



National Electric Power Regulatory Authority
Islamic Republic of Pakistan

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OFFICE OF THE
REGISTRAR

No. NEPRA/R/TCD-09/ 73 - 75

2 - 1 - 2014

Chief Executive Officer
Karachi Electric Supply Company Ltd.
KESC House, Punjab Chowrangi,
39 - B, Sunset Boulevard, Phase-II
Defence Housing Authority
Karachi.

Subject: Decision in the Matter of Complaint Filed by Mr. Ghulam Nabi under Section 39 of The Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 Against KESC Regarding Detection Bill
Complaint # KESC-25-2013

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

— S.A. —
(Iftikhar Ali Khan)
Deputy Registrar

Copy to:

1. Syed Muhammad Taha, Director Distribution Strategy, Karachi Electric Supply Company Ltd. KESC House, Punjab Chowrangi, 39 - B, Sunset Boulevard, Phase-II. Defence Housing Authority, Karachi.
2. Mr. Ghulam Nabi, E-450, Khudadad Colony, Karachi.

No. NEPRA/R/TCD-09/ 76

Forwarded for information and necessary action, please.

2014
2/1/14
Deputy Registrar

1. Director (CAD)
2. Master File [w.r.t. M (CA) D#3143 dated 26.12.2013]

CC:

1. Vice Chairman / Member (Tariff)
2. Member (M&E)
3. Member (C.A)



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA

Complaint No. KESC-25-2013

Mr. Ghulam Nabi Complainant
E-450, Khudadad Colony,
Karachi.

Versus

Karachi Electric Supply Company Respondent
KESC House No.39-B
Sunset Boulevard Phase-II
Defence Housing Authority
Karachi.

Date of Decision: December 30, 2013

Date of Hearing: August 12, 2013

On behalf of:

Complainant: Mr. Ghulam Nabi

Respondent: 1. Mr. Rafique Ahmed Sheikh, General Manager, KESC
2. Mir Muslehuddin, Deputy General Manager, KESC

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. GHULAM NABI UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST KESC REGARDING DETECTION BILL (CONSUMER # AL050159)

Decision

1. This decision shall dispose of the complaint dated January 12, 2013 filed by Mr. Ghulam Nabi R/o Khudadad Colony Karachi (hereinafter referred to as the "Complainant") against Karachi Electric Supply Company (hereinafter referred to as the "Respondent" or "KESC") under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997.
2. The Complainant in his complaint stated that one of the phases of his 3-phase electricity connection went out of order so he took one phase on temporary basis from other source. Upon his complaint, KESC team visited the site on September 26, 2012 and found the one phase out of order which was rectified by KESC officials and the extra phase was also removed on same

day later on, KESCO issued illegal bill amounting to RS.18,042/- for the month of October 2012. The Complainant requested that KESCO be directed to withdraw the unjustified amount in the bill.

3. The matter was taken up with KESCO for submission of para-wise comments. In response, KESCO vide its letter dated February 11, 2013 reported that a site inspection was carried out at the premises of the Complainant after serving inspection notice dated September 26, 2012. During inspection, extra phase was found in use. Therefore, a notice under section 39, 39A, 44 and 26A of Electricity Act, 1910 was served upon the Complainant which was acknowledged by Mr. Bilal Subsequently, a supplementary bill of 3061 units was processed on the basis of site inspection report covering a period of 6 months from February 23, 2012 to August 27, 2012 amounting to RS.56,553/-. KESCO further stated that sanctioned load of the Complainant's connection is 1 KW whereas connected load was found as 11.191 KW and KESCO has already issued a notice to the Complainant for regularization of load. The consumer/Complainant was involved in theft of electricity, therefore, supplementary bill charged to him is justified.

4. Report of KESCO was sent to the Complainant for his information/response. In response thereto, the Complainant vide his letter dated June 15, 2013 raised his observations over the report of KESCO and reiterated his earlier version and denied use of extended load of 11.191 KW. 5. To probe further into the matter, a hearing was held on August 12, 2013 at Karachi which was attended by both the parties wherein the parties advanced their arguments on the basis of their earlier versions. Pursuant to the hearing, some additional information with respect to billing data, copy of F.L.R and rationale of detection bill, etc. was sought from KESCO which was submitted by KESCO except the copy of F.L.R, and it was informed by KESCO that no F.L.R has been lodged against the Complainant.

6. The case has been analyzed in detail in light of documents provided by both the parties, applicable rules and arguments advanced during the hearing. The following has been concluded:

i) The Complainant is of the view that one of the phases of his 3-phase electricity connection became out of order and he obtained one extra phase on temporary basis and lodged complaint with KESCO for rectification, which was rectified by KESCO and the extra phase was removed. KESCO is of the opinion that the premises was inspected on September 26, 2012 and extra phase was found in use for the purpose of theft of electricity.

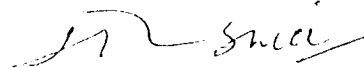
ii) As per Consumer Service Manual, F.L.R is a mandatory requirement in case of direct theft of electricity. If the consumer was involved in theft of electricity, KESCO should have lodged F.L.R against him but the same was not done by KESCO. Even the matter was not reported to police for registration of F.L.R.

- iii) KESOC assessed consumption of the Complainant as 6180 units for the period from February 23, 2012 to August 27, 2012 (6 months) and after deducting 3119 units already charged for this period, a detection bill of 3061 units was charged.
- iv) The billing data of the Complainant shows that consumption for six months prior to date of checking i.e. March 2012 to August 2012 is 3119 units whereas for the corresponding months of 2011, the consumption was 3051 units. Consumption of the Complainant for 12 months after the checking i.e. October 2012 to September 2013 is 5872 and for corresponding months of previous year i.e. October 2011 to September 2012, the consumption was 5864 units. As such, there is no remarkable difference in the consumption pattern of the Complainant.

7. As there is no recordable difference in consumption pattern of the Complainant either prior to or after checking by KESOC, also there is no F.I.R. against the Complainant for direct theft of electricity and even the matter was not reported to police for registration of F.I.R. by KESOC, therefore the detection bill charged by KESOC is unjustified and is required to be withdrawn. However, the Complainant himself has admitted the use of extra phase from other source which is illegal, therefore, KESOC is directed to revise the detection bill from 6 months to 2 months as per the following formula:

$$\begin{aligned} \text{Detection units to be charged} &= \frac{\text{detection units already charged} \times 2}{6} \\ &= \frac{3061 \times 2}{6} = 1020 \text{ units} \end{aligned}$$

Islamabad, December 30, 2013


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

