



National Electric Power Regulatory Authority
Islamic Republic of Pakistan

NEPRA Office Building, G-5/1, Attaturk Avenue (East), Islamabad

Phone: 051-9206500, Fax: 051-2600026

Website: www.nepra.org.pk, Email: registrar@nepra.org.pk

**OFFICE OF THE
REGISTRAR**

No. NEPRA/D(CAD)/TCD-09/4656-57

July 01, 2016

Chief Executive Officer,
K-Electric Limited, KE House No 39-B,
Sunset Boulevard Phase-II,
Defence Housing Authority,
Karachi.

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY SOHAIL AHMED QURESHI UNDER SECTION-39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING DETECTIN BILL (CONSUMER # LB-019787)**
Complaint # KE-2062/2015

Please find enclosed herewith the decision of NEPRA regarding the subject matter for necessary action and compliance within thirty (30) days of the decision.

Encl: As above


1/7/16
(Iftikhar Ali Khan)
Deputy Registrar

Copy to:

Mr. Sohail Ahmed Qureshi,
R/o MC-1213, Green Town, Shah Faisal Colony,
Karachi.



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No: KE-2062-2015

Mr. Sohail Ahmed Qureshi **Complainant**
R/o MC-1213, Green Town, Shah Faisal Colony,
Karachi.

Versus

K- Electric Limited **Respondent**
KE House, 39-B, Sunset Boulevard, Phase II
DHA, Karachi.

Date of Hearing: May 25, 2016

On behalf of:
Complainant: Mr. Sohail Ahmed Qureshi

Respondent:

- i. Mr. Sajjad Zaheer GM (Operations)
- ii. Mr. Asif Shamsi, DGM (Operations)
- iii. Mr. Asif Shajar DGM (Regulations)
- iv. Mr. Imran Hanif AM (Regulations)

Date of Decision: June , 2016

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. SOHAIL AHMED QURESHI UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING DETECTION BILL (CONSUMER # LB019787)

DECISION

This decision shall dispose of the complaint received on October 02, 2015 filed by Mr. Sohail Ahmed Qureshi (hereinafter referred to as the "Complainant") against K-Electric Limited (hereinafter referred to as

the "Respondent" or "KEL") under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997.

2. The Complainant in his complaint has stated that KEL charged a detection bill on account of theft of electricity. In this regard, a notice was issued upon him, wherein KEL alleged that a hook connection was being used at the Complainant's premises. Upon receipt of the said notice, he approached KEL and filed response, wherein he informed KEL that the premises had three (03) portions and the previous owner had sold the premises to different persons, however, electricity meters are available at only two portions and no meter is available at the third portion. The entrance of the 3rd portion is from backstreet, where the electricity is being used through direct hook. The Complainant further added that he had already submitted the documents to KEL w.r.t. change of ownership of the premises. The Complainant prayed that KEL be directed to penalize the person who is involved in theft of electricity, remove kunda/hook connection from the said premises and waive off the penalty charged in his electricity bill.

3. The matter was taken up with KEL for submission of para-wise comments. In response, KEL vide letter dated October 26, 2015 reported that a site inspection was carried out at the premises of the Complainant after serving inspection notice dated August 3, 2015 under section 20 of the Electricity Act, 1910 which the consumer did not acknowledge. As per Site Inspection Report (SIR), a discrepancy of "Meter stop and hook use from back side of premises" was reported and connected load was found as 3.339 kW against the sanctioned load of 3.00 kW. KEL further submitted that a notice under section 39, 39-A, 44 and 26-A of the Electricity Act, 1910 dated August 3, 2015 was served upon the Complainant to explain his position over the mentioned discrepancy which the Complainant refused to acknowledge. After lapse of the stipulated time, a detection bill amounting to Rs.17,625/- for 1653 units covering a period of six months, i.e. from January 14, 2015 to July 13, 2015 was processed on the basis of SIR dated August 3, 2015. KEL added that the consumer was involved in theft of electricity, therefore, the detection bill is justified and liable to be paid by the consumer.

4. The report of KEL was sent to the Complainant for information/comments. In response, the Complainant vide letter dated November 13, 2015 submitted his rejoinder, wherein he denied the allegations leveled by KEL and negated the facts mentioned regarding the connected load in the SIR dated August 3, 2015. Accordingly, the matter was again taken up with KEL in light of submissions of the Complainant, and some additional information/documents were also sought from KEL with respect to billing history of the premises, rationale of detection bill, copy of MCO, copy of FIR. In response, KEL vide its letter dated January 14, 2016 submitted the required information/documents except FIR for which it explained that it is not possible to lodge FIR in all cases due to requirement of supporting documents, which are not provided by the consumers after detection of theft.

5. In order to examine the matter further, a joint site inspection of the Complainant's premises was conducted on April 21, 2016 wherein the connected load of the premises was found to be as 2.103 kW against the reported connected load of 3.339 kW in KEL SIR dated August 3, 2015. The condition of the premises reflected that the Complainant belongs from a poor state of society. Moreover, the Complainant also showed the premises/portion where a piece of wire was found connected to overhead supply line (hook connection) by KEL. A hearing was also held on May 25, 2016 at Karachi, which was attended by both the parties, who advanced their respective arguments based upon their earlier versions.

6. After examining the case in light of the available record, relevant documentary evidence, arguments advanced during the hearing and applicable law, following has been observed:

- i. The Complainant connection is a residential (Tariff A1-R) single phase connection, having sanctioned load of 1 kW.
- ii. As per report of KEL, a site inspection of the Complainant's premises was carried out on August 3, 2015 and discrepancy of "meter stop and hook use from back side" was found at the Complainant premises. On the basis of the said discrepancy, KEL assessed the consumption of

the Complainant as 2343 units (390 units per month) for the period of six (06) months from January 14, 2015 to July 13, 2015 and after deducting already charged 690 units on normal billing mode during the disputed period, KEL raised detection bill of 1653 units amounting to Rs.17,625/-. The Complainant has denied the allegations leveled by KEL.

iii. The billing statement of the Complainant's account provided by KEL is as under:

Month	No of units (KWh) consumed				
	2012	2013	2014	2015	2016
January	0	51	65	19	85
February	0	52	85	70	81
March	399	46	90	91	98
April	-499	62	50	106	53
May	58	69	96	113	149
June	371	59	97	120	
July	0	35	46	115	
August	0	42	161	145 (SIR)	
September	371	51	71	162	
October	-320	55	136	169	
November	371	61	107	101	
December	-229	51	86	91	

iv. The inspection of the premises was carried out on August 3, 2015. KEL has charged detection bill for the period from January, 2015 to July, 2015. The above table depicts the consumption of the Complainant connection as under:

- Consumption of the Complainant during the disputed period i.e. from February, 2015 to July, 2015 = 615 units (Average monthly = 102 units)
- Consumption of the Complainant in corresponding months of previous year i.e. from February, 2014 to July, 2014 = 464 units (Average monthly = 77 units)
- Consumption during corresponding months of previous year of the disputed period February, 2013 to July, 2013 = 323 units (Average monthly = 54 units)
- The consumption of the Complainant after 10 months of inspection i.e. from August, 2015 to May, 2016 = 1134 units (Average monthly = 113 units)
- The consumption of the Complainant in corresponding months of previous year i.e. from August, 2014 to May, 2015 = 960 units (Average monthly = 96 units).

v. The above billing record reveals that consumption of the Complainant's account was already on higher side during the period for which KEL has charged the detection bill as compared to consumption recorded in the corresponding months of the previous years. Further, the consumption of the Complainant's premises during ten (10) months after inspection has slightly increased as compared to the consumption recorded in the same months of the previous year. In addition to this, the scrutiny of the Complainant's account history demonstrates that the

2

Complainant has utilized less electricity, whereas, during joint site inspection, the connected load of the premises was found to be as 2.103 kW against the KEL reported connected load of 3.33 kW. As such, the billing history of the Complainant's account does not support the version of KEL that the Complainant was involved in theft of electricity.

- vi. KEL has penalized the Complainant on account of direct theft of electricity i.e meter stop and hook use from back side of premises. As per provisions of Consumer Service Manual (CSM), FIR is mandatory in case of direct theft of electricity. If the consumer was involved in theft of electricity by using extra phase/hook, then KEL should have lodged FIR against him, but the record is silent in this case. Further, KE has not provided any proof from which it could be ascertained that the Complainant was involved in theft of electricity.

7. In view of foregoing, detection bill amounting to Rs.17,625/- for 1653 units, charged against the Complainant is without any legal justification. KEL has failed to substantiate its case with any cogent evidence. Further, the non compliance of the procedure provided in Chapter 9 has tainted the entire proceedings. The perusal of the billing history of the Complainant also does not support the claim of KEL. In view of that, KEL is hereby directed to withdraw the said detection bill charged against the Complainant and submit Compliance report within thirty (30) days.

Islamabad, June 30 , 2016

Member (Consumer Affairs)  30/6/16.