



National Electric Power Regulatory Authority

ISLAMIC REPUBLIC OF PAKISTAN

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

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**Consumer Affairs
Department**

TCD.04/3894-2024
September 02, 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 MAJ. (R) MINHAJ UL SHAMS UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING LOAD SHEDDING (CONSUMER NO. BL-003449)**

Complaint No. **KElectric-KHI-30087-10-23**

Please find enclosed herewith the decision of the NEPRA Complaints Resolution Committee (CRC), dated September 02, 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. Maj. (R) Minhaj ul Shams,
M/s. Elite Screener, Plot No. C-21 & C-22, AEECHS,
Block No. 09, Gulistan-e-Johar, Karachi,

(Signature)
(Muhammad Bilal)
Additional Director (CAD)
NEPRA
Islamabad



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No. KElectric-KHI-30087-10-23

Maj. (R) Minhaj ul Shams,
M/s. Elite Screener, Plot No. C-21 & C-22, AEECHS,
Block No. 09, Gulistan-e-Johar, Karachi,

..... **Complainant**

Versus

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

..... **Respondent**

Date of Hearing(s): 1) January 02, 2024
2) February 15, 2024
3) March 12, 2024

On behalf of:

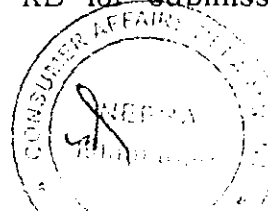
Complainant: Maj. (R) Minhaj ul Shams

Respondent: 1) Mr. Asif Shajer (K-Electric Limited)
2) Mr. Anas Lakhani (K-Electric Limited)
3) Mr. Raheel Ali (K-Electric Limited)
4) Mr. Rizwan Ayub (K-Electric Limited)

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MAJ. (R) MINHAJ UL SHAMS UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC LIMITED REGARDING LOAD SHEDDING (CONSUMER NO. BL-003449)**

This decision shall dispose of the Complaint filed by Maj. (R) Minhaj ul Shams, M/s. Elite Screener, Plot No. C-21 & C-22, AEECHS, Block No. 09, Gulistan-e-Johar, Karachi, (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 wherein the dispute agitated by the Complainant was that KE has been carrying out excessive load shedding and requested NEPRA to intervene in the matter and direct KE to look into excessive load shedding. The matter was taken-up with KE for submission of parawise

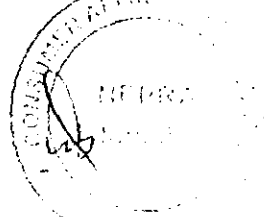


ments, report. In response KE reported that electricity to the complainant's area is supplied from "BISMILLAH MARKET" Feeder which falls in "Very High Loss" category based on its Aggregate Technical and Commercial Losses of more than 62%. Further, load shedding is carried out based on the gravity of the losses irrespective of the area or the class of people being fed from particular feeder/PMT. However, owing to changing supply demand scenarios loadshedding timings are adjusted with some deviation without any changes in overall aggregate duration of existing load shed regime. However, such deviations are not regular and only occasional in nature. The report of KE was sent to the Complainant for information/comments. The Complainant raised observations over the report of KE.

3. In order to proceed further into the matter hearings were held at NEPRA Regional office Karachi which were attended by the Complainant in person and representative of KE via video link wherein the matter was discussed in detail. The Complainant is of the view that his industrial connection was initially connected with Bismillah Market feeder and the load shedding was being carried out prior to the year 2018 in the area and due to industrial connection he was suffering a lot. Therefore, he approached KE for exemption of load shedding and accordingly KE issued estimate to shift the connection to no load shedding feeder. After payment of estimate KE shifted the connection to Pink Park feeder which was exempted from load shedding. However, in October 2023, KE shifted the connection to Dubai Mall feeder and on which load shedding is being conducted. During the hearing, KE submitted that due to technical constraints, the connection of the Complainant was shifted to another feeder. KE further submitted that it is ready to refund the amount to the Complainant which was paid in the year 2018 for shifting of electricity supply to load shed exempt feeder. Further, KE reported that out of Rs.662,503/- paid by Complainant for the purpose of shifting of the connection in the year 2018, an amount of approximately Rs.500,000/- is to be refunded owing to the reversal of his supply arrangements to original source due to the unavoidable circumstances.

4. 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 Complainant is an industrial consumer of KE and made request to KE in the year 2018 for shifting of the connection (Reference No. BL-003449) from Bismillah Mall feeder (high loss feeder) to Pink Park feeder (low loss feeder). In this regard, KE issued an estimate to the Complainant amounting to Rs. 662,503/- which was paid and accordingly, KE shifted the electricity supply on low loss feeder i.e. Pink Park feeder.



Subsequently, KE again shifted the electricity supply to Dubai Mall feeder where load shedding is being conducted.

- (ii) KE is of the view that the consumer connection is connected with the loop of 3 PMTs and other 2 PMTs are in high loss so the loop was shifted to Dubai Mall (load shed) feeder.
- (iii) It is observed that the consumer already paid estimate for shifting of his connection to avail electricity from load shed free feeder which remained connected on the same feeder from the year 2018, however, KE shifted the connection to load shedding feeder in recent past which is unjustified.
- (iv) The Authority vide decision dated April 03, 2024 has declared the load shedding illegal and has already imposed penalty upon K-Electric.
- (v) The Authority also allowed capacity charges to the K-Electric in its tariff for the purpose of supplying electric power to its consumers on non-discriminatory basis and operation and maintenance of its distribution network which is then passed on to the consumers through monthly electricity bills. It is, therefore, obligatory on the K-Electric to supply uninterrupted electric power to its consumers. Furthermore, the consumer/complainant cannot be held liable and punished on account of non-paying consumers of K-Electric. The dedicated PMT of the Complainant has low loss. If other PMTs in the loop have high losses, KE should take action against those consumers but KE cannot panelize the Complainant due to fault of other consumers. The electricity is a fundamental right as guaranteed by the Constitution of Islamic Republic of Pakistan, 1973 which is also held by the Honourable Supreme Court of Pakistan in its reported Judgement of Alleged Corruption in Rental Power Plants etc, Human Rights Case (2012 SCMR 773).

5. Foregoing in view, KE is directed to make necessary arrangements to shift connection of complainant from Dubai Mall feeder to load shed exempted feeder at its own cost. A report in this regard be submitted within twenty (20) days, positively.

(Lashkar Khan Qambrani)

Member, Complaints Resolution Committee/
Director (CAD)

(Moqem-ul-Hassan)

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

(Naweed Illahi Shaikh)

Convener, Complaints Resolution Committee/
Director General (CAD)

Islamabad, September 02, 2024

