



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

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No. NEPRA/Appeal/016/POI/2020/ 923

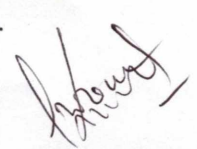
November 23, 2021

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|---|--|
| 1. Chand Muhammad<br>Hosue No. 1017-B,<br>PIB Colony, Karachi   | 2. Chief Executive Officer,<br>K-Electric, KE House,<br>39-B, Sunset Boulevard,<br>DHA-II, Karachi                                   |
| 3. Asif Shajer,<br>Deputy General Manager,<br>K-Electric, KE House,<br>39-B, Sunset Boulevard,<br>DHA-II, Karachi   | 4. Ms. Tatheera Fatima,<br>Deputy General Manager,<br>K-Electric, First Floor,<br>Block F, Elander Complex,<br>Elander Road, Karachi |
| 5. Mian Ashraq Ahmed<br>Advocate High Court,<br>Mian Ashfaq Ahmed Law Associates,<br>Office: A-5, Second Floor,<br>Bait-ul-Furqan, Near Ashfaq Memorial Hospital,<br>University Road, Block-13-C,<br>Gulshan-e-Iqbal, Karachi |  |

Subject: **Decision of the Appellate Board Regarding Review Petition Filed By Chand Muhammad Against the Decision of the Appellate Board Dated 28.10.2020 In The Matter Chand Muhammad Vs. K-Electric**

Please find enclosed herewith the decision of the Appellate Board dated 17.11.2021, regarding the subject matter, for information and necessary action accordingly.

**Encl: As Above**

  
**(Ikram Shakeel)**  
**Deputy Director (M&E)**  
**Appellate Board**

Forwarded for information please.

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





# National Electric Power Regulatory Authority

## Before Appellate Board

In the matter of

**Review petition filed by Mr. Chand Muhammad under NEPRA Review (Procedure) Regulations, 2009 against the decision dated 28.10.2020 of NEPRA Appellate Board in the Appeal No.016/POI-2020**

Chand Muhammad House No.1017-B, PIB Colony, Karachi .....Petitioner

Versus

K-Electric Limited .....Respondent

For the Petitioner:

Mr. Chand Muhammad

For the Respondent:

Mr. Asif Shajer General Manager

Ms. Tatheera Fatima Deputy General Manager

Mr. Masahib Ali Manager

## **DECISION**

1. Through this decision, the review petition filed by Mr. Chand Muhammad (hereinafter referred to as the Petitioner) against the decision dated 28.10.2020 of the National Electric Power Regulatory Authority (hereinafter referred to as the NEPRA) is being disposed of.
2. The K-Electric charged the following detection bills to the Petitioner on the plea that he was stealing electricity through unfair means:

**Table-A**

SIR dated	Discrepancies	Detection bill	Period		Units	Amount (Rs.)
06.01.2017	Theft of electricity C/L= 4.882 kW	First	20.05.2016	21.12.2016	3,269	64,439/-
20.07.2017	Theft of electricity C/L= 4.962 kW	Second	22.12.2016	20.06.2017	2,950	50,802/-







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- 3 Being aggrieved with the actions of the K-Electric, the Petitioner approached the Provincial Office of Inspection, Karachi Region-I, Karachi (the POI) in December 2017 and challenged the arrears of Rs.122,555/- added till August 2017, which included the above two detection bills. The complaint of the Petitioner was disposed of by the POI vide its decision dated 22.10.2019, wherein the above two detection bills along with late payment surcharges (LPS) were cancelled and the K-Electric was directed to waive off the reconnection/disconnection charges.
3. Being dissatisfied with the above-mentioned decision of the POI, the K-Electric filed an appeal before the NEPRA, which was registered as the appeal No.016/2020. The NEPRA Appellate Board vide decision dated 28.10.2020 (hereinafter referred to as the impugned decision) disposed of the matter with the following conclusion:

*“The upshot of the above discussion is that:*

*i. The impugned decision for cancellation of the first detection bill of Rs.64,439/- for 3,629 units for the period 20.05.2016 to 21.12.2016 (June 2016 to November 2016) and second detection bill of Rs.50,862/- for 2,950 units for the period 22.12.2016 to 20.06.2017 (February 2017 to July 2017) along with LPS is correct and maintained to this extent.*

*ii. K-Electric is directed to charge the first and second detection bills as per the detail given below:*

Detection bill	Period	Units/month to be charged
First	Sep-2016 to Nov-2016	438 units/month
Second	May-2017 to Jul-2017	

*iii. The billing account of the Respondent should be revised by K-Electric after adjusting units already charged/payments made (if any) during the disputed periods. The appeal is disposed of in the above terms.”*







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4. The Petitioner filed a review petition before the NEPRA on 10.11.2020. In the review petition, the Petitioner opposed the impugned decision inter alia, on the following grounds; (1) the sanctioned load of 4 kW was imposed by force without any supporting documents; (2) the K-Electric neither proved hook connection nor registered FIR against him; (3) the consumption trend of the premises remained same during the years 2016 to 2020; (4) theft was not admitted by him and that the impugned decision needs to be reviewed to redress the grievance.
5. After issuing notice, the review petition was heard in the NEPRA Regional Office Karachi on 07.10.2021, wherein both the parties were present. The Petitioner repeated the same contentions as given in the review petition regarding the theft of electricity and stated that he is not liable to pay any detection bill on account of baseless allegations of theft levelled by the K-Electric. The Petitioner argued that the impugned decision to the extent of revision of the detection bills based on sanctioned load i.e. 4 kW is not correct and liable to be reviewed. On the contrary, the representatives of the K-Electric opposed the contentions of the Petitioner and prayed that the impugned decision is correct, based on merits and the same is liable to be maintained.
6. We have heard the arguments of both the parties and considered the relevant documents placed before us. In terms of Regulation 3 (2) of NEPRA (Review Procedure) Regulations, 2009, a motion seeking review of any order of the Authority is competent only upon discovery of new and important matter of evidence or on account of some mistake or error apparent on the face of the record. The perusal of the decision dated 28.10.2020 sought to be reviewed clearly indicates that all material facts and representations made were examined in detail and there is neither any occasion to amend the impugned decision nor any error inviting indulgence as admissible in law has been pleaded out. Therefore, the





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review motion is not based on merit and the same is liable to be rejected.

7. In view of the above discussion, the review petition is dismissed.

Abid Hussain  
Member/Advisor (CAD)

Maria Rafique  
Member/ Legal Advisor

Nadir Ali Khoso  
Convener/Senior Advisor (CAD)

Dated: 17.11.2021

