



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

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No. NEPRA/AB/Appeal-063/POI-2016/ 1450-1454

November 15, 2016

1. Mohammad Qasim,
Plot No. 940/C, Flat No. 02,
ST-14/A, Mehmood Abad No. 04,
Karachi
2. The Chief Executive Officer,
K-Electric,
KE House, 39-B,
Sunset Boulevard, DHA-II,
Karachi
3. Asif Shajer,
Deputy General Manager,
K-Electric, KE House, 39-B,
Sunset Boulevard, DHA-II,
Karachi
4. Ms. Tatheera Fatima,
Deputy General Manager,
K-Electric Ltd,
3rd floor, KE Block,
Civic Centre, Gulshan-e-Iqbal,
Karachi
5. Electric Inspector,
Karachi Region-I,
Block No. 51, Pak Secretariat,
Shahra-e-Iraq, Saddar,
Karachi

Subject: **Appeal Titled K-Electric Ltd Vs. Mohammad Qasim Against the Decision Dated 29.01.2016 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 14.11.2016, regarding the subject matter, for information and necessary action accordingly.

Encl: **As Above**

(Ikram Shakeel)

No. NEPRA/AB/Appeal-063/POI-2016/ 1455

November 15, 2016

Forwarded for information please.


Assistant Director
Appellate Board

1. Registrar
2. Director (CAD)

CC:

1. Member (CA)



National Electric Power Regulatory Authority

Before Appellate Board

In the matter of

Appeal No. NEPRA/Appeal-063/POI-2016

K-Electric

.....Appellant

Versus

Muhammad Qasim, Plot No. 940/C, Flat No. 02,
St-14/A, Mehmoodabad No. 4, Karachi

.....Respondent

For the appellant:

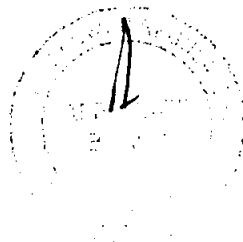
Ms. Tatheera Fatima Deputy General Manager
Mr. Salman Rajan Deputy Manager
Mr. Masahib Ali Deputy Manager
Mr. Imran Hanif Assistant Manager

For the respondent:

Mr. Muhammad Qasim

DECISION

1. This decision shall dispose of the appeal filed by K-Electric against the decision dated 29.01.2016 of Provincial Office of Inspection/Electric Inspector, Karachi Region-I, Karachi (hereinafter referred to as POI).
2. The respondent is a domestic consumer of K-Electric bearing Ref No. AL-932956 with a sanctioned load of 1kW under A1-R tariff. As per facts of the case, site of the respondent was checked by K-Electric on 20.08.2013 and allegedly the respondent was consuming electricity illegally through an extra phase. First detection bill amounting to Rs. 31,284/- for 2,520 units for the period 10.02.2013 to 19.08.2013 was charged to the respondent in





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September 2013. The respondent filed an application dated 30.09.2013 before POI and challenged the first detection bill. Another site inspection of the respondent's connection was conducted by K-Electric on 24.08.2015 and second detection bill of Rs. 75,008/- of 3,935 units for February 2015 to August 2015 was charged to the respondent allegedly for using hook for stealing electricity in September 2015. POI disposed of the matter vide its decision dated 29.01.2016 with the following conclusion:

"After conducting several numbers 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 (CSM) of NEPRA as pointed out in above findings. The authority therefore, direct the Opponents to cancel the detection bills amounting to Rs. 31,284/- of 2520 units for the period from 10.002.2013 to 19.08.2013 and Rs. 75,008/- of 3935 units for the period from 10.02.2015 to 19.08.2015, there being no justification on technical and legal grounds for issuance of said bills, it is also directed to the Opponents to cancel the monthly bill of September 2015 and revise the same on actual consumption basis and further to waive all late payments surcharges after issuance of the impugned detection bills and afterwards, as complainant was not found at fault.

It is also advised that appropriate strict disciplinary action should be taken against the officer/officials of the Opponent's at fault as reflected in the above findings, under intimation to this office & NEPRA authority, within thirty days positively.

The complaint is disposed off in terms of above, for compliance by the Opponents."

3. Being aggrieved with the POI decision dated 29.01.2016 (hereinafter referred to as the impugned decision), K-Electric 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). In its appeal, K-Electric inter alia, stated that the respondent was found involved dishonest abstraction of electricity during site inspection dated 26.08.2013 and detection bill of Rs. 31,284/- and Rs. 75,008/- respectively were charged to him. According to K-Electric the detection bills are justified and the respondent is liable to pay the same. It is prayed by K-Electric that the appeal may graciously be accepted. Notice of the





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appeal was issued to the respondent for filing reply/parawise comments which were filed on 29.04.2016. The respondent in his reply denied the allegations of theft of electricity and contended that the detection bills raised in this regard were illegal, unlawful and liable to be cancelled.

4. After issuing notice to both the parties, the appeal was heard in Karachi on 10.10.2016 in which both the parties participated. Mr. Muhammad Qasim the respondent appearing in person submitted that he was retired army person and living on a meager pension. The respondent denied allegation of theft and pleaded not guilty. In order to settle the matter, Ms. Tatheera Fatima appearing as representative for K-Electric made an offer to the respondent to make payment of Rs. 35,000/- which was accepted by the respondent for payment in easy installments.
5. In view of above agreement between the parties, K-Electric is allowed to recover Rs. 35,000/- from the respondent against its claim of detection bills of Rs. 31,284/- and Rs. 75,008/- in six monthly installments from the respondent along with the current bill.
6. The appeal is disposed of in above terms.

Muhammad Qamar-uz-Zaman
Member

Nadir Ali Khoso
Convener

Muhammad Shafique
Member

Date: 14.11.2016

