



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

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No. NEPRA/AB/Appeal/015/POI/2020/1170

November 30, 2020

1. Molvi Muhammad Wahid  
Through his grandson Abdullah,  
S/o. Abdul Sami,  
Plot No. 9, Survey No. QB-149,  
Block-11, Qabail Colony,  
Federal B. Area, Karachi
2. 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, First Floor,  
Block F, Elander Complex,  
Elander Road, Karachi
5. Electric Inspector/POI  
Karachi Region-II, Government of Sindh,  
Plot No. ST-2, Block-N, North Nazimabad,  
Near Sarina Mobile Market,  
Main Sakhi Hasan Chowrangi, Karachi

Subject: **Appeal Titled K-Electric Vs. Molvi Muhammad Wahid Against the Decision Dated 18.11.2019 of the Provincial Office of Inspection to Government of the Sindh Karachi Region-II, Karachi**

Please find enclosed herewith the decision of the Appellate Board dated 25.11.2020, regarding the subject matter, for information and necessary action accordingly.

Encl: As Above

(Ikram Shakeel)  
Deputy Director (M&E)

Forwarded for information please.

1. Director (IT) –for uploading the decision on NEPRA website



## National Electric Power Regulatory Authority

**Before Appellate Board National Electric Power Regulatory Authority, Islamabad**

In the matter of

**Appeal No.015/POI-2020**

K-Electric Limited

.....Appellant

Versus

Molvi Muhammad Wahid through his grandson Abdullah, Plot No.9,  
Survey No.QB-149, Block-11, Qabail Colony, Federal B. Area, Karachi.....Respondent

**APPEAL UNDER SECTION 38(3) OF REGULATION OF GENERATION,  
TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997  
AGAINST THE DECISION DATED 18.11.2019 PASSED BY PROVINCIAL  
OFFICE OF INSPECTION KARACHI REGION-II, KARACHI**

For the appellant:

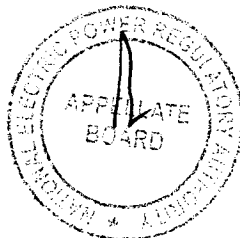
Ms. Tatheera Fatima Deputy General Manager (Distribution-Legal)  
Mr. Najamdin Sheikh Deputy General Manager  
Mr. Masahib Ali Manager

For the respondent:

Nemo

### **DECISION**

1. Brief facts leading to the filing of instant appeal are that the respondent is a domestic consumer of K-Electric bearing Ref No. AL-218665 having a sanctioned load of 1 kW under the A-1R tariff. During inspection dated 03.10.2018 of the premises of the respondent, K-Electric observed the use of hook connection for theft of electricity and the connected load was assessed as 9.97 kW being higher than the sanctioned load. After issuing notice dated 03.10.2018 to the respondent, a detection bill of Rs.100,576/- for 4,646 units for the period 08.03.2018 to 06.09.2018 (6 months) was charged to the respondent on the basis of the connected load.
2. Being dissatisfied, the respondent filed an application before the Provincial Office of Inspection (POI) and disputed the arrears of Rs.138,770/- containing the above detection

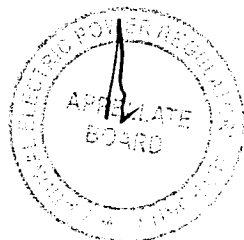




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bill. The matter of the respondent was disposed of by POI vide decision dated 18.11.2019 wherein the detection bill of Rs.100,576/- for 4,646 units for the period 08.03.2018 to 06.09.2018 was cancelled.

3. Instant appeal has been filed against the afore-referred decision of POI (hereinafter referred to as the impugned decision) before NEPRA in which it is contended that the premises of the respondent was inspected on 03.10.2018 and the respondent was found stealing electricity through hook connection, two families were living and the connected load was observed higher than the sanctioned load. K-Electric further contended that the detection bill of Rs.100,576/- for 4,646 units for the period 08.03.2018 to 06.09.2018 was charged to the respondent as per provisions of the Consumer Service Manual (CSM). As per K-Electric, the respondent admitted theft of electricity and agreed for payment of the aforesaid detection bill, therefore FIR was not registered against him. According to K-Electric, the actual consumption during the disputed period March 2018 to August 2018 was neither recorded due to illegal abstraction of electricity nor matches the connected load of 9.97 kW of the respondent, hence the fate of the detection bill should not be relied on the consumption data of the respondent. K-Electric point out that the POI is not authorized to decide the case of theft of electricity, wherein the meter has been bypassed and prayed for setting aside the impugned decision. Notice of the appeal was issued to the respondent for filing reply/para-wise comments, which however were not filed.
4. After issuing notice, hearing of the appeal was conducted in NEPRA Regional Office Karachi on 16.11.2020, which was attended only by K-Electric officials and no one appeared for the respondent. Representatives for K-Electric opposed the impugned decision on the plea that theft of electricity was committed by the respondent through

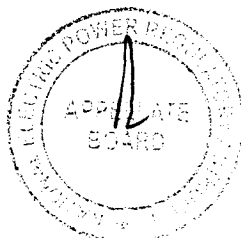




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bypassing the meter and the connected load was noticed as 9.97 kW but POI relied upon the consumption data and declared the detection bill of Rs.100,576/- for 4,646 units for the period 08.03.2018 to 06.09.2018 as cancelled. K-Electric finally agreed to revise the above detection bill for two months only.

5. Arguments were heard and the record was examined. Following are our observations:
- i. K-Electric raised the objection on the jurisdiction of POI, it is observed that theft of electricity was alleged by K-Electric but neither the legal proceedings were initiated against the respondent nor the provisions of CSM were followed. Hence objection of K-Electric in this regard is devoid of force and rejected.
  - ii. K-Electric averred that the respondent was stealing electricity through bypassing the meter and has illegally extended the connected load i.e. 9.97 kW without the regularization of the same. Therefore the detection bill of Rs.100,576/- for 4,646 units for the period March 2018 to August 2018 was charged to the respondent to recover the revenue loss sustained due to theft of electricity. During the hearing, K-Electric agreed to reduce the period of the above detection bill for two months only. There was no representation of the respondent to rebut the arguments of K-Electric. Under these circumstances, we are convinced with the arguments adduced by K-Electric for revision of the period of the above detection bill for two months only i.e. July 2018 and August 2018.
6. Summing up the above discussion, it is concluded that the detection bill of Rs.100,576/- for 4,646 units for the period 08.03.2018 to 06.09.2018 charged to the respondent is unjustified and cancelled. The respondent may be charged the detection bill for two months only i.e. July 2018 and August 2018, however, the billing account of the





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respondent may be revised after adjusting units already charged/payments made (if any) against the above detection bill.

7. The impugned decision is modified in the above terms.

Muhammad Qamar-uz-Zaman  
Member/SA (Finance)

Muhammad Shafique  
Member/SA (Legal)

Nadir Ali Khoso  
Convener/DG (M&E)

Dated: 25.11.2020

