



Registrar

**National Electric Power Regulatory Authority**  
**Islamic Republic of Pakistan**

NEPRA Tower, Attaturk Avenue (East), G-5/1, Islamabad  
Ph: +92-51-9206500, Fax: +92-51-2600026  
Web: www.nepra.org.pk, E-mail: registrar@nepra.org.pk

NEPRA/R/TCD.09(CAD)/15758-59

November 16, 2016

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

Subject: **ORDER IN THE MATTER OF COMPLAINT FILED BY MR. MUHAMMAD HANIF S/O WALI MUHAMMAD UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING ARREARS IN THE BILL (CONSUMER # AL-837680)**  
Complaint # KE-2034/2016

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

Encl: As above

( Iftikhar Ali Khan )

Director  
Registrar Office

CC:

Mr. Muhammad Hanif  
Flat No. 22, 5<sup>th</sup> Floor, Irshad Centre  
Plot No. 6/108, Pinjrapur Road, Arambagh  
Karachi.



**BEFORE THE  
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY  
(NEPRA)**

Complaint No: KE-2034-2016

**Mr. Muhammad Hanif** ..... **Complainant**  
Flat No. 22, 5<sup>th</sup> Floor, Irshad Centre  
Plot No. 6/108, Pinjrapur Road, Arambagh  
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:** None

**Respondent:**

- i. Mr. Manzoor Ali - DGM (Operations)
- ii. Mr. Asif Shajar - DGM (Regulations)
- iii. Mr. Abdul Hameed - Manager (Operations)
- iv. Mr. Imran Hanif - AM (Operations)

**Date of Order:** November , 2016

**Subject: ORDER IN THE MATTER OF COMPLAINT FILED BY MR. MUHAMMAD HANIF S/O WALI MUHAMMAD UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING ARREARS IN THE BILL (CONSUMER # AL-837680)**

**ORDER**

This Order shall dispose of the complaint filed by Mr. Muhammad Hanif S/o Wali Muhammad (hereinafter referred to as "the Complainant") against K-Electric Limited (hereinafter referred to as the

\_\_\_\_\_

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

(2). The Complainant stated that in the month of December 2015, he received an excessive electricity bill including arrears amounting to Rs. 46,699/- despite the fact that there are no electricity dues outstanding against him. To enquire the matter, he filed a complaint at respective office of KE. However the issue remained unaddressed. The Complainant prayed for the intervention of the Authority and redressal of his grievances.

(3). The matter was taken up with KE for submission of para-wise comments. In response, KE vide letter dated February 29, 2016 reported that a site inspection was carried out at the premises of the Complainant after serving inspection notice dated December 16, 2015 under section 20 of the Electricity Act, 1910. As per site inspection report (SIR) a discrepancy of "extra phase used directly from overhead circuit" was reported and connected load was found to be 4.113 kW against sanctioned load of 1 kW. Thereupon, a notice dated December 16, 2015 under section 39, 39-A, 44 and 26-A of the Electricity Act, 1910 was served upon the Complainant to explain the reasons behind the reported discrepancy. The Complainant did not respond to the same. After lapse of the stipulated time period, a detection bill amounting to Rs.46,699/- for 2889 units was processed on the basis of connected load, covering a period of six (06) months, i.e. from May 24, 2015 to November 4, 2015. KE further added that since the Complainant was involved in using electricity through unauthorized means therefore, the detection bill is justified and liable to be paid by the Complainant.

(4). The report of KE was sent to the Complainant for information/comments. In response, the Complainant vide letter dated March 09, 2016 submitted rejoinder, wherein he raised objections over the report of KE and denied the allegation leveled upon him. Accordingly, the matter was again taken up with KE in light of submissions of the Complainant and some additional documents were sought from KE with respect to billing history of the Complainant, rationale of detection bill, copy of MCO, copy of FIR etc. In response, KE vide its letter dated March 25, 2016 submitted the required documents. In addition to the said, KE submitted 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). To examine the matter further, a hearing was held at Karachi on May 25, 2016 which was attended by KE only wherein KE advanced its respective arguments based upon their earlier submissions.

(6). After examining the case in detail in light of the available record, relevant documentary evidence, and applicable law, following has been observed:

- i. The connection of the premises is single phase, under residential category (Flat) A1-R, having sanctioned load of 1 kW. As per report of KE, a site inspection of premises of

the Complainant was carried out on December 16, 2015 and discrepancy of "extra phase used directly from overhead circuit" was found. On the basis of this discrepancy, KE assessed the consumption of the Complainant as 3607 units (601 units per month) as per connected load of 4.113 kW for covering period of six (06) months i.e. from May 24, 2015 to November 4, 2015 and after deducting already charged 718 units, KE charged detection bill of 2889 units amounting to Rs.46,699/- to the Complainant. The Complainant denied the said allegations leveled by KE in its report and raised observations over the issuance of notices, detections bill and report.

ii. The billing statement of the Complainant's accounts provided by KE is as under:

Month	No of units KWh consumed			
	2013	2014	2015	2016
January	0	13	0	2
February	0	0	4	0
March	0	0	47	3
April	0	68	92	0
May	0	129	118	1
<b>June</b>	0	89	<b>104</b>	0
<b>July</b>	0	99	<b>105</b>	0
<b>August</b>	0	126	<b>106</b>	0
<b>September</b>	0	119	<b>164</b>	0
<b>October</b>	72	121	<b>121</b>	
<b>November</b>	102	46	<b>118</b>	
December	56	0	45	(SIR)

iii. The inspection of the premises of the Complainant was carried out on December 16, 2015 and KE charged the detection bill for the period commencing from May 19, 2015 to November 17, 2015. The above table depicts the consumption of the Complainant as under:

- Consumption during the disputed period i.e. from May, 2015 to November, 2015 was 718 units (Average monthly= 120 units)
- Consumption in corresponding months of previous year i.e. from May 2014 to November 2014 was 600 units (Average monthly = 100 units).

- iv. The above billing analysis advocates that consumption of the Complainant was already on the higher side during the period for which KE has charged detection bill as compared to the consumption recorded in corresponding months of the previous year (2014).
- v. Further billing history of the Complainant asserts that there is less use of electricity at the premises as he usually remains out of station and uses the premises occasionally for guests. Minimum consumption recorded after the site inspection (i.e. December 2015) is proof of the fact. As such, the billing history of the Complainant does not support KE version that the Complainant was involved in theft of electricity.
- vi. Moreover the gas bills issued by Sui Southern Gas Company Limited (SSGCL) were submitted by the Complainant as proof w.r.t the said dispute. The record demonstrates that the disputed premises was situated on 5<sup>th</sup> floor of the building. After examining gas consumption of the Complainant, it has been revealed that same has also been charged on minimum side, except in the months of May 2015 and June 2015.
- vii. KE has penalized the Complainant on account of theft of electricity i.e. light directly used. In this regard, a procedure is laid down in the Consumer Service Manual (CSM) according to which lodging of FIR is mandatory in the case of direct theft of electricity. However, in the instant case neither FIR was lodged nor the matter reported to the concerned police station.
- viii. From the documents provided by KE it has not been established that the procedure laid down in the CSM for establishing illegal abstraction of electricity has been followed in true letter and spirit. Further, KE has not provided any proof from which it could be ascertained that the Complainant was involved in illegal abstraction of electricity.

(7). In view of above, the detection bill for 2889 units amounting to Rs.46,699/- charged by KE is without any legal justification. Non-compliance of the procedure provided in Chapter 9 of CSM has tainted the entire proceedings. Therefore, KE is hereby ordered to:

- a) Waive the impugned detection bill, LPS and any other illegal/hidden charges levied by KE during the disputed period.



✓

- b) Regularize the excessive load in accordance with the relevant procedures laid down in CSM.
- c) Follow the procedures of CSM in case of illegal abstraction of electricity.
- d) Ensure compliance with the procedure provided in CSM for all cases falling under Chapter 09 thereof and take legal action against the responsible officials who failed to follow the applicable rules and regulations in true letter and spirit.

(8). Compliance report be submitted within thirty (30) days.

  
Member (Consumer Affairs) (S/1)

Islamabad, November 15, 2016

