



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

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No. NEPRA/AB/Appeal-082/POI-2015/ 172 — 176

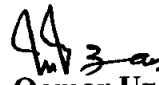
February 16, 2016

1. Tauqeer Ahmed  
(Masroor Ahmed Sabri),  
KESC Survey No. 122,  
Khandoo Goth, North Nazimabad,  
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. Tauqeer Ahmed Against the Decision Dated 09.07.2015 of the Electric Inspector/POI to Government of the Sindh Karachi Region-II, Karachi**

Please find enclosed herewith the decision of the Appellate Board dated 16.02.2016, regarding the subject matter, for information and necessary action accordingly.

Encl: **As Above**

  
(M. Qamar Uz Zaman)

No. NEPRA/AB/Appeal-082/POI-2015/ 177

February 16, 2016

Forwarded for information please.

**Member Appellate Board**

1. Registrar
2. Director (CAD)

CC:

1. Vice Chairman/Member (CA)



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# National Electric Power Regulatory Authority

## Before Appellate Board

In the matter of

Appeal No. NEPRA/Appeal-082/POL-2015

K-Electric Ltd

.....Appellant

Versus

Tauqeer Ahmed, (Masroor Ahmed Sabri), KESC Survey No. 122,  
Khandoo Goth, North Nazimabad, Karachi

.....Respondent

### For the appellant:

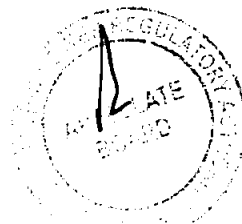
Mr. Rafique Ahmed Shaikh General Manager  
Ms. Tatheera Fatima Deputy General Manager  
Mr. Ayaz Ahmed Deputy General Manager

### For the respondent:

Nemo

## DECISION

1. Through this decision, an appeal filed by K-Electric (hereinafter referred to as KE) against the decision dated 09.07.2015 of Provincial Office of Inspection/Electric Inspector, Karachi Region-II, Karachi (hereinafter referred to as POI) is being disposed of.
2. The respondent is a domestic consumer of KE bearing Ref No. AL-319867 with a sanctioned load of 4 kW under A1-R tariff. As per fact of the case the site of the respondent's connection was inspected by KE on 13.09.2014 and reportedly the connected load was found as 1.408 kW and an extra phase was installed for direct consumption of electricity. After issuing notice to the respondent, a detection bill of Rs. 111,000/- 6,699 units for the period from 05.03.2014 to 02.09.2014 (06 months) was added in the bill for September 2014.
3. Being aggrieved with the aforementioned detection bill of Rs. 111,000/-, the respondent filed





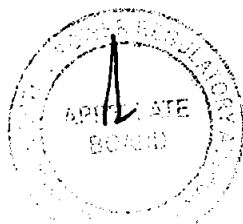
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an application before POI on 23.10.2014. The respondent stated that arrears bill amounting to Rs. 111,000/- for September 2014 along with the assessed bill amounting to Rs. 18,457/- of 1,250 units for October 2014 were unjustified, unlawful and liable to be cancelled. Finally the respondent prayed for cancellation of assessed/arrears amount of Rs. 131,007/-. During the pendency of the application before POI, site of the respondent was checked again by KE on 25.04.2015 and as per site inspection report dated 25.04.2015, the connected load was 8.642 kW and an extra phase/hook was under use by the respondent for dishonest abstraction of electricity. Detection bill of Rs. 31,751/- for 2,228 units for the period 03.10.2014 to 03.04.2015 (06 months) was added in the bill of the respondent for April 2015. POI disposed of the matter vide its decision dated 09.07.2015 and concluded as under:

*"After 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 relevant law and regulation and above findings, this authority of the firm view that the first detection bill amounting to Rs. 111,000/- of 6699 units for the period from 05.03.2014 to 02.09.2014 and second irregular bill for the period from 03.10.2014 to 03.04.2015 issued by the opponents therefore direct the opponents the said bill and issue a revised bill up to 03 months instead of 12 months.*

*The opponents are directed to act in terms of above instruction accordingly."*

4. Being aggrieved with the POI decision dated 09.07.2015 (hereinafter referred to as the impugned decision), KE 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). KE in its appeal contended that site of the respondent was checked on 13.09.2014 and 25.04.2015 and on both the occasions the respondent was found stealing electricity by the using an extra phase. According to KE, first detection bill for Rs. 111,000/- 6,699 units for the period from 05.03.2014 to 02.09.2014 (06 months) was added in the bill for September 2014 and second detection bill of Rs. 31,751/- for 2,228 units for the period 03.10.2014 to 03.04.2015 (06 months) was added in the bill for April 2015 on the basis of connected load of the respondent. According to KE, POI is not empowered to decide the matter where the meter was bypassed as per verdict of the court. KE contended that the respondent was involved in dishonest abstraction of electricity through direct use of an extra phase and used unauthorized





## National Electric Power Regulatory Authority

detection bill of Rs. 111,000/- from six to three months has been accepted by KE and therefore the impugned decision to this extent is liable to be maintained.

- iv. Second detection bill of Rs. 31,751/- for 2,228 units for the period 03.10.2014 to 03.04.2015 (06 months) was added in the bill of the respondent for April 2015. We are convinced with the arguments of KE that no dispute was raised by the respondent in his application dated 23.10.2014 or in any other subsequent application, before POI for the second detection bill of Rs. 31,751/- and therefore the impugned decision regarding reduction of the second detection bill from six to three months is illegal, void and without lawful authority and therefore liable to be set aside.

8. In view of the foregoing discussion it is concluded as under:-

- i. First detection bill of Rs. 111,000/- 6,699 units for the period from 05.03.2014 to 02.09.2014 added in the bill for September 2014 and second detection bill of Rs. 31,751/- for 2,228 units for the period 03.10.2014 to 03.04.2015 added in the bill for April 2015 are illegal, void and the respondent is not liable to pay the same. The impugned decision to this extent is maintained.
- ii. The impugned decision for charging the first and second detection bill for a period of three months is incorrect, unjustified and therefore declared null and void.
- iii. The respondent is liable to pay the detection bill only for the period 02.06.2014 to 01.09.2014 (03 months) as determined by POI. Impugned decision to this extent is agreed.

9. The impugned decision is modified in above terms.

Muhammad Qamar-uz-Zaman  
Member

Nadir Ali Khoso  
Convener

Date: 16.02.2016

