



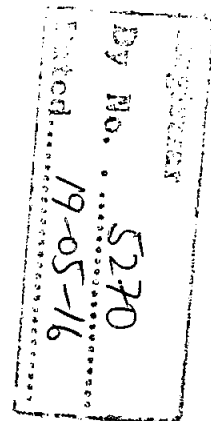
Before the Appellate Board  
National Electric Power Regulatory Authority  
(NEPRA)  
Islamic Republic of Pakistan

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No. NEPRA/AB/Appeal-130/POI-2015/ 631-635

May 19, 2016

1. Abdul Rasheed  
House No. A-86/104,  
Asifabad, Green Town,  
Karachi
2. The Chief Executive Officer  
K-Electric,  
KE House, 39-B,  
Sunset Boulevard, DHA-II,  
Karachi
3. Rafique Ahmed Shaikh,  
General Manager (Regulations),  
K-Electric, KE House, 39-B,  
Sunset Boulevard, DHA-II,  
Karachi
4. Ms. Tatheera Fatima  
Deputy General Manager,  
K-Electric Ltd,  
3<sup>rd</sup> floor, KE Block,  
Civic Centre, Gulshan-e-Iqbal,  
Karachi
5. The Electric Inspector  
Karachi Region-I,  
Block No. 51, Pak Secretariat,  
Shahra-e-Iraq, Saddar,  
Karachi.



Subject: Appeal Titled K-Electric Ltd Vs. Abdul Rasheed Hussain Against the Decision Dated 30.10.2015 of the Electric Inspector/POI to Government of the Sindh Karachi Region-I, Karachi

Please find enclosed herewith the decision of the Appellate Board dated 18.05.2016, regarding the subject matter, for information and necessary action accordingly.

Encl: As Above

(Ikram Shakeel)

No. NEPRA/AB/Appeal-130/POI-2015/ 636

May 19, 2016

Forwarded for information please.

  
Assistant Director  
Appellate Board

1. Registrar
2. Director (CAD)

  
19.05.16

CC:

— DD (IT)  
— D/Rg - II/mf

1. Member (CA)



# National Electric Power Regulatory Authority

## Before Appellate Board

In the matter of

### Appeal No. NEPRA/Appeal-130/POI-2015

K-Electric, Karachi

.....Appellant

Versus

Abdul Rasheed House: A-86/104, Asifabad Green Town Karachi

.....Respondent

#### For the appellant:

Miss Tatheera Fatima Deputy General Manager (Legal Distribution)  
Mr. Asif Shajer Deputy General Manager  
Mr. Masahib Ali Deputy Manager  
Mr. Imran Hanif Assistant Manager (RAD)

#### For the respondent:

Mr. Abdul Rasheed

### DECISION

1. Through this decision, an appeal filed by K-Electric against the decision dated 30.10.2015 of Provincial Office of Inspection/Electric Inspector, Karachi Region-I, Karachi (hereinafter referred to as POI) is being disposed of.
2. The appellant is a domestic consumer of K-Electric having four connections bearing Ref No. LA-391535 with a sanctioned load of 2kW, Ref No. AL-925351 with a sanctioned load of 1kW, Ref No. AL-498843 with a sanctioned load of 1 kW and Ref No. AL-925352 with a sanctioned load of 1 kW under A1-R tariff. As per fact of the





## National Electric Power Regulatory Authority

case, premises of the appellant's connections was inspected by KE on 19.06.2013, reportedly the connected load of each connection was found above 4 kW and use of extra phase was also noticed for dishonest abstraction of electricity. After issuing notice dated 21.06.2013, following detection bills were charged to the respondent in July 2013:

Consumer No.	Period	Units	Amount (Rs.)
LA-391535	10.01.2013 to 10.06.20013	1,445	16,616/-
AL-925351	10.01.2013 to 10.05.20013	1,803	19,326/-
AL-498843	10.01.2013 to 10.05.20013	1,565	22,150/-
AL-925352	10.01.2013 to 10.05.20013	2,297	29,091/-

3. Being aggrieved with the aforementioned detection bills, the respondent filed an application dated 24.07.2013 before the POI. The matter was disposed of by POI vide its decision dated 30.10.2015, operative of the POI & same is reproduced below:

*" After conducting several number of hearings, giving fair opportunities to hear both the parties, scrutinizing the record, made available with this authority and in the light of above findings, this authority is of the firm view that opponents have violated the mandatory requirements of Electricity Act 1910 and guide lines communicated through Consumer Service Manual of NEPRA as pointed out in above findings. The Authority therefore, directs the licensee to cancel the detection bills amounting to Rs. 16,616/- of 1445 units for the period 10/01/2013 to 10.06.2013 on Consumer NO. LA-391535. Rs.29091/- of 2297 units for the period from 10.01.2013 to 10.06.2013 on the consumer No AL925352, Rs.22,150/- of 1803 units for the period from 10.01.2013 to 10.06.2013 on consumer No. AL-498843 & Rs.19,326/- of 1565 units for the period from 10.01.2013 to 10.06.2013 on consumer No. AL-92535 after issuance of the impugned detection bills and after words, as complainant was not found at fault. The complaint is disposed off in terms of the above for compliance by the Opponents."*

4. Being aggrieved with the POI decision dated 30.10.2015 (hereinafter referred to as the

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## National Electric Power Regulatory Authority

impugned decision), the appellant has filed the instant appeal under section 38 (3) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997 (hereinafter referred to as the Act). K-Electric contended that site of the respondent was inspected on 19.06.2013 and the respondent was found stealing electricity through use of an extra phase and the connected loads were higher than the sanctioned loads. As per K-Electric, detection bills as per detailed given below were charged to the respondent in July 2013.

Consumer No.	Period	Units	Amount (Rs.)
LA-391535	05 months	1,445	16,616/-
AL-925351	04 months	1,803	19,326/-
AL-498843	04 months	1,565	22,150/-
AL-925352	04 months	2,297	29091/-

According to K-Electric, aforementioned detection bills charged were justified and the respondent was liable to pay the same. K-Electric further submitted that POI was not authorized to adjudicate the instant matter as it was a case of dishonest abstraction of electricity, which is beyond the jurisdiction of POI.

5. In response to the above appeal, the respondent was issued a notice for filing reply/parawise comments, which were filed on 23.12.2015. In his reply, the respondent submitted that the impugned decision was in line with the Consumer Service Manual and was liable to be upheld.
6. After issuing notice to both the parties, the appeal was heard in Karachi on 09.05.2016 in which both the parties participated. In the outset of hearing, the respondent strongly agitated the allegation of theft of electricity and pleaded that being a religious person it was beyond his imagination to indulge in such illegal practice. The learned representative of K-Electric contended that during the disputed period, consumption of the respondent was very low due to which K-Electric suffered revenue loss and therefore detection bill total amounting to Rs.87,183/- in respect of all four connections was charged to the respondent. During hearing, both the parties agreed that the respondent would pay an amount of Rs.15,000/- against all the above claimed bills and K-Electric would withdraw the allegation of theft against him.



## National Electric Power Regulatory Authority

7. In view of above agreement between parties, the respondent is liable to pay Rs.15,000/- against all the detection bills of four connections and allegation of theft against him stands withdrawn.
8. The appeal is disposed of in above terms.

44  
21/3/16

Muhammad Qamar-uz-Zaman  
Member

Nadir Ali Khoso

Nadir Ali Khoso  
Convener

Date: 18.05.2016

