



**National Electric Power Regulatory Authority**  
ISLAMIC REPUBLIC OF PAKISTAN  
Consumer Affairs Department, NEPRA TOWER  
Ataturk Avenue (East) Sector G-5/1, Islamabad.  
Ph: 051-2013200, Fax: 051-2600021

**Consumer Affairs  
Department**

TCD.09/ 3379-2023  
August 11, 2023

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

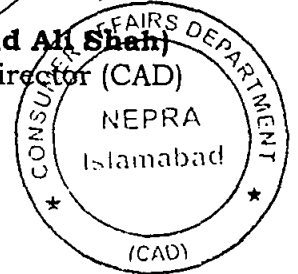
Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MST. ZAITOON BANO  
W/O MUHAMMAD ASHRAF UNDER SECTION 39 OF THE REGULATION OF  
GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER  
ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING RELOCATION OF  
PMT & POLES**

Complaint No. **KElectric-KHI-18966-12-22**

Please find enclosed herewith the decision of the NEPRA Consumer Complaints  
Tribunal dated August 11, 2023 regarding the subject matter.

Encl: As above

**(Syed Ibad Ali Shah)**  
Deputy Director (CAD)



**Copy to:**

1. Mr. Imran Hussain Qureshi,  
Chief Regulatory Affairs & Government Relation Officer,  
KE Office, 56 A, Street No. 88 G-6/3, Islamabad
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. Mst. Zaitoon Bano W/o Muhammad Ashraf,  
Office 205, Horizon Tower, Plot No. 2/6,  
Block 3, Clifton, Karachi,  
Contact# 0336-3561487



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

**Complaint No. KHI-18966-12-22**

**Mst. Zaitoon Bano W/o Muhammad Ashraf,**  
Office 205, Horizon Tower, Plot No. 2/6,  
Block 3, Clifton, Karachi,  
Contact No. 03363561487  
E-mail: zaitoonbanooo@gmail.com

..... **Complainant**

**VERSUS**

**K-Electric Limited (KE)**  
KE House No.39B, Sunset Boulevard,  
Defence Housing Authority (DHA)  
Karachi.

..... **Respondent**

**Date of Hearing(s):** 1) February 23, 2023  
2) July 12, 2023

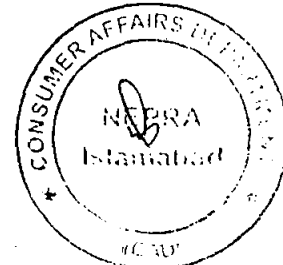
**On behalf of:**  
**Complainant:** Mr. Maqbool Shah

**Respondent:** 1) Mr. Asif Shajer (General Manager, Regulations)  
2) Mr. Anas Lakhani (Assistant Manager Regulations)  
3) Mr. Wajahullah (Manager)  
4) Mr. Ghulam Mustaqeem (Manager)

**Subject:** **DECISION IN THE MATTER OF COMPLAINT FILED BY MST. ZAITOON BANO W/O MUHAMMAD ASHRAF UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING RELOCATION OF PMT & POLES**

This decision shall dispose of the Complaint filed by Mst. Zaitoon Bano W/o Muhammad Ashraf Office 205, Horizon Tower, Plot No. 2/6, Block 3, Clifton, Karachi (hereinafter referred to as "the Complainant") against K-Electric Limited (KE) (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").

2. The Complainant in her complaint submitted that KE has installed a PMT and pole without her consent/permission in front of her premises/plot. The Complainant prayed that KE be directed to relocate the PMT & pole.



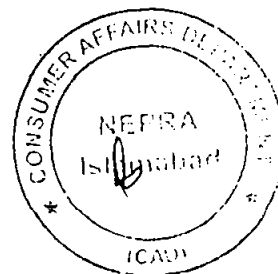
3. The matter was taken-up with KE for submission of parawise comments/report. In response, KE vide letter dated February 06, 2023 submitted that the PMT and overhead HT lines in question were installed in an open space of the street six (06) years ago, after due evaluation of all safety requirements including adequate safe distance from surrounding buildings. KE added that they are willing to facilitate the Complainant's request for relocation of PMT subject to fulfillment of necessary codal formalities including but not limited to payment of estimate for relocation and provision of alternate space along with right of way.

4. In order to proceed further into the matter, a hearing was held at NEPRA Regional office Karachi on February 23, 2023 which was attended by representative of both the parties via video link. Accordingly, a joint site inspection was also conducted by NEPRA on March 15, 2023 in presence of representative of both the parties. Subsequently, the Complainant was advised vide letter dated April 17, 2023 to approach KE for fulfillment of codal formalities in light of provision of Consumer Service Manual (CSM) for shifting of the PMT/wires.

6. Being aggrieved with the aforementioned directions of NEPRA, the Complainant filed an appeal before Appellate Tribunal (NEPRA). Subsequently, the Appellate Tribunal (NEPRA) disposed of the Appeal vide decision dated June 27, 2023. The operative part of order of the Appellate Tribunal (NEPRA) is produced below:

*"As such the appeal is allowed the impugned order being without lawful authority and jurisdiction, is set aside, the complaint filed by the appellant will be deemed pending before the Consumer Affairs Tribunal, who will decide it in accordance with law, after affording right of audience to all the concerned preferably within two months from 1st date of hearing fixed before it and for that purpose parties or their representatives will appear before the Consumer Complaints Tribunal on 12<sup>th</sup> July, 2023."*

7. In light of the orders passed by the Appellate Tribunal (NEPRA), hearing was held at NEPRA Head Office, Islamabad on July 12, 2023 wherein both the parties (KE official and legal council of the Complainant) participated online through zoom and advanced their arguments. The legal council of the Complainant submitted that the Complainant is ready to pay amount upto Rs.1 million for relocation of the PMT. Further, the legal council of the Complainant argued that as per provisions of Consumer Service Manual a consumer is required to approach the distribution company for relocation of service wires/pole/PMT whereas the Complainant is not consumer of KE. During the hearing a joint site inspection was ordered by NEPRA to be conducted in presence of both the parties. Accordingly a joint site inspection was conducted by NEPRA on July 14, 2023 in presence of representative of both the parties. During the site inspection, it has been observed that the Complainant's premises/plot has been found vacant. A 250 kVA PMT, found installed on the road at a distance of about 8 feet from the boundary wall of the premises. The representative of KE informed that the Complainant needs to highlight location where the said PMT is to be relocated and fulfill codal formalities for the same. The representative of the Complainant did not specify any location for relocation of the PMT and requested that the PMT be removed in front of the plot. The site inspection reveals that the PMT is not installed on the property of the Complainant.



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

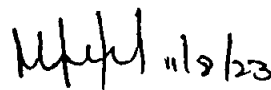
- (i) The Complainant is of the view that KE has installed a PMT and pole in front of her premises / plot and requested that KE be directed to relocate the said PMT. As per KE, the PMT was installed by KE during the year 2016 whereas facts observed during the joint site inspection reveal that the Complainant premises is a vacant plot with only boundary wall and two gates. PMT installed by KE is at a safe distance of about eight (8) feet away from the boundary wall of the Complainant's premises.
- (ii) As per Clause 3.1.2 of CSM, if an applicant/consumer requires the relocation of a distribution facility i.e. HT/LT lines, transformers, structures etc. for convenience, because of construction, or otherwise KE shall, at the consumer's expense, relocate the distribution facility, if found feasible. Accordingly the view of the Complainant that she is not consumer of KE cannot be validated as per the said provisions of CSM.

9. Foregoing in view, the Complainant is advised to approach KE for fulfillment of codal formalities with respect to shifting of the said PMT/poles/lines.



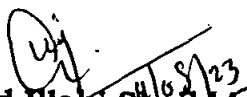
**(Lashkar Khan Qambrani)**

Member, Consumer Complaints Tribunal/  
Director (CAD)



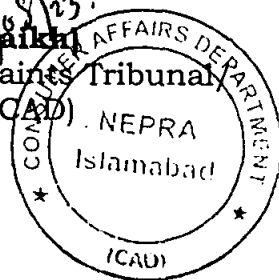
**(Moqem-ul-Hassan)**

Member, Consumer Complaints Tribunal/  
Assistant Legal Advisor (CAD)



**(Naveed Illahi Shaikh)**

Convener, Consumer Complaints Tribunal/  
Director General (CAD)



Islamabad, August 11, 2023