

National Electric Power Regulatory Authority
Islamic Republic of Pakistan



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DD (CAD)
File
05/09/12

Registrar

No. NEPRA/TCD 05/6921-24

September 3, 2012

Chief Executive Officer
Lahore Electric Supply Company (LESCO)
22-A, Queen's Road
Lahore.

05/09/12

AD (CAD) 10

Subject: Decision in the matter of Complaint filed by Rana Muhammad Ali under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 against LESCO regarding Detection Bill

Please find enclosed herewith the Decision of Acting Chairman / Member (Consumer Affairs) regarding the subject matter for necessary action and compliance within 30 days of the receipt of this Decision.

Encl: As above

Sd/-
(Syed Safer Hussain)

Copy to:-

1. Deputy Registrar (Judicial)
Judicial Department
Lahore High Court
Lahore
2. Chief Engineer/Customer Services Director,
Lahore Electric Supply Company (LESCO)
22-A, Queen's Road
Lahore.
3. Rana Muhammad Ali
Mandi Kangan Pur
Tehsil Chunian, District Kasur.

No. NEPRA/TCD 05/6925

September 3, 2012

Forwarded for information, please.

Signature
Registrar

Senior Advisor (CAD) [w.r.t. A.C. Dy. No. 2318 dated 31.08.2012]
Master File

CC:

1. Acting Chairman

Consumer Affairs Division
By No. 5915
Date: 05/09/12



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No: LESCO-86-2012

Rana Muhammad Ali Complainant

Versus

Lahore Electric Supply Company (LESCO) Respondent

Date of Hearing : August 28, 2012

Date of Decision: August 31, 2012

On behalf of:

Complainant Rana Muhammad Ali

Respondent: 1) Muhammad Arsal Kanwal Awan (Add. SE Chunian LESCO)
 2) Muhammad Arshad (Asstt. LESCO)

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY RANA MUHAMMAD ALI UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST LESCO REGARDING DETECTION BILL**

DECISION

1. This decision shall dispose of the complaint received on 13th June, 2012 from Rana Muhammad Ali (herein after referred as complainant) against Lahore Electric Supply Company (herein after referred to as the respondent/LESCO) filed under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 and Lahore High Court's order dated 08th August, 2012.

2. It was stated in the complaint that the complainant had obtained electricity connection for Asghar Ice Factory Chunian from Lahore Electric Supply Company (LESCO). LESCO has charged him a detection bill on account of slowness of meter for a period of 36 months i.e. from June 2007 to May 2010. The complainant further informed that a check meter was also installed, since there was no difference in the reading therefore, installation of check meter was not entered in the record by LESCO. As per NEPRA's law only 03 months detection bill can be charged but he has been charged a detection bill for a period of 36 months. Since the meter is being checked by concerned SDO and a Meter Reader every month then how could he be charged a detection bill for a period of 36 months? The complainant further stated that he submitted applications to SE and XEN Kasur but no action was taken in this regard. The matter could have been referred to Electric Inspector for

checking of meter but same was not done by LESCO. The complainant further prayed that LESCO be directed to issue him a current bill and his detection bill be revised to 03 months.

3. As per procedure the matter was referred by NEPRA to LESCO for submission of report / parawise comments vide Consumer Affairs Division letter No.TCD-05/2246-2012 dated 13th June, 2012. In response, LESCO vide its letter No.19767-68-NEPRA/C/325 dated 29th June, 2012 submitted its report. In the report it was stated by LESCO that the matter was investigated by the Additional Manager (Operation) Chunian Division who reported vide his letter No.8853-55 dated 28th June, 2012 that the connection was checked by M&T on 23th September, 2010 and found TOU meter body tampered / repasted, meter yellow phase back running. A notice was served to the consumer vide letter No.3460 dated 24th September, 2010. In order to recover the loss sustained by the company, a detection bill of 157055 units for the period from June 2007 to May 2010 on account of connected load i.e. 30 kW was charged.

4. The report of LESCO was sent to the complainant for his information and comments. The complainant submitted rejoinder vide his letter dated 25th July, 2012. In the rejoinder the complainant stated that LESCO has charged a detection bill for a period of 3 years from June 2007 to May 2010 due to the reason that body of meter was tampered despite the fact that his meter was in order and was being checked on monthly basis by SDO and XEN. Further LESCO installed a check meter but no difference was found in the readings therefore the same was not entered in the record. Check meter was installed on 07th May, 2010 and number and make of check meter were 155308 of Micro Tech Company respectively. At the time of installation of check meter the reading in the meter was 269877 units and when removed on 15th June, 2010 the reading on main meter was 286382 units and reading on check meter was 16524 units. Since there was no difference in the readings therefore installation of check meter was intentionally not recorded by LESCO. Also the matter was not referred to Electric Inspector for checking of meter. The allegations of LESCO are not correct and the detection bill charged is not justified. As per law, LESCO can charge a detection bill for a period of 3 months only. The complainant prayed that the detection bill be waived off and he may be allowed to pay current bill.

5. The matter was again taken up with LESCO vide Consumer Affairs Division office's letter No.TCD 05/3000-2012 dated 31st July, 2012 wherein following queries were raised:

- i) Has LESCO dealt the case in accordance with the provisions of CSM?
- ii) Was any check meter installed? If yes, what is the result?
- iii) Copy of the M&T report be provided.
- iv) Copy of MCO be provided.
- v) Copy of notice alongwith reply of the complainant be provided.
- vi) What is the justification of charging 157055 units as detection bill for a period of 3 years? Please also provide copy of detection bill proforma.

6. The matter was under process in NEPRA and meanwhile the Order dated 08th August, 2012 was received from Lahore High Court on 15th August, 2012 wherein NEPRA was directed to decide the pending complaint of the petitioner dated 25th July, 2012 in accordance with the law through a speaking order within 15 days of receipt of certified copy.

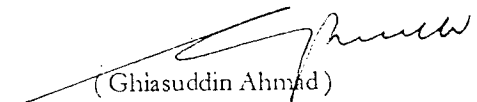
7. In order to decide the matter, both the parties i.e. the complainant and LESCO were called for hearing at Consumer Affairs Division, NEPRA on 28th August, 2012 and both attended the hearing. The complainant reiterated his earlier version as submitted by him in his complaint and rejoinder. LESCO maintained that the complainant was involved in theft of electricity. Therefore his meter was changed on 20th June, 2010 and disputed meter was sent to Meter & Testing Department for checking. As per the report of Meter & Testing department dated 23rd September, 2010, the meter was found tampered and meter's yellow phase was back running. The matter was reported to police on 24th September, 2010 and also a notice was served to the complainant. After observing all codal formalities a detection bill for a period of 3 years from June 2007 to May 2010 for 437652 units was calculated and after adjustment of previously charged units of 280597, a detection bill for remaining 157055 units was served to the complainant which the complainant must pay.

8. The record produced by the parties examined and written/oral arguments have been given due consideration. Following has been observed:

- i) The meter of complainant was removed on 20th June, 2010 vide Meter Change Order (MCO) dated 20th June, 2010. Neither any reason for the replacement of installed meter has been given on the MCO nor there is any prior notice / correspondence justifying for the replacement of the meter. However, a notice No.3410 dated 24th September, 2010 regarding the discrepancies in the meter was issued to the complainant by LESCO after a lapse of 03 months of the actual replacement of the impugned meter.
- ii) The meter was replaced on 20th June, 2010 but M&T Department has submitted its report pointing discrepancies on 23rd September, 2010 i.e. after lapse of 03 months. There is no explanation by LESCO for this delayed submission of M&T report.
- iii) The matter was reported to police regarding theft of electricity by LESCO on 24th September, 2010 whereas the meter was changed on 20th June, 2010. There is a delay of more than 03 months in reporting the matter to police.
- iv) LESCO has failed to observe the procedure for theft / illegal abstraction of the electricity by registered consumers as provided in the Consumer Service Manual.
- v) LESCO has prepared a detection bill from June 2007 to May 2010 for a period of 36 months which is in gross violation of provisions laid down in Consumer Service Manual. The complainant in his complaint has requested for revision of detection bill from 36 months to 03 months and has agreed for payment of the same.

9. From the discussion in foregoing paragraphs it is concluded that LESCO has failed to establish theft / illegal abstraction of the electricity by the complainant. However, the consumer had agreed to pay the detection bill for a period of 03 months. LESCO is therefore directed to revise the detection bill from 36 months to 03 months and serve to the complainant for payment.

31st August , 2012


 (Ghiasuddin Ahmad)
 Member (Consumer Affairs)