



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

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No. NEPRA/AB/Appeal-111/POI-2016/ 123-127

January 18, 2017

1. Izhar Alam Farooqi,
Plot No. B-145, Block 13,
Gulistan-e-Jauhar,
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
- Electric Inspector,
Karachi Region-I,
Block No. 51, Pak Secretariat,
Shahra-e-Iraq, Saddar,
Karachi

Subject: Appeal Titled K-Electric Ltd Vs. Izhar Alam Farooqi Against the Decision Dated 06.05.2016 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 17.01.2017, regarding the subject matter, for information and necessary action accordingly.

Encl: As Above

(Ikram Shakeel)

No. NEPRA/AB/Appeal-111/POI-2016/128

January 18, 2017

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-111/POI-2016

K-Electric Ltd

.....Appellant

Versus

Izhar Alam Farooqi, Plot No. B-145,
Block-13, Gulistan-e-Jauhar, Karachi

.....Respondent

For the appellant:

Ms. Tatheera Fatima Deputy General Manager (Legal-Distribution)
Mr. Abdul Ghani, Manager
Mr. Imran Hanif, Assistant Manager

For the respondent:

Nemo

DECISION

1. Brief facts of the case are that the respondent is a commercial consumer of K-Electric bearing Ref No. AL-850554 having a sanctioned load of 5 kW under A-2C tariff. As per version of K-Electric, the electricity meter of the respondent was inspected by K-Electric and found burnt. The burnt meter was replaced by K-Electric vide Meter Change Advice (MCA) dated 06.04.2015 and a notice dated 15.06.2015 was also issued to the respondent regarding above discrepancy. Later on K-Electric issued a bill amounting to Rs.20,474/-including arrear of Rs.15,872/- to the respondent in June 2015, detail of which is tabulated below;



National Electric Power Regulatory Authority

Bill Type	Months	Units	Amount (Rs.)
Detection Bill	February 2015 to March 2015	250	5,926/-
Meter Cost	April 2015	-	11,454/-
Normal Bill	June 2015	-	3,094
Total			20,474/-

2. Being aggrieved with the aforesaid bill, the respondent filed an application dated 16.09.2015 before the Provincial Office of Inspection (POI) and contended that the electricity bills for the period March 2015 to May 2015 (3 months) were not charged to him by K-Electric but later on a heavy bill amounting to Rs.20,474/- including arrears of Rs.15,872/- was issued by K-Electric in June 2015. The respondent further contended that neither any notice was served upon him nor he was associated by K-Electric during replacement of the defective meter. The matter was disposed of by POI vide its decision dated 06.05.2016, the operative portion of which 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 the detection bill amounting to Rs.15,872/- for the month of June 2015 has no justification on technical and legal grounds and therefore liable to be cancelled. Hence direct the opponents to cancel the said bill accordingly. It is further directed to waive late payment surcharge after issuance of the impugned detection bill and afterwards, as complaint was not at fault. The complaint is disposed off in terms of above for compliance by the Opponents."

3. The appeal in hand has been directed by K-Electric against the aforementioned decision; inter-alia on the grounds that the burnt electricity meter of the respondent was replaced by K-Electric vide MCA dated 06.04.2015; that a notice dated 15.06.2015 was also issued to the respondent regarding above discrepancy; that a bill amounting to Rs.20,474/- containing arrears of Rs.15,872/- was charged to the respondent in June 2015, which include the meter cost of Rs.11,454/- and the detection bill of Rs.5,926/- for 250 units for the months February 2015 and March 2015; and that the arrears charged to the respondent are in line with the provisions of Consumer Service Manual (CSM) and payable by the respondent.

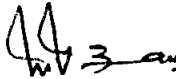
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K-Electric further submitted that POI was not authorized to entertain the application of the respondent as he was involved in the theft of electricity.


4. Notice of the above appeal was issued to the respondent for filing reply/parawise comments, which however were not filed. The hearing of the appeal was conducted in Provincial office NEPRA Karachi on 29.12.2016 in which Ms. Tatheera Fatima Deputy General Manager (Legal Distribution) along with other officials represented the appellant K-Electric and no one entered appearance for the respondent. Representatives of K-Electric reiterated the same arguments as contained in memo of the appeal and contended that the detection bill of Rs.5,926/- for 250 units for the period February 2015 to March 2015 (2 months) is already waived off but cost of meter replacement of Rs.11,454/- was recoverable from the respondent.
5. Arguments of K-Electric heard and record perused. The preliminary objection as to maintainability of the appeal is not pressed by K-Electric. As regards the Detection bill amounting to Rs.5,926/- for 250 units for February 2015 to March 2015 (2 months), the same has already been withdrawn by K-Electric. Nothing has been attributed to the respondent by K-Electric for damage caused to the meter. Pursuant to the CSM, the cost of replacement of the meter is not recoverable, if the consumer is not responsible for the damage caused to the meter.
6. Foregoing in view, there is no reason to intervene in the impugned decision, which is upheld and as a consequence the appeal is dismissed.



Muhammad Qamar-uz-Zaman
Member



Nadir Ali Khoso
Convener



Muhammad Shafique
Member

Date: 17.01.2017