



National Electric Power Regulatory Authority

NEPRA Tower

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

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Consumer Affairs Department

TCD.07/ 534 -2025
February 4, 2025

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

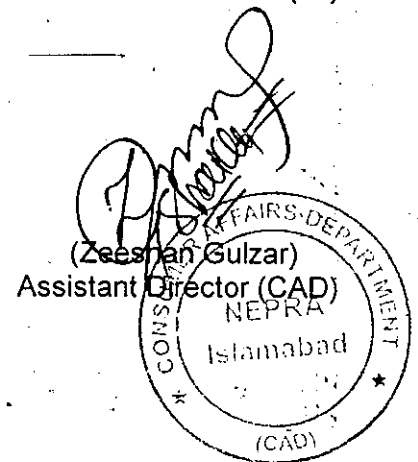
SUBJECT: DECISION IN THE MATTER OF COMPLAINT FILED BY ALI HYDER SHAH UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST HESCO REGARDING DETECTION BILL (AC#12-37181-0847700)
Complaint # HESCO-NHQ-34276-02-24

Please find enclosed herewith the decision of NEPRA Complaints Resolution Committee, dated February 3, 2025 and submit compliance report be submitted within fifteen (15) days.

Encl: As above

Copy to:

1. C.E/Customer Services Director,
Hyderabad Electric Supply Company (HESCO),
WAPDA Water Wing Complex, Hussainabad,
Hyderabad.
2. Executive Engineer(Opt.),
HESCO Qasimabad Division,
Near Alamdar Chowk, Qasimabad, Hyderabad.
3. Mr. Mansoor Ahmad, Advisor (CAD),
NEPRA Regional Office Hyderabad,
Office No. 10, 2nd Floor, Dawood Centre,
Auto Bhan Road, Latifabad, Hyderabad.
4. Mr. Ali Hyder Shah S/o Taj Muhammad Shah,
House No.28, Sindh Muslim Society,
Distt. Hyderabad. 0311-1194111





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

Complaint No. HESCO-NHQ-34276-02-24

Ali Hyder Shah
House No.28, Sindh Muslim Society,
Distt. Hyderabad, 0311-1194111

..... Complainant

VERSUS

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

..... Respondent

Date(s) of Hearing: November 28, 2024

Complainant: Mr. Ali Hyder Shah S/o Taj Muhammad Shah

Respondent: Mr. Mujeeb ur Rehman, XEN, HESCO
Raja Abdul Rab, Additional XEN, HESCO

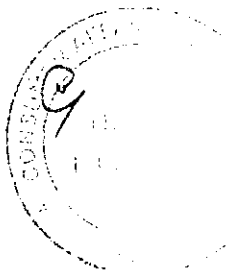
**SUBJECT: DECISION IN THE MATTER OF COMPLAINT FILED BY ALI HYDER SHAH
UNDER SECTION 39 OF THE REGULATION OF GENERATION,
TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997
AGAINST HESCO REGARDING DETECTION BILL (AC#12-37181-0847700)**

DECISION

1. In compliance with the order dated 22.10.2024 of the Honorable High Court of Sindh, Circuit Court Hyderabad in the C.P No.D-1246 of 2024 filed by Mr. Ali Hyder Shah, this decision shall dispose of the complaint against Hyderabad Electric Supply Company (hereinafter referred to as "HESCO") 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 Ali Hyder Shah (hereinafter referred to as the "Complainant") is a domestic consumer of HESCO bearing Ref No.12-37181-0847700 with a sanctioned load of 1.6 kW and the applicable tariff category is A-1(b). Premises of the Complainant was checked by HESCO on 23.12.2021, 26.09.2023, 29.02.2024, and 26.07.2024 and reportedly, on all occasions, the Complainant was found involved in direct theft of electricity. FIR No.264/2024 dated 27.07.2024 was registered against him due to theft of electricity and the electricity of the Complainant was disconnected multiple times by HESCO, which he restored illegally and was using direct supply. Therefore, the Complainant was charged the average/detection bills by HESCO for a long period.

3. Being aggrieved, the Complainant initially approached Wafaqi Mohtasib's Secretariat Hyderabad against the irregular billing done by HESCO. Wafaqi Mohtasib vide order dated 12.01.2024 referred the matter to NEPRA for adjudication. The matter was taken up with HESCO under NEPRA Complaint Handling and Dispute Resolution (Procedure) Rules, 2015. In response, HESCO vide letter dated 29.02.2024 submitted that the Complainant was involved in the direct theft of electricity, therefore, the detection bill of Rs.191,124/- was charged to the Complainant. The said report of HESCO was shared with the Complainant on



11.03.2024 for comments, however, the Complainant did not submit comments/rejoinder. During the pendency of the complaint before the NEPRA, the Complainant filed C.P.No. D-1246/2024 before the Honorable High Court of Sindh, Circuit Court, Hyderabad wherein the Complainant alleged that the NEPRA had not decided the dispute of billing despite a lapse of considerable time. Honorable High Court of Sindh vide order dated 22.10.2024 directed NEPRA to decide the complaint preferably within six (06) weeks as per Rules and Procedure and communicate the same to the Complainant.

4. Pursuant to the order dated 22.10.2024 of the Honorable High Court of Sindh in the subject matter, a hearing was held on 28.11.2024, which was attended by both parties. During the hearing, the Complainant apprised that he has been charged numerous excessive bills including a detection bill of Rs.191,124/- by HESCO without any justification although a solar system is installed on the premises along with a battery backup supply. The Complainant further informed that billing meter No.26590 became defective against which he approached HESCO and paid a demand notice No.11410 in September 2023 for the installation of a new meter, however, HESCO failed to do so to date. The Complainant further apprised that he is being victimized by charging average and detection bills for a long period. On the contrary, HESCO officials informed that the said defective meter was already replaced on 15.10.2024 with reading index (Off-Peak 20762 kWh & Peak 2544 kWh total 23,306 kWh) whereas, MCO of a new meter (No. 36747) was not updated at that time as the said new meter was subsequently found missing from the Complainant's premises. HESCO further submitted that the Complainant's connection was checked multiple times, wherein the electric supply was being used through hook wires, therefore, FIR dated 27.07.2024 was lodged against the Complainant. As per HESCO, the arrears amounting to Rs.6,54,378/- are outstanding against the Complainant and are justified.

5. —The matter has been examined in light of the available record, arguments advanced by both parties during the hearing, and applicable law. The following has been observed;

I. HESCO visited the premises of the Complainant multiple times and the Complainant was allegedly found stealing electricity directly, therefore the detection and average bills were charged by HESCO to recover revenue loss sustained due to the theft of electricity. As per PITC data, the arrears of Rs.655,799/- accumulated till December 2024. For the sake of convenience, the billing dispute is divided into two parts:

- First period: From October 2020 to September 2022
- Second period: From October 2022 to December 2024

II. Part-I: Period from October 2020 to September 2022:

As per the billing statement of HESCO, the bill of Rs.1591/- was recoverable from the Complainant till October 2020 with a reading index i.e.46,574 of the first meter bearing No.16186. Subsequently, the first billing meter with reading index i.e. 46,627 was replaced with a new meter bearing No.26590 (the "second meter") by HESCO in September 2022 and the arrears increased to the tune of Rs.135,267/- to that month. During this period, the reading of the first meter advanced for just 53 units, whereas, the following detection/average bills were charged to the Complainant for the period from October 2020 to September 2022 based on load higher than the sanctioned load. However, HESCO neither provided any detail of connected load nor regularized the same as evident from the bill of December 2024. Thus the disputed bills be compared with the units/month assessed based on the sanctioned load as per CSM-2021.

Units already charged				Units assessed as per CSM-2021	
Month	Units	Month	Units	Units = S/L (kW) x LF x No. of Hrs. = 1.6 x 0.25 x 730 = 292 units	
Oct-20	894	Oct-21	888		
Nov-20	0	Nov-21	0		
Dec-20	899	Dec-21	0		
Jan-21	0	Jan-22	1751		
Feb-21	0	Feb-22	0		
Mar-21	885	Mar-22	0		
Apr-21	0	Apr-22	1294		
May-21	0	May-22	0		
Jun-21	0	Jun-22	0		
Jul-21	0	Jul-22	1189		
Aug-21	0	Aug-22	0		
Sep-21	1991	Sep-22	82		
Average units/month			411		

The above comparison shows that the Complainant was charged the average/detection bills i.e. 411 units/month for the period from October 2020 to September 2022, which are considerably higher than the 292 units/month assessed as per CSM-2021. If presumed the Complainant was involved in direct theft of electricity as to why HESCO did not take action timely as per Clause 9.1 of the CSM-2021. Hence, we are of the considered view that the bills for the period from October 2020 to September 2022 are unjustified being on the higher side and the same are to be canceled. The Complainant should be charged the revised bills @ 292 units/month for the period from October 2020 to September 2022 as per CSM-2021 and the payments already made by the Complainant during the disputed period be adjusted, accordingly.

III. Part II: Period from October 2022 to December 2024:


The second meter bearing No.26590 was installed by HESCO in September 2022 and the bill of the said month was charged against 894 units, which contained 82 units charged on the first meter, whereas 812 units were charged as per the monthly reading against the second meter. HESCO visited the premises of the Complainant thrice i.e. on 26.09.2023, 29.02.2024, and 26.07.2024 and reportedly, on all occasions, the Complainant was found involved in direct theft of electricity. FIR No.264/2024 dated 27.07.2024 was registered against the Complainant due to direct theft of electricity. In furtherance, the average/detection bills were debited by HESCO.


- IV. It has been observed that the second meter became defective for which a demand notice was paid by the Complainant in September 2023, however, HESCO replaced the second meter with the third meter bearing No.36747 on 15.10.2024 i.e. after a lapse of more than one year. To verify the contention of HESCO, PTC data was perused, wherein no evidence of third meter replacement depicted. To further verify the stance of HESCO, the bill of December 2024 was checked, which confirmed that HESCO continued the billing on the second meter No.26590 to date due to the missing of third meter from the site. Under these circumstances, PTC data of the Complainant as provided by HESCO is analyzed below with the consumption assessed as per CSM-2021:

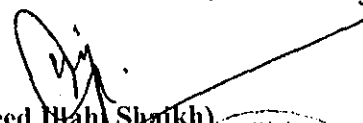
Units already charged				Units assessed as per CSM-2021
Month	Units	Month	Units	$\text{Units} = \text{S/L (kW)} \times \text{LF} \times \text{No. of Hrs.}$ $= 1.6 \times 0.25 \times 730 = \mathbf{292 \text{ units}}$
Sep-22	812	Nov-23	1799	
Oct-22	1270	Dec-23	0	
Nov-22	756	Jan-24	590	
Dec-22	455	Feb-24	890	
Jan-23	299	Mar-24	858	
Feb-23	459	Apr-24	-1161	
Mar-23	702	May-24	0	
Apr-23	1568	Jun-24	0	
May-23	2100	Jul-24	0	
Jun-23	3128	Aug-24	0	
Jul-23	1722	Sep-24	0	
Aug-23	2589	Oct-24	0	
Sep-23	2489	Nov-24	0	
Oct-23	2484	Dec-24	0	
Average Units/month			850	

The above comparison shows that the Complainant was charged the average/detection bills @ 850 units/month for the period September 2022 to December 2024 by HESCO, which are much higher than the 292 units/month assessed as per CSM-2021. Hence, we are of the considered view that the bills for the period from September 2022 to December 2024 are to be canceled. The Complainant should be charged the revised bills @ 292 units/month for the period from September 2022 to December 2024 as calculated above and the payments already made by the Complainant during the disputed period be adjusted, accordingly.

6. Foregoing in view, it has been concluded that the bills charged for the period from October 2020 to December 2024 are unjustified being inconsistent with the provisions of the CSM-2021, and same along with LPS are to be cancelled. HESCO is directed to charge the revised bills @ 292 units/month for the period from October 2020 to December 2024 and adjust the payments made by the Complainant during the disputed period. HESCO is further directed to restore the electric supply of the Complainant's connection by installing a new meter subject to payment of the dues pertaining to the revised bills of the Complainant.
7. A compliance report in this regard be submitted within fifteen (15) days.


(Iqbalullah Memon)
 Member, Complaints Resolution Committee/ -
 Director (Consumer Affairs)


(Muhammad Irfan ul Haq)
 Member, Complaints Resolution Committee/
 Assistant Legal Advisor


(Naweed Hah Shaikh)
 Convener, Complaints Resolution Committee/
 Director General (CAD)

Islamabad, February 03, 2025