



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

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No. NEPRA/AB/Appeal/039/2022/ / 297

November 18, 2022

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|---|--|
| 1. Muhammad Ismail,
House No. R-610, Block No. 14,
Dastagir, 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 |

Subject: **Decision of the Appellate Board Regarding Review Petition Filed By K-Electric Against the Decision of the Appellate Board Dated 22.04.2022 In The Matter Titled "K-Electric Vs. Muhammad Ismail"**

Please find enclosed herewith the decision of the Appellate Board dated 12.11.2022, 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. Additional Director (IT) –for uploading the decision on NEPRA website



National Electric Power Regulatory Authority

Before The Appellate Board

In the matter of

**REVIEW PETITION FILED BY K-ELECTRIC UNDER THE NEPRA REVIEW
(PROCEDURE) REGULATIONS, 2009 AGAINST THE DECISION DATED 22.04.2022
OF NEPRA IN THE APPEAL NO.039/POI-2022**

K-Electric Limited

.....Petitioner

Versus

Muhammad Ismail, House No.R-610, Block No.14,
Dastagir, Federal B-Area, Karachi

.....Respondent

For the Petitioner:

Mr. Asif Shajer General Manager

Ms. Tatheera Fatima Deputy General Manager

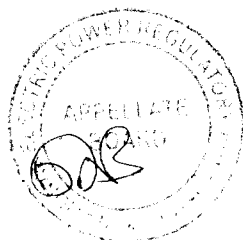
Mr. Masahib Ali Manager

For the Respondent:

Mr. Muhammad Ismail Khan

DECISION

1. Through this decision, the review petition filed by K-Electric (hereinafter referred to as the "Petitioner") against the decision dated 22.04.2022 of the National Electric Power Regulatory Authority (hereinafter referred to as the "NEPRA") is being disposed of.
2. Mr. Muhammad Ismail (hereinafter referred to as the "Respondent") is a domestic consumer of Petitioner bearing Ref No. LB-184368 with a sanctioned load of 5 kW under the tariff category A-1R. As per the site inspection report dated 13.06.2018 of the Petitioner, the Respondent was found stealing electricity through an extra phase and the connected load observed was 9.97 kW which was higher than the sanctioned load of 5





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kW. After issuing notice dated 13.06.2018, a detection bill amounting to Rs.181,168/- against 8,219 units for six (6) months for the period from 09.12.2017 to 07.06.2018 was charged by the Petitioner to the Respondent on the basis of 25% load factor of the connected load i.e. 9.97 kW.

3. Being aggrieved, the Respondent filed a complaint before the Provincial Office of Inspection, Karachi Region-II, Karachi (hereinafter referred to as the "POI") on 12.11.2019 and agitated the abovementioned detection bill. The complaint of the Respondent was disposed of by the POI vide decision dated 09.02.2022, wherein the detection bill of Rs.181,168/- against 8,219 units for six (6) months i.e. 09.12.2017 to 07.06.2018 was cancelled.
4. The Petitioner assailed the decision dated 09.02.2022 of the POI before the NEPRA vide the Appeal No.039/POI-2022, which was disposed of vide NEPRA Appellate Board decision dated 22.04.2022 with the following conclusion:

"From forgoing discussion, we have concluded that:

- i. *The detection bill of Rs.181,168/- for 8,219 units for the period from 09.12.2017 to 07.06.2018 six (6) months charged by K-Electric to the Respondent is unjustified, hence the same should be cancelled.*
- ii. *The Respondent may be charged the detection bill for net of 1,193 units for the period April 2018 to June 2018.*
- iii. *The billing account of the Respondent may be overhauled after making the adjustment of payments made against the above detection bill.*

The impugned decision is modified in the above terms."



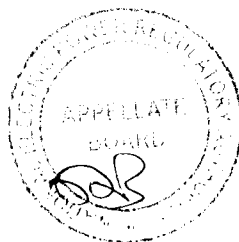


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5. The Petitioner filed a review petition before the NEPRA against the above-referred decision dated 22.04.2022 of the Appellate Board (hereinafter referred to as the “impugned decision”) under Sub-Regulation 3 of Regulation 3 of the NEPRA (Review Procedure) Regulations, 2009.

6. Hearing

- 6.1 A hearing in the matter of the subject review petition was scheduled for 04.07.2022 at NEPRA Regional Office Karachi for which notices dated 28.06.2022 were issued to both parties (the Petitioner and the Respondent). On the said date of the hearing, the representatives for the Petitioner were present but no one appeared for the Respondent. In order to provide an opportunity for hearing to both parties, the case was adjourned till the next date.
- 6.2 Hearing in the subject review petition was again fixed for 28.10.2022 at Karachi for which notices dated 21.10.2022 were issued to the Appellant and the Respondent. Hearing of the Review Petition was conducted at NEPRA Region Office Karachi on 28.10.2022 in which both parties were in attendance. The representatives for the Petitioner repeated the same contentions as given in the review petition and stated that the impugned decision was rendered without considering the consumption pattern after the removal of the discrepancy. The representatives for the Petitioner stated that the detection bill of Rs.181,168/- was charged on the basis of 25% load factor of the connected load i.e. 9.97 kW of the Respondent, which was neither denied by the POI nor rebutted by the Respondent, hence the revision of the impugned detection bill on





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the basis of sanctioned load i.e. 5 kW is not correct. On the other hand, the Respondent appearing in person rebutted the version of the Petitioner and stated that the consumption charged @ 1,819 units/month in the detection bill has never been recorded in the entire billing history. In this regard, the consumption data of the Respondent was perused, which confirmed that such high consumption has never been recorded in the periods before and after the dispute. Lastly, the representatives for the Petitioner agreed to withdraw the review petition and to implement the impugned decision.

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

Syed Zawar Haider
Member

Muhammad Irfan-ul-Haq
Member

Abid Hussain
Convener

Dated: 12/11/2022

