



National Electric Power Regulatory Authority
Islamic Republic of Pakistan

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OFFICE OF THE
REGISTRAR

No. NEPRA/R/TCD-09/4035-37

23-4-2014

Chief Executive Officer
K-Electric (Formerly KESC)
KESC House, Punjab Chowrangi,
39 - B, Sunset Boulevard, Phase-II
Defence Housing Authority
Karachi.

Subject: Decision in the Matter of Complaint Filed by Syed Ghulam Haider under Section 39 of The Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 Against K-Electric Regarding Detection Bill (Consumer #LA-781859)
Complaint # KESC-444/2013

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

— sd —
(Iftikhar Ali Khan)
Deputy Registrar

Copy to:

1. Syed Muhammad Taha, Director Distribution Strategy, K-Electric, KESC House, Punjab Chowrangi, 39-B, Sunset Boulevard, Phase-II, Defence Housing Authority, Karachi.
2. Syed Ghulam Haider, R-676, Block 19, Federal B-Area, Karachi.

No. NEPRA/R/TCD-09/4038

Forwarded for information and further necessary action, please.

23-4-2014
N 23/4/14
Deputy Registrar

1. Director (CAD)
2. Master File [w.r.t. M(CA) D#1078 dated 17.04.2014]
[w.r.t. Dir (CAD) D#679 dated 22.04.2014]

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-444-2013

Syed Ghulam Haider, Complainant
R-767, Block 19, Federal B. Area,
Karachi.

Versus

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

Date of Hearing: January 24, 2014

Date of Decision: April 22, 2014

On behalf of:

Complainant: Syed Ghulam Haider

Respondent: 1) Mr. Muhammad Aamir Ghaziani, Director
2) Mr. Rafique Ahmed Sheikh, General Manager (Regulations)
3) Mr. Muhammad Adeel, Assistant Manager (Regulations)

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY SYED GHULAM HAIDER UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST KESC REGARDING DETECTION BILL (CONSUMER # LA 781859)**


DECISION

1. This decision shall dispose of the complaint received on November 07, 2013 filed by Syed Ghulam Haider (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. Precisely, the Complainant in his complaint stated that in February 2013 he received electricity bill amounting to Rs. 16,469/- for the consumed 106 units and extra amount of Rs. 15,678/- was added as installment No. 1. Upon enquiry, he was told by KESC that he has used hook connection. The site was inspected by KESC on his request but the bill was not rectified. He further informed that he started to pay the bill in installments. In the billing month of November 2013, arrears amounting to Rs. 18,773/- have been shown which is incorrect and KESC is stressing upon payment of the said bill.
3. The matter was taken up with KESC for submission of parawise comments. In response, KESC vide its letter dated November 25, 2013 reported that a site inspection was carried out at the premises of the Complainant after serving the inspection notice dated September 29, 2013 under section 20 of Electricity Act, 1910. During inspection on September 29, 2013, the discrepancy of "Extra Phase Use" was found with connected load of 3.812 kW. Therefore, a notice dated October 16, 2012 under section 39, 39A, 44 & 26A of the Electricity Act, 1910 was served upon the Complainant to explain reasons for the said discrepancy but his reply for the same was unsatisfactory. Consequently, a detection bill was charged in September 2013 due to "Extra Phase Used" for 1260 units amounting to Rs.16,381/- for the period from March 2013 to September 2013. KESC further stated that the Complainant's sanctioned load is 1 kW whereas the connected load is 3.812 kW which also needs to be regularized. The Complainant was involved in illegal abstraction of electricity; therefore, the supplementary bill charged is justified and liable to be paid by the Complainant.
4. The report of KESC was sent to the Complainant for his information/rejoinder. In response, the Complainant submitted rejoinder and denied the allegations leveled by KESC. Also the Complainant requested that KESC be directed not to disconnect the electricity supply till the decision and the disputed amount be set-aside. Accordingly, KESC was directed to set-aside the disputed amount, issue current bills to the Complainant for payment till decision on the complaint by NEPRA.
5. To probe further into the matter, a hearing was held on January 24, 2014 at Karachi which was attended by both the parties who advanced their arguments on the basis of their earlier versions. Subsequent to the hearing, KESC was directed to provide some additional information with respect to updated billing statement of the Complainant's account for last three years, notice(s) issued to the Complainant, replies (if any) submitted by the Complainant, FIR lodged against the Complainant (if any), rationale of detection bill(s) and exact amount of detection bill(s) charged. KESC vide its letter dated February 12, 2014 submitted the requisite information except copy of FIR and it was informed by KESC that no FIR has been lodged against the Complainant.
6. The case has been examined in light of the documents provided by both the parties and arguments advanced during the hearing. The following has been observed:

- i) KESC's team inspected the premises of the Complainant on September 20, 2013 and found extra phase whereas the Complainant has denied this allegation of KESC.
 - ii) KESC assessed consumption of the Complainant as 2552 units for the period from March 2013 to September 2013 (6 months) and after deducting 1275 units already charged during this period, a detection bill of 1277 units amounting to Rs. 16,373/- was charged by KESC.
 - iii) Billing statement of the Complainant's account provided by KESC for last 3 years shows that the consumption of the Complainant for six months prior to date of checking i.e. March 2013 to August 2013 was 1275 units, whereas, for the same months of 2012 and 2011, the consumption was 1076 units and 1215 units respectively. As per the available data, consumption of the Complainant for five months after the checking i.e. October 2013 to February 2014 is 693 units and for the same months in the years 2012 and 2011, the consumption was 749 units and 652 units respectively.
 - iv) There is no remarkable difference in the consumption pattern of the Complainant during the last three years.
 - v) Use of extra phase comes under the ambit of direct theft of electricity. As per provisions of Consumer Service Manual, FIR is mandatory in case of direct theft of electricity. If the consumer was involved in theft of electricity by using extra phase then KESC should have lodged FIR against him but the same was not done by KESC. Even the matter has not been reported to the concerned police station for registration of FIR.
7. Foregoing in view, KESC is directed to withdraw the detection bill amounting to Rs 16,373/- charged against the Complainant and regularize the unauthorized load as per provisions of Consumer Service Manual.
8. Compliance report shall be submitted within thirty (30) days.

Islamabad, April 22, 2014


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