



National Electric Power Regulatory Authority
Islamic Republic of Pakistan

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**OFFICE OF THE
REGISTRAR**

No. NEPRA/R/TCD-09/٤٤ - 73

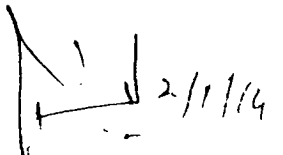
2-1-2014

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. Muhammad Arif Bilvani under Section 39 of The Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 Against KESC Regarding Average Billing (Consumer # LA 168476) Complaint # KESC-232-2013**

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:

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. Muhammad Arif Bilvani, 574/1, Adamjee Haji Dawood Road, Rampart Row, Karachi.



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA

Complaint No. KESC-232-2013

Mr. Muhammad Arif Bilvani, **Complainant**
574/1, Adamjee Haji Dawood Road,
Rampart Row, Karachi.

Versus

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

Date of Decision: December 31, 2013

Date of Hearing: November 19, 2013

On behalf of:

Complainant: Mr. Muhammad Arif Bilvani

Respondent:

1. Mr. Rafique Ahmed Sheikh, General Manager, KESC.
2. Mr. Muhammad Iqbal Anwar, Manager, KESC.
3. Ms. Safina Hanif, Assistant Manager, KESC.

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. MUHAMMAD ARIF BILVANI UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST KESC REGARDING AVERAGE BILLING (CONSUMER # LA 168476)**

Decision

1. This decision shall dispose of the complaint dated 23rd May, 2013 filed by Mr. Muhammad Arif Bilvani (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 his premises is lying vacant and closed for last several years but KESC has been sending bills on average basis (i.e. 280 units per month) despite the fact that for the past many years the bills were received for minimum charges. The electric meter of the premises is also missing. Several applications have been submitted to KESC, along with proof of non-occupancy of the premises, for rectification and cancellation of all the

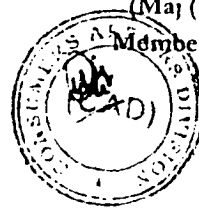
previous outstanding dues, created fictitiously but KESC officials are reluctant to accept their mistake.

3. The matter was taken up with KESC vide this office's letter dated 31st May 2013 for submission of parawise comments. In response, KESC vide its letter dated 22nd June 2013 reported that a site inspection was carried out on 12th June 2013 and no meter was found at site and the premise was found closed. Therefore, correction of average billing which was inadvertently done from March 2012 to March 2013 amounting to Rs. 21,053/- has been submitted for approval. KESC further stated that the Complainant was advised to clarify as to why the meter was missing and provide a copy of FIR of missing meter.
4. KESC's report was sent to the Complainant for his information and comments. In response, the Complainant vide his letter dated 20th August 2013 raised his observations on the report of KESC and submitted that he has received bills for the months of May, June & July 2013 with different remarks on the bills. About 30-40 meters are installed inside the complex building but only his meter is missing for the past several years for which KESC was fully aware. The Complainant requested for adjustment of bills since January 2010 on minimum basis.
5. The case was again taken up with KESC vide this office's letter dated 4th September 2013 and KESC was directed to get the matter investigated through a senior officer not below the rank of General Manager and submit report accordingly. In response, KESC vide its letter dated 23rd September 2013 reported that at the time of site inspection, the meter was found missing and the premises was found locked. It is the responsibility of the consumer to inform KESC of the missing meter and KESC can reinstall meter only when the FIR is lodged against the missing meter duly submitted by the consumer/Complainant. The allowance has already been processed for the period from March 2012 to March 2013 amounting to Rs. 21,053/- and further cannot be adjusted as the previous bills issued are as per normal reading till February 2012. KESC's report was sent to the Complainant vide this office's letter dated 30th September 2013. In response, the Complainant vide his letter dated 3rd October 2013 again raised observations over the KESC's report.
6. To further investigate the matter, a hearing was held on 19th November 2013 at Karachi which was attended by both the parties. During the hearing, the parties argued over the case on the basis of their earlier versions.
7. The case has been analyzed in detail in light of documents provided by both the parties and arguments advanced during the hearing. The following has been concluded:
 - i. The Complainant had already submitted a complaint dated 30th March 2010 with KESC regarding issuance of bills on minimum basis due to non-occupancy of the flat/premises. Said request of the Complainant was received by KESC on 3rd June 2010. The Complainant again submitted a complaint on 2nd July 2012 with KESC for issuance of correct bills instead of average bills on the basis of closed premises.



- ii. KESC in its report submitted that the meter at site is missing and correction of average bills charged from March 2012 to March 2013 is under process of approval. Moreover, the ownership and responsibility of the meter lies with the consumer and he has not provided a copy of FIR.
 - iii. KESC had been issuing average bills to the Complainant without any justification. As per the provisions of Consumer Service Manual, average bills can only be charged up to a maximum of two billing cycles if the meter is found defective.
 - iv. KESC had been issuing average bills despite the fact that meter is not available at site.
 - v. Meter and wire of the consumer is a dedicated system and under provisions of NEPRA Consumer Eligibility Criteria 2003 (Part III, Regulation 6), "the dedicated distribution system of the consumer shall be maintained by the licensee up to the metering installation of the consumer". If the meter was missing then KESC should have taken measures for recovery of the same i.e. lodging of FIR and installation of another meter at site to avoid average billing.
 - vi. As per clause 14.4 (a) of Consumer Service Manual, consumer is only liable for the damage or theft of electric supply lines, meters and/or other apparatus if they exist/are installed on consumer's premises. In the instant case, the meter is installed at a common place along with about 100 other meters, therefore, the Complainant is not responsible for theft of the meter or registration of FIR.
8. Foregoing in view, KESC is hereby directed to install a meter at the site immediately and revise bills of the Complainant (if any) on the basis of minimum charges w.e.f. 3rd June 2010 (date on which the complaint was received by KESC) and submit compliance report within 30 days.

Islamabad, December 31, 2013



[Handwritten Signature]
(Maj (R) Haroon Rashid)
Member (Consumer Affairs)