



National Electric Power Regulatory Authority

ISLAMIC REPUBLIC OF PAKISTAN
NEPRA Head Office Attaturk Avenue (East),
Sector G-5/1, Islamabad.
Ph:051-2013200, Fax: 051-2600021

**Consumer Affairs
Department**

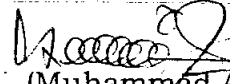
TCD. 11/ ²⁵⁶⁸ -2024
June 10, 2024

Chief Executive Officer,
Sukkur Electric Power Company (SEPCO),
SEPCO Headquarter, Old Thermal Power Station,
Sukkur.

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. AGHA WAQAR AHMED KHAN S/O AGHA MUHAMMAD ANWAR KHAN UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST SEPCO REGARDING DETECTION BILL (AC # 03 38512 0013890)**

Complaint # SEPCO-NHQ-31300-11-23

Please find enclosed herewith the decision of NEPRA Consumer Complaints Tribunal, dated June 10, 2024 and submit compliance within fifteen (15) days, positively.


(Muhammad Abid)
Assistant Director (CAD)

Copy:-

1. C.E/Customer Services Director
Sukkur Electric Power Company (SEPCO),
SEPCO Headquarter, Old Thermal Power Station,
Sukkur.
2. Mr. Agha Waqar Ahmed Khan,
R/o Agha House Saddar Mohallah,
Distt. Shikarpur(Sindh).
0333-3396987



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No. SEPCO-NHQ-31300-11-23

Agha Waqar Ahmed Khan
R/o Agha House Saddar Mohallah,
Distt: Shikarpur (Sindh).

..... Complainant

VERSUS

Sukkur Electric Power Company (SEPCO)
SEPCO Headquarter, Old Thermal Power Station,
Sukkur.

..... Respondent

Date(s) of Hearing(s): November 30, 2023, January 17, 2024

Complainant: Mr. Agha Waqar Ahmed Khan

Respondent: 1. Mr. A. Karim Memon, CE/OD, SEPCO
2. Mr. Parvaiz Ahmed, SE(Opt.) SEPCO
3. Mr. Imdadullah, XEN(Opt.), SEPCO

SUBJECT: DECISION IN THE MATTER OF COMPLAINT FILED BY AGHA WAQAR AHMED KHAN S/O AGHA MUHAMMAD ANWAR KHAN UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST SEPCO REGARDING DETECTION BILL (AC # 03 38512 0013880)

DECISION

This decision shall dispose of the complaint filed by Agha Waqar Ahmed Khan S/o Agha Muhammad Anwar Khan (hereinafter referred to as the "Complainant" or "Consumer") against Sukkur Electric Power Company (hereinafter referred to as "Respondent" or "SEPCO"), 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 Agha Waqar Ahmed Khan, dated November 20, 2023 wherein the Complainant stated that during his absence, the officials from SEPCO visited at premises/home on November 11, 2023 and conveyed his servant for allegation of theft of the electricity. Later, SEPCO's representative came once again at about 12.00 (midnight) on the same day and delivered a handmade bill at the premises amounting to Rs.500,000/-. On the very second day, the electricity supply was disconnected by the staff of SEPCO without any prior notice.

3. The matter was taken up with SEPCO vide this office letter, dated November 21, 2023 with the direction not to disconnect electricity supply of the Complainant, suspend disputed amount till final disposal of the complaint subject to payment of current bills by the Complainant. A hearing was held on November 30, 2023. During the hearing, the Complainant informed that he is using supply through solar system for the last seven (07) years. In addition, the Complainant apprised that his family was living in Quetta and only a servant was present at disputed premises at the time of visit by SEPCO. Hence, the allegation of theft of electricity levelled by SEPCO against him is baseless. The representatives of SEPCO i.e. SDO & XEN (Opt.) informed that they visited at premises of the complainant along with M&T team on November 11, 2023 and observed that the electricity supply was

being used through PVC (two core wire) directly and two 02 electricity meters are installed at the premises of the Complainant having account numbers i.e. (03-38512-0013880 three 3-phase & 03-38512-0013890 single 1-phase. Therefore, a detection bill of Rs.500,000/- was charged against 3-phase meter and the same was delivered to the Complainant for payment. At present, the supply of the impugned premises is disconnected due to non-payment of said (disputed) electricity bill. A solar system of 4.76 KW capacity was also existed at site.

4. Upon reviewing the aforesaid matter, it was noted that SDO (Opt.) issued a handmade bill to the Complainant without any prior approval of the competent authority. In this regard, SE (Opt.) was of the view that he did not approve any manual bill and the same has been issued by SDO (Opt.) at his own to the Complainant. The concerned SDO (Opt.) failed to provide any valid justification. Further, no evidence has been placed on record to establish involvement of the complainant in theft of electricity except copy of M&T report, dated November 11, 2023 and some pictures of disconnected two (02) core PVC wire which was found in disconnected/cut-off position on the roof top of the Complainant's premises at the time of visit by the field formations. In addition, SEPCO did not restore supply of the Complainant and failed to comply with the restraining order dated November 21, 2023 of the NEPRA.

5. Accordingly, another opportunity was given to SEPCO wherein CEO was also directed vide this office letter, dated December 5, 2023 to comply with the restraining order dated November 21, 2023 and constitute a committee of senior officers to investigate the matter and submit final report within seven (07) days. In response, SEPCO submitted a report, dated December 13, 2023 whereby, the outcome of an inquiry carried out by SEPCO under the convener ship of Chief Operating Officer (COO) was provided. The committee stated in its report that during reexamination of the instant case, it has been found that extra PVC wire being used at site and a piece of disconnected wire was found on the roof top. The committee failed to submit any concrete evidence of discrepancy in support of the theft case except few pictures of pieces of PVC wire. Moreover, the report of committee was found silent with respect to solar system installed at the Complainant's premises as the same was informed by complainant duly confirmed by the M&T vide earlier report, dated November 11, 2023. It was further observed from the available record that no evidence for theft of electricity has been placed by the committee on record, from which, it could be established that the complainant was involved in theft of electricity, except a copy of letter which was sent to police station by SDO (Opt.) on November 12, 2023 for lodging of FIR.

6. In order to probe further into the matter, another hearing was also held on January 17, 2024 wherein, the complainant informed that he has been victimized as his premises was inspected by M&T Larkana circle, whereas, this area is the responsibility of the Sukkur circle. The representatives of SEPCO failed to justify certain facts, therefore, they were directed to provide the following information:-

- Complainant's billing history for the last five years.
- How many other premises or houses were checked by the M&T (Larkana, Circle) along with the Complainant's premises on the same day of visit at Shikarpur Division other than his specified area jurisdiction?
- How the bill was calculated for Rs.500,000/-.
- Detection bill proforma.
- Under which authority a hand-made bill was issued to the Complainant for Rs.500,000/-.

7. Due to non-submission of the above information within the given time period, a reminder was also issued to SEPCO vide this office letter dated February 16, 2024 and subsequent hearing was also held on March 20, 2024, wherein SEPCO once again failed to provide the authentic evidence in support of allegation of theft of electricity against the Complainant and reiterated its earlier responses/stance in the matter. Later on, the supply of Complainant's premises was restored by SEPCO in January, 2024, whereas the same was to be restored on November 21, 2023 as per the restraining order.

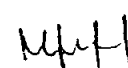
8. The case has been examined in light of the record made so available by both the parties, arguments advanced during the hearing and applicable law. Following has been observed:


- i. SEPCO issued a detection bill on the basis of direct use of supply without establishing any proof of theft of electricity for the period from May, 2023 to October, 2023 (six months) based on the connected load i.e. 06 kW, whereas no authentic record of load was produced by SEPCO in the M&T report dated November 11, 2023 except provided in the report i.e. 1.391 kW and

maximum recorded MDI 4.37 kW. Further, no evidence for theft of electricity has yet been placed on record by SPECO as per clauses 9.1.4 & 9.2.2 (c) of CSM, from which, it could be established that the complainant was involved in theft of electricity, except a copy of letter sent to police station by SDO on November 12, 2023 for lodging FIR against the Complainant.

- ii. A handmade bill amounting to Rs.500,000/- was issued by the concerned SDO (Opt.) to the Complainant without getting the necessary approval from the competent authority, which is a violation of the prevailing procedures provided in the CSM.
 - iii. The notice dated November 11, 2023 provided from SEPCO was denied by the complainant. The complainant has already informed that his supply was disconnected by SEPCO without any prior notice.
 - iv. The supply was not restored by SEPCO even after issuance of restraining order dated November 21, 2023.
 - v. The units already consumed during the disputed period have not been deducted from the detection bill which is also an unlawful practice of SEPCO. As per the relevant provisions of CSM i.e. chapter 9 under the clause 9.2.3 (b); SEPCO should have adjusted the units already charged in routine billing from the detection bill.
 - vi. Inquiry Committee under the convener ship of Chief Operating Officer rechecked the site on December 08, 2023 and reported 12 kW connected load which is completely contrary to the earlier report of M&T dated November 11, 2023. The Committee did not provide valid proof against the discrepancy/allegation of theft of electricity as reported by M&T.
 - vii. On November 11, 2023, M&T reported that 4.76 kW of solar system is installed at site whereas, the Committee under the convener ship of the Chief Operating Officer rechecked premises of the Complainant on December 8, 2023 but did not submit any details of the solar system. The report of committee is silent in the said matter. Gas bill record should have also been checked by the Committee which was not done.
 - viii. SEPCO charged a detection bill to the Complainant from May, 2023 to October, 2023 (6 months). The record of gas bill(s) does not support to the said bill, as per which, the Complainant's premises was found mostly vacant during the disputed period.
9. SEPCO failed to justify their stance regarding theft of electricity as per chapter 9 of CSM which provides the procedure for establishing illegal abstraction of electricity and charging of detection bill.
10. In view of the above, SEPCO is directed to withdraw the disputed bill charged to the Complainant based on the allegation of theft of electricity as the same was issued without fulfillment of the relevant provisions of law and any logical justification.
11. - The Compliance report in this regard be submitted within fifteen (15) days.


(Ubaid Ullah Memon)
Member Consumer Resolution Committee/
Director (CAD)


(Moqem ul Hassan)
Member Consumer Resolution Committee/
Assistant Legal Advisor (CAD)


(Naweed Illahi Shaikh)
Convener, Consumer Resolution Committee/
Director General (CAD)

Islamabad, June 10, 2024