under section 20 of the Electricity Act, 1910. During the inspection, discrepancy of "extra phase use from ATB" was found and the connected load was found as 5.523 kW as per the Site Inspection Report (SIR) dated October 23, 2013 against sanctioned load of 2 kW. Thereafter, a notice under section 39, 39 A, 44 and 26 A of the Electricity Act, 1910 dated October 23, 2013 was served upon the Complainant which was not acknowledged. Upon non-receipt of any response from the Complainant within stipulated time, a supplementary bill amounting to Rs. 47,946/- for 3174 units was processed on the basis of SIR for a period of six months i.e. from April 16, 2013 to October 14, 2013. KE further reported that the Complainant was involved in theft of electricity, hence the supplementary bill is justified and liable to be paid by him.
4. The report of KE was sent to the Complainant for information / comments. In response, the Complainant vide his letter dated January 31, 2014 raised observations over the report of KE and denied the charges leveled against him by KE. The Complainant stated that he did not receive any notice from KE and requested for testing of the meter and re-assessment of the load. The case was again taken up with KE vide letter dated March 06, 2014 for submission of report on rejoinder of the Complainant. In response, KE vide letter dated March 24, 2014 submitted its report and reiterated its earlier version and further stated that a fresh site inspection was also conducted on March 19, 2014 during which the connected load was found as 3.481 kW against sanctioned load of 2 kW. KE further added that the physical load inspection was not allowed by lady occupying the premises at the time of inspection. KE further submitted that the Complainant was involved in theft of electricity, hence the supplementary bill is justified and liable to be paid by him.
5. To probe further into the matter, a hearing was held on May 02, 2014 at Karachi which was attended only by KE representatives, whereas, the Complainant informed through telephone and vide letter dated May 02, 2014 that he could not attend the hearing due to law and order situation of the city on the day of the hearing. KE officials argued over the case



on the basis of their earlier version / written submission. KE representatives also requested to dismiss the complaint. KE was directed during the hearing to provide updated billing statement of the Complainant's account which KE submitted vide its letter dated May 06, 2014.

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

- i. KE inspected the premises of the Complainant on October 23, 2013 and detected use of extra phase, besides detecting connected load as 5.523 kW against the sanctioned load of 2 kW. In subsequent survey on March 19, 2013, KE declared the connected load as 3.481 kW. The Complainant has denied both allegations of KE i.e. use of extra phase and extension of load. On the basis of use of extra phase, KE assessed total consumption of the Complainant as 4974 units (829 units per month) for the period from April 16, 2013 to October 14, 2013 (6 months) and after deducting already charged 1800 units, KE issued a detection bill of 3174 units amounting to Rs.47,946/-.
- ii. The consumption of the premises during the period for which KE has issued detection bill i.e. from April 16, 2013 to October 14, 2013 was 1800 units (300 units per month), whereas, for the corresponding months during the years 2011 and 2012, the consumption was 1632 units (272 units per month) & 1707 units (284 units per month) respectively. This shows that during the disputed period, the consumption was slightly on higher side as compared to the consumption of corresponding months of previous year. As per the available data, the electricity consumption for 8 months after the inspection i.e. from November 2013 to June 2014 was 1711 units (214 units per month) and for the corresponding months in the years 2011-12 and 2012-13, the consumption was 1870 units (234 units) and 1464 units (183 units per month) respectively. The electricity consumption of the Complainant is slightly on lower side after the inspection. If the Complainant was involved in theft of electricity, then the consumption of the premises should have been increased after the inspection and removal of extra phase.
- iii. As per provisions of Consumer Service Manual, FIR is mandatory in case of direct theft of electricity. If the Complainant was involved in theft of electricity by using extra phases then KE should have lodged FIR against him but from the record provided by KE, it is revealed that neither KE lodged FIR nor any request was filed in concerned Police Station for registration of FIR against the Complainant. Hence,



allegation of KE against the Complainant regarding theft of electricity through extra phase could not be proved.

7. Foregoing in view, the detection bill charged by KE is not justified. KE is hereby directed to withdraw the detection bill amounting to Rs.47,946/- charged against the Complainant and regularize extension of load (if any) as per provisions of Consumer Service Manual.

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


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



Islamabad, August 06 , 2014