



National Electric Power Regulatory Authority

NEPRA Tower

Attaturk Avenue (East) Sector G-5/1, Islamabad.

Ph:051-2013200, Fax: 051-2600021

Consumer Affairs Department

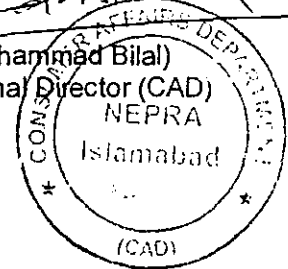
TCD.07/ 26.8 -2025
January 17, 2025

Chief Executive Officer,
Hyderabad Electric Supply Company (HESCO),
WAPDA Water Wing Complex, Hussainabad,
Hyderabad.

Subject: DECISION IN THE MATTER OF C.P.NO.D-3529 OF 2022 TITLED "RANI VS. FEDERATION OF PAKISTAN & OTHERS" FILED BEFORE THE HONOURABLE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Complaint # HESCO-10/12/2024

Please find enclosed herewith the decision of NEPRA Complaints Resolution Committee, dated January 17, 2025 regarding the subject matter for necessary action and compliance within thirty (30) days, positively.

(Muhammad Bilal)
Additional Director (CAD)



Copy to:

1. C.E/Customer Services Director,
Hyderabad Electric Supply Company (HESCO),
WAPDA Water Wing Complex, Hussainabad,
Hyderabad.
2. Mrs. Rani,
R/o Paro Oad, Hyderabad,
Part Taluka Hyderabad, Hyderabad
0306-3057061



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

Complaint No.HESCO-10/12/2024

Ms. Rani W/o. Allah Dino Kewro
Oadd Pare, Taluka & District Hyderabad
0306-3057061

..... **Complainant**

Versus

Hyderabad Electric Supply Company (HESCO)
WAPDA Water Wing Complex, Hussainabad,
Hyderabad

..... **Respondent**

Date of Hearing(s): December 16, 2024

Complainant: Nemo

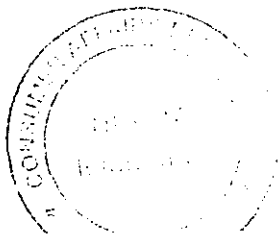
Respondent: Mr. Assadullah XEN (Opr.)

Subject: **DECISION IN THE MATTER OF C.P.NO.D-3529 OF 2022 TITLED
"RANI VS. FEDERATION OF PAKISTAN & OTHERS" FILED BEFORE
THE HONOURABLE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**

1. In compliance with the order dated 31.01.2023 of the Honourable High Court of Sindh, Circuit Court Hyderabad in the C.P.No.D-3529/2022, the dispute of irregular bills charged by Hyderabad Electric Supply Company (hereinafter referred to as the "HESCO") to Ms. Rani (hereinafter referred to as "the Complainant") is being disposed of under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (hereinafter referred to as the "NEPRA Act").

2. Brief facts of the case are that the Complainant is a domestic consumer of HESCO bearing Ref No.17-37155-0956811-U with a sanctioned load of 1 kW and the applicable tariff category is A-1(a). The Complainant initially filed a complaint before the Wafaqi Mohtasib, Hyderabad against HESCO on 16.06.2021 and challenged the arrears of Rs.435,508/-. Honourable Wafaqi Mohtasib vide order dated 11.08.2021 disposed of the complaint with the conclusion that NEPRA is the competent forum to adjudicate such nature of disputes.

3. Meanwhile, the Complainant approached NEPRA against irregular billing done by HESCO. NEPRA vide letter dated 16.07.2021 disposed of the complaint with the conclusion that the dispute of billing is beyond one year, which cannot be



entertained in the light of NEPRA Complaint Handling and Dispute Resolution (Procedure) Rules, 2015.

4. Subsequently, the Complainant filed C.P.No.D-3529/2022 before the Honourable High Court of Sindh, Circuit Court Hyderabad against NEPRA, wherein the Complainant alleged that the NEPRA had not decided the dispute of billing despite a lapse of considerable time. Honourable High Court of Sindh vide order dated 31.01.2023 directed NEPRA to decide the complaint within 30 days from the receipt of this order, which however was not received to this office to date nor it was communicated by the Complainant. Later on, a contempt notice dated 16.11.2024 from the office of the Assistant Registrar (Writ), High Court of Sindh was received to this office, wherein, Registrar NEPRA was directed to attend the hearing in the subject matter on 10.12.2024.

5. Pursuant to the order dated 31.01.2023 of the Honourable High Court of Sindh in the subject matter, notices dated 06.12.2024 were issued to both parties and a hearing was conducted at NEPRA Regional Office Hyderabad on 16.12.2024, which was attended by XEN HESCO only and no one represented the Complainant. During the hearing, XEN HESCO submitted that the Complainant defaulted in making payment of regular bills due to which arrears of Rs.1,160,691/- accumulated till October 2024. However, XEN HESCO failed to justify the charging of detection bills through valid documentary evidence. Subsequently, HESCO vide letter dated 18.12.2024 confirmed that the Complainant's premises is closed for several months. In the said report, HESCO stated that the detection bills of Rs.765,540/- charged for the period from November 2018 to October 2024 will be withdrawn subject to the payment of arrears of Rs.401,680/- pertaining to the regular bills.

6. Arguments heard and the record examined. Following are our observations:

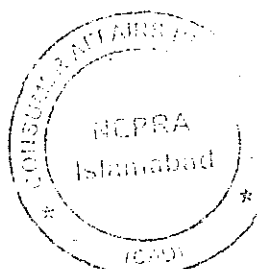
- i The Complainant initially approached Wafaqi Mohtasib and challenged the arrears of Rs.435,508/- including the detection bills of Rs.173,168/- charged by HESCO. Honourable Wafaqi Mohtasib vide order dated 11.08.2021 disposed of the complaint due to lack of jurisdiction.
- ii Subsequently, the Complainant filed C.P.No.D-3529/2022 before the Honourable High Court of Sindh, Circuit Court Hyderabad against NEPRA. Honourable High Court of Sindh vide order dated 31.01.2023 disposed of the matter with the direction to NEPRA to decide the complaint through a speaking order within 30 days of receiving this order. The said order of the Honourable High Court was not received to this office to date due to which the matter was not taken up, timely. Later on, the Honourable High Court of Sindh summoned notice dated 16.11.2024 to Registrar NEPRA for the hearing on the subject matter on 10.12.2024 from where the order dated 31.01.2023 of the Honourable High Court of Sindh revealed.
- iii In compliance with the order dated 31.01.2023 of the Honourable High Court of Sindh, a hearing was conducted on 16.12.2024, which was attended by XEN HESCO, whereas no one tendered appearance for the Complainant. HESCO official submitted that the arrears of Rs.1,160,691/- accumulated till October 2024 due to partial payments made by the Complainant. HESCO vide report dated 18.12.2024 confirmed that the premises is vacant for few months and submitted that the detection bills total amounting to Rs.857,520/- for the period from January 2018 to October 2024 were debited to the Complainant.

To verify the contention of HESCO, the billing statement of the Complainant as provided by HESCO was examined, which transpires that the Complainant was being charged the detection bills w.e.f May 2015 and onwards instead of regular bills as per actual meter reading. Details of the detection bills charged are given below:

Detail of Detection bills							
Month	Amount (Rs.)	Month	Amount (Rs.)	Month	Amount (Rs.)	Month	Amount (Rs.)
Mar-15	2239	Sep-19	4801	Aug-21	10001	May-23	45905
Apr-15	2262	Oct-19	4461	Sep-21	28781	Jun-23	50278
May-15	5633	Jan-20	2221	Dec-21	2679	Jul-23	14603
Jun-15	5514	Mar-20	14186	Jan-22	2474	Aug-23	6408
Aug-15	11030	Apr-20	4112	Feb-22	5325	Sep-23	10360
Oct-15	8251	May-20	15979	Mar-22	19072	Nov-23	17871
Nov-15	5130	Jun-20	45021	Apr-22	5311	Nov-23	40106
Apr-16	28758	Aug-20	3163	May-22	19365	Jan-24	5023
Oct-16	14127	Sep-20	9702	Jun-22	40106	Feb-24	8711
Nov-16	3127	Oct-20	9611	Jul-22	5377	Mar-24	8936
Oct-17	9903	Dec-20	5162	Sep-22	6109	Apr-24	9155
Feb-18	15955	Jan-21	2953	Oct-22	10357	May-24	13476
Mar-18	16212	Feb-21	4698	Nov-22	7889	Jun-24	8385
Apr-18	19278	Mar-21	9667	Dec-22	3469	Jul-24	13515
May-18	57917	Apr-21	5236	Jan-23	3373	Aug-24	10038
Nov-18	16382	May-21	21694	Feb-23	10795	Sep-24	16086
May-19	10526	Jun-21	70549	Mar-23	40982	Oct-24	15950
Jul-19	9702	Jul-21	22502				

v As evident above, detection bills were charged to the Complainant for a long period, however, HESCO did not submit any document i.e. checking report, notice, detection proforma, etc. in support of their contention regarding the impugned detection bills. It is concerning that despite a lapse of more than eight years, the relevant officials of HESCO failed to take necessary remedial measures for the resolution of the dispute. This situation suggests a lack of diligence and attention to regulatory requirements on their part. HESCO though alleged direct theft of electricity but no action as per Clause 9.1 of the CSM-2021 was taken against the Complainant.

vi The above-said clause of CSM-2021 states that if a premises/person is found to be hooked directly with DISCOs supply line by bypassing the metering installation or the metering installation is missing at the site. In such cases, DISCO shall inter-alia process the case as direct theft of electricity. Information of such offense will be provided to the police in writing by the concerned officer of DISCO. All theft cases would be dealt by DISCO strictly in accordance with relevant sections of Pakistan Penal Code, 1860 (Act XLV of 1860) and the Code of Criminal Procedure, 1898 (Act V of 1898). The disconnection of electricity shall be carried out immediately under the supervision of the concerned officer of DISCO by removing such facility. The removed material shall be preserved as proof of theft and the same shall be produced before the court during the trial.



vii HESCO in its letter dated 18.12.2024 admitted that the premises of the Complainant is vacant for few months and agreed to withdraw the detection bills total amounting to Rs.765,540/- charged till October 2024 subject to payment of regular bills. This indicates that the impugned detection bills were charged to the Complainant with malafide intention and without adhering to the procedure to establish direct theft as laid down in Chapter 9 of the CSM-2021.

viii Moreover, Clause-6.1 of CSM-2021 provides clear mechanism for meter reading and Clause-6.2 of CSM-2021 envisages the procedure of percentage checking to ensure the accuracy of meter reading. Clause 6.1.4 of CSM-2021 provides that meter readers are responsible for checking irregularities/ discrepancies in the metering system at the time of reading meters and report the same in the reading book/discrepancy book or through any other appropriate method as per the practice. The concerned officer/official has to take corrective action to rectify these discrepancies, however, the officials of HESCO failed to point out any such discrepancy or take appropriate action timely.

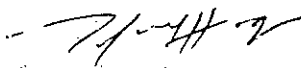
ix Clause 8.9 of the CSM stipulates that, in case a consumer fails to pay the electricity dues, all legal actions shall be initiated against such consumers for recovery of outstanding dues.

7. Foregoing in view, HESCO is directed to withdraw all the detection bills including LPS charged to the Complainant as given in the above table and issue revised bill for the aforementioned months to the Complainant as per the meter reading at site. The Complainant is under obligation to pay the dues of the bills as per actual meter readings during the period from March 2015 to December 2024.

8. A compliance report be submitted in the matter within 30 days.


(Ubaid Ullah Memon)

Member, Complaints Resolution Committee/
Director (CAD)


(Irfan ul Haq)

Member, Complaints Resolution Committee/
Assistant Legal Advisor (CAD)


(Naweed Illahi Shaikh)

Convener, Complaints Resolution Committee/
Director General (CAD)

Islamabad, January 17, 2025

