



Registrar

National Electric Power Regulatory Authority

Islamic Republic of Pakistan

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No. NEPRA/DG(CAD)/TCD-09/30878-81


June 30, 2021

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 MR. RASHID HUSSAIN UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC REGARDING EXORBITANT BILLING (CONSUMER # AL-225445 & AL-062680)

Please find enclosed herewith the Decision of the Member (Consumer Affairs) dated June 28, 2021 (04 Pages) regarding the subject matter for necessary action and compliance within thirty (30) days, positively.

Encl: As above


(Iftikhar Ali Khan)
Director
Registrar Office

Copy to:

1. Mr. Ayaz Jaffar Ahmed, Director (Finance & Regulation), K-Electric Limited, KE House No. 39-B, Sunset Boulevard Phase-II, Defence Housing Authority, Karachi
2. Mr. Abid Hussain, Advisor, Provincial Office Consumer Affairs, Office # 101, 1st Floor, Balad Trade Centre, Aalamgir Road, B.M.C.H.S., Bahadurabad, Karachi.
3. Mr. Rashid Hussain S/o Akhtar Hussain (Late), 84/9, F.South, Malir Ext. Colony, Karachi.



**BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
Complaint No. KE-73/2015 & KE-301/2016**

Mr. Rashid Hussain
S/o Akhtar Hussain (Late),
84/9, F.South, Malir Ext. Colony,
Karachi.

..... **Complainant**

VERSUS

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

..... **Respondent**

Date of Hearing: 24th March, 2017
05th November, 2020
06th January, 2021

On behalf of

Complainant: Mr. Rashid Hussain

Respondent: Mr. Asif Shajer, DGM (Regulations)

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. RASHID HUSSAIN UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC REGARDING EXORBITANT BILLING (CONSUMER # AL-225445 & AL-062680)

DECISION

Through this decision, complaint filed by Mr. Rashid Hussain (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 (hereinafter referred to as the "NEPRA Act"), is being disposed of.

2. Brief facts of the case are that NEPRA received the subject complaint wherein the dispute agitated by the Complainant was that KE has been issuing excessive bills against his electricity connections bearing consumer # AL-225445 (Residential) & AL-062680 (Commercial), for which he approached KE time and again for redressal of grievances however his issue was not resolved and bill were not corrected. The Complainant requested that instructions be issued to KE for correction of the bill and withdrawal of the bills charged in excessive.

3. The matter was taken-up with KE for redressal of the grievances of the complainant. In response, KE vide its letter dated December 07, 2016 reported that the complainant has habitually resorted to use of electricity through proscribed means despite repeated disconnections by KE and discrepancy of 'meter stop, light in use' was reported during the site survey, due to which bills were being issued on assessed mode.

4. A hearing in the matter was held on March 24, 2017 which was attended by both the parties. KE submitted that the Complainant is involved in theft of electricity. Subsequently, a Joint Site Inspection was conducted on April 12, 2017 wherein it was revealed that direct supply was in use at the premises. Therefore, further proceedings in the matter were closed by this office. Meanwhile, the complainant approached different other forums for redressal of his grievances including the President's Secretariat (Public) wherein the Complainant reiterated his earlier version and the matter was referred to NEPRA. Accordingly, the case was reexamined and Opportunities of hearings were provided to both the parties. During the proceedings, the Complainant denied the allegations levelled against him by KE and submitted that KE has charged him assessed bills which were on higher side whereas the actual consumption of the premises was low. During the hearing held on January 06, 2021 it was revealed that the Complainant has not paid any bill since April, 2012 and is a defaulter.

5. The case has been examined in detail in light of the record made so available by the parties, arguments advanced during the hearing and applicable law. The following has been observed:

- i. The connection bearing consumer No. AL-225445 is single phase, under residential tariff category having sanctioned load of 1 kW and connection bearing consumer No. AL-062680 is under commercial category having sanctioned load of 1 kW. According to KE, the Complainant was involved in theft of electricity.
- ii. KE has issued bills to the complainant on assessed mode due to involvement of the Complainant in theft of electricity i.e. "meter stop, light in use/direct supply". In this regard, a procedure is laid down in Consumer Service Manual (CSM) which provides, inter alia for lodging FIR, which is mandatory in case of direct theft of electricity. If the Complainant was involved in theft of electricity, then KE should have lodged FIR against him but the record is silent in this regard.
- iii. It is transpired from the documents made so available that KE has charged assessed bills to the Complainant however there is no provision of charging bills on assessed mode in tariff terms and conditions and in CSM. KE was of the view that assessed bills were being charged to the complainant due to

his involvement in theft of electricity. The joint site inspection revealed his involvement in theft through direct hooking and he is a defaulter too.

- iv. The Consumer Service Manual (CSM) envisages that "A premises is liable to be disconnected if the consumer is a defaulter in making payments of the energy consumption charges". However, in this case the complainant is a defaulter since 2012 but neither any notice was served upon the complainant nor was the supply disconnected. Had KE disconnected the supply, the arrears would have not been piled up to Rs. 22,387/- on connection bearing ref # AL-062680 (Commercial) and Rs. 336,172/- on connection bearing ref # AL-225445 (Residential). The Complainant has challenged the bills raised by KE and is of the view that the bills were on higher side.
- v. The billing statement of the Complainant's accounts provided by KE is as under:

Year	Average Monthly Consumption (Units)	
	AL-062680 (Commercial)	AL-225445 (Residential)
2001	8	101
2002	10	90
2003	15	39
2004	4.5	0
2005	0	0
2006 to 2011	Inactive	Inactive
2012	47	54
2013	37	123
2014	Disconnected	277
2015	-	279
2016	-	268
2017	-	357
2018	-	258
2019	-	342
2020	-	194

It is transpired from the above data that there is no abnormal excessive billing against the Complainant w.e.f. 2001 against both connections. A new meter was installed against the residential connection in April 2019 whereon the average consumption recorded from April 2019 December 2020 is 280



units, charged on normal billing mode. Prior to meter change, only the bills charged in the year 2017 are slightly on higher side.

- vi. The connection of the complainant remained inactive w.e.f. the year 2006 to 2011. During the hearing, KE officials informed that no bills were issued to the complainant in this period.
- vii. A new meter was installed in April 2019 on the residential connection and accordingly, normal bills were issued to the complainant, as such, the bills issued after MCO Le. April 2019 are payable by the Complainant.
- viii. During the hearing, KE officials offered rebate to the complainant on available packages however the complainant refused to avail the offer.

6. Foregoing in view, KE is directed to:


- i. Revise the bills of the complainant (Ref # AL-225445 (Residential)) charged on assessed basis over 280 units prior to April 2019 to 280 Units i.e. average consumption recorded on the healthy meter.

OR

- ii. The Complainant may be allowed to avail any rebate scheme/package in vogue.

7. Compliance report in the matter be submitted within thirty (30) days

Islamabad, June 28 , 2021


(Rehmatullah Baloch)
Member (Consumer Affairs)
