



National Electric Power Regulatory Authority

ISLAMIC REPUBLIC OF PAKISTAN

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

Ph: 051-2013200 Fax: 051-2600021

**Consumer Affairs
Department**

TCD.04/3977-2024
September 4, 2024

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

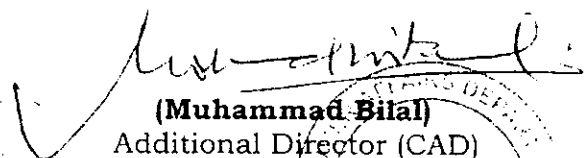
SUBJECT: DECISION IN THE MATTER OF COMPLAINT FILED BY MST. SARDARAN BIBI UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC REGARDING CHANGE IN TARIFF
Complaint No. KElectric-KHI-26430-07-23

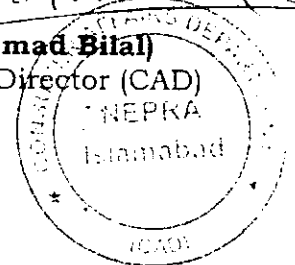
Please find enclosed herewith the decision of the NEPRA Complaints Resolution Committee (CRC), dated September 04, 2024 regarding the subject matter for necessary action and compliance within twenty (20) days.

Encl: As above

Copy to:

1. Mr. M. Imran Hussain Qureshi
Chief Regulatory Affairs Officer & Govt. Relations Officer,
K-Electric Limited 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. Sardaran Bibi,
R-219, Block-E, Gulshan-e-Jamal,
Rashid Minhas Road, Karachi.
Cell # 0300-9276056


(Muhammad Bilal)
Additional Director (CAD)





**BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY**

(NEPRA)

Complaint No. KElectric-KHI-26430-07-23

Mst. Sardaran Bibi

R-219, Block E, Gulshan-e-Jamal
Rashid Minhas Road, Karachi.

..... **Complainant**

VERSUS

K-Electric Limited (KE)

KE House No. 39-B
Sunset Boulevard Phase-II, Defense Housing Authority
Karachi.

..... **Respondent**

Date of Hearing:

September 26, 2023
November 21, 2023
February 28, 2024

**On behalf of
Complainant:**

Mr. Abdul Sattar Khan

Respondent:

1) Mr. Ahsan Abdul Rehman (K-Electric Limited)
2) Mr. S.M.Ali (K-Electric Limited)

**SUBJECT: DECISION IN THE MATTER OF COMPLAINT FILED BY MST. SARDARAN BIBI
UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION
AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC
REGARDING CHANGE IN TARIFF**

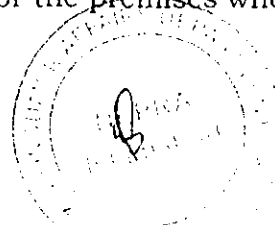
DECISION

This decision shall dispose of the complaint filed by Mst. Sardaran Bibi (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").

2. Brief facts of the case are that NEPRA received a complaint from Mst. Sardaran Bibi wherein the Complainant submitted that she applied to KE for regularization of a temporary electricity connection installed at her residential premises, however, the application was rejected by KE despite the presence of reasonable cause & effect for moving such application. The matter was taken up with KE whereby KE vide letter dated July 27, 2023 submitted that the new connection case was not processed by KE being unable to ascertain the nature of usage of the premises. According to KE, the application was denied due to partially/temporarily constructed room within the premises not eligible for a regular domestic connection.

3. In order to analyze the matter, hearings were held on November 21, 2023 & February 28, 2024 whereby the matter was deliberated at length in attendance of both the parties, therefore, in order to further investigate the matter, a joint site inspection of the Complainant's premises was carried out in presence of both parties whereby it revealed that the Complainant applied for a domestic connection for the premises where room and kitchen exists.

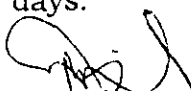
1. KE Electric-KHI-26430-07-23



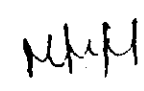
4. The case has been examined in detail in light of the record made so available by parties, arguments advanced during the hearings and applicable law. Following has been concluded:

- i. The Complainant approached KE for conversion of temporary electricity connection installed against No. 0400038690815 located at Block-7, Gulsitan-e-Johar, Karachi into domestic connection, however, the application was not processed by KE citing lack of residential infrastructure at the relevant premises. By resting its arguments on presence of adequate livable facilities in the same premises, the instant dispute was agitated by the Complainant for provision of regular connection.
- ii. Perusal of the documentary evidence and final assessment drawn from the joint site inspection reveals that in the disputed premises some residential infrastructure compliant with the human living i.e. room & kitchen is present. According to chapter 3 of Consumer Service Manual read with the approved tariff terms and conditions of distribution companies of DISCOs, temporary tariff is applicable for construction & other activities of temporary nature operative only for the certain time period. However, site inspection revealed that there is no ongoing construction activity on the premises of the Complainant.
- iii. Moreover, the Complainant also maintained healthy electricity consumption history reflective of the premises being used as a permanent residential facility in contrast with temporary sanctioned load i.e. (1) kW which requires review of sanctioned load by KE to be made consistent with the connected load and applicable domestic tariff. However, the Complainant's connection currently sanctioned under the temporary category is accordingly being levied with the higher tariff i.e. temporary tariff.
- iv. Clause 3.4.4 of Consumer Service Manual (CSM) provides that "in case a regular/permanent connection(s) is applied for the same premises and sanctioned thereof, the existing material along with metering installation for temporary connection will be utilized and temporary tariff will be changed to relevant applicable tariff after completion of codal formalities as per the procedure for new connection."
- v. According to Consumer Eligibility Criteria (Distribution Licensees) Regulations, 2022, "A distribution licensee shall ensure that all applicants and consumers are treated in a non-discriminatory, fair, transparent and just manner." Furthermore, provision of electricity is a Fundamental Right for all the citizens under Article 9 and 14 of Constitution of Islamic Republic of Pakistan. Non supply of electricity to a citizen, tantamount to deprivation of this Fundamental Right as well as violation of Article 8 of the Constitution which says that any law, custom or usage having the force of law that is inconsistent or abridges a Fundamental Right is void and inoperable.

5. Foregoing in view, KE is directed to provide regular connection to Complainant as per the provisions of CSM after completion of all codal formalities. Compliance report be submitted in (20) days.


(Lashkar Khan Qambrani)

Member, Complaints Resolution Committee/
Director (CAD)


(Moqeem ul Hassan)

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


(Naweed Illahi Shailkh)

Convener, Complaints Resolution Committee/
Director General (CAD)

Islamabad September 04, 2024