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Islamic Republic of Pakistan

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No. NEPRA/DG(M&E)/LAD-06/1955

February 03, 2025

Chief Executive Officer,
Multan Electric Power Company Limited (MEPCO),
MEPCO Complex, WAPDA Colony,
Khanewal Road, Multan

Subject: **ORDER OF THE AUTHORITY IN THE MATTER OF OF SHOW CAUSE
NOTICE ISSUED TO MEPCO ON ACCOUNT OF FATAL ACCIDENTS
OCCURRED DURING FY 2022-23**

Please find enclosed herewith, the Order of the Authority (total 16 page) in the subject matter for information and compliance.

Enclosure: As above

Wasim Anwar Bhinder
(Wasim Anwar Bhinder)



National Electric Power Regulatory Authority

ORDER

IN THE MATTER OF SHOW CAUSE NOTICE ISSUED TO MEPCO ON ACCOUNT OF FATAL ACCIDENTS OCCURRED DURING FY 2022-23

1. ^{MILTAN} ~~Lahore~~ Electric Power Company Limited (MEPCO) (the "Licensee") was granted a Distribution License (No. DL/06/2023 dated 09.05.2023) by the National Electric Power Regulatory Authority (the "Authority") for providing Distribution Services in its Service Territory as stipulated in its Distribution License, pursuant to section 21 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 ("NEPRA Act").

Background:

2. As per Rule 7 of NEPRA Performance Standards (Distribution) Rules, 2005 (PSDR-2005), all Distribution Companies (DISCOs) are bound to submit an Annual Performance Report to the Authority every year. Further, Form 9 of PSDR 2005 states that DISCOs shall report each and every individual incident on an immediate basis. Accordingly, the DISCOs submitted the data/information to NEPRA regarding electrical incidents resulting in death/permanent disability/serious injury to members of staff or the general public that occurred in FY 2022-23.
3. During the review of data submitted by the Licensee for FY 2022-23, it was revealed that a total number of five (05) fatalities (4 Employees & 1 Public Person) occurred within the service territory of the Licensee. This figure illustrates a concerning picture regarding efforts taken by the Licensee to inculcate a safety culture in its service territory.

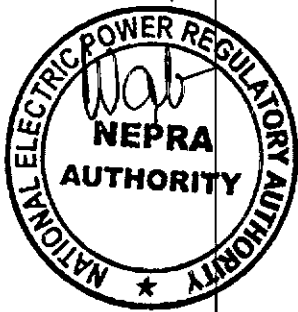
Summary of Inquiry Reports:

4. It is relevant to mention that after getting information pertaining to each individual case, NEPRA carried out a thorough evaluation of all relevant records including the internal inquiry reports submitted by the Licensee itself against the five (05) fatalities that occurred during FY 2022-23. The summary of the same is as under:

Sr. No.	Name of Victim(s)	Date of Incident	Category	Incident Description	Responsibility/Reasons
1	Mr. Muhammad Naveed	20.09.2022	Public	The victim got electrocuted when the 11 kV conductor of the 11 kV Ismailabad feeder broke from the disk insulator and fell over the shoulder of the victim.	MEPCO <ul style="list-style-type: none">Deteriorated Distribution SystemImproper Protection System



2	Mr. Muhammad Abdul Ghafar (LM-I)	20.11.2022	Employee	The victim after setting right the LT jumper of the 100 kVA transformer without PTW, during the load shedding time while reconnecting D-fuses of the 11 kV main line, received an electric shock and expired the next day.	MEPCO <ul style="list-style-type: none"> Lack of Safety Measures /Culture
3	Mr. Asif Bilal (ALM)	19.12.2022	Employee	The victim got electrocuted when he came in contact with the 11 kV jumpers of a 200 kVA transformer during maintenance, by considering that the 11 kV feeder is under PTW.	MEPCO <ul style="list-style-type: none"> Lack of Safety Measures /Culture
4	Mr. Abdul Hakeem (ALM)	21.04.2023	Employee	The victim (unauthorized) got electrocuted while fixing the jumpers of the transformer.	MEPCO <ul style="list-style-type: none"> Lack of Safety Measures /Culture
5	Mr. Sadiq Hussain (ALM)	06.05.2023	Employee	The victim climbed up the HT Structure without obtaining PTW, non-earthing, and not using PPE/T&P to remove the 11 kV jumper. The 11 kV disc insulator which was not tightened properly with the nut/bolt, slipped from the eye nut and when he touched the jumper, he fell from the structure in the signboard installed under the line. He was immediately shifted to the hospital, however, he was scummed by his injuries and died on 08.05.2023.	MEPCO <ul style="list-style-type: none"> Lack of Safety Measures /Culture



Based on the aforementioned summary, the following is the final outcome:

Description	Number of Fatalities	Responsibility	
		MEPCO	Others
Employees	04	04	00

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Public	01	01	00
Total	05	05	00

5. Moreover, according to Rule 4(g) of PSDR-2005, the Licesnee should establish and enforce appropriate rules, regulations, and operational procedures as outlined in its Distribution Code or relevant documents to ensure the safety of both its employees and the general public, however, it has failed to do so.

Show Cause Notice:

6. The Authority took notice of the aforementioned fatal accidents and decided to initiate legal proceedings against the Licensee under NEPRA Fine Regulations, 2021. Accordingly, NEPRA vide its letter dated August 30, 2023, served a Show Cause Notice (SCN) to the Licensee on account of five (05) fatalities (4 Employees & 1 Public Person) that occurred during FY 2022-23 for violating Performance Standards, Distribution Code, Power Safety Code, and other applicable documents. The salient points of the said SCN are as follows;

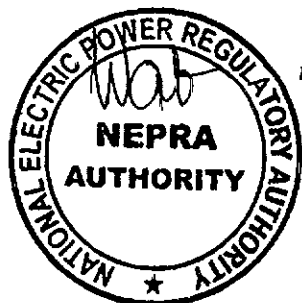
2. ***WHEREAS**, pursuant to section 21(2)(f) of the NEPRA Act, the Licensee is required to follow the performance standards laid down by the Authority for the distribution and transmission of electric power, including safety; and*

3. ***WHEREAS**, pursuant to Rule 4(g), of Performance Standards (Distribution) Rules, 2005, and clause SR 4 of Distribution Code, 2005:*

i. *All distribution facilities of a distribution company shall be constructed, operated, controlled and maintained in a manner consistent with the Distribution Code, Power Safety Code, Consumer Service Manual, and other applicable documents.*

ii. *A distribution company shall ensure that its distribution facilities do not cause any leakage of electrical current or step potential beyond a level that can cause harm to human life, as laid down in the relevant IEEE/IEC Standards; prevent accessibility of live conductors or equipment; and prevent development of a situation due to breakdown of equipment which results in voltage or leakage current that can cause harm to human life, property and general public including without limitation, employees and property of the distribution company.*

iii. *A distribution company shall implement suitable, necessary, and appropriate rules, regulations and working practices, as outlined in its Distribution Code or applicable documents, to ensure the safety of its staff and members of the public. This shall also include suitable training for familiarity and understanding of the rules, regulations, practices, and training to use any special equipment that may be required for such purposes including without limitation basic first aid training.*



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4. **WHEREAS**, pursuant to Clauses PSC-1, PSC-2, & PSC-6.3 of Power Safety Code:

PSC-1 Purpose:

The purpose of this safety code is to ensure that the licensee's networks are planned, developed, operated, and maintained in an efficient & safe way without compromising on safety of any kind related to the systems, personnel & others.

PSC-2 General Instructions of Power Safety:

The licensee shall abide by the safety requirements as set out in Power Safety Code, Distribution Code, Power Safety Manual, Performance Standards (Distribution) Rules 2005, Grid Code & other applicable documents.

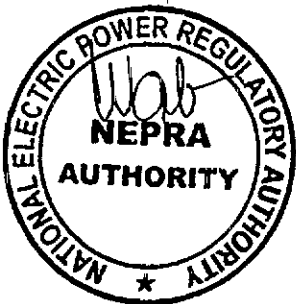
The licensee shall promote a healthy & safe culture and provide all employees, contractors, and the people concerned and the public with a safe & healthy place to work. The Licensee shall ensure that safe working is integrated into every aspect and area of business. Moreover, safety culture shall be based on personal leadership, collaboration, and involvement.

The licensee shall adhere to the highest standards in all work practices so as to ensure protection of employees and any other affected by what licensee do. Each licensee shall ensure in day to day work that facilities/support programmers are provided to safeguard the health, welfare & well-being of their staff.

PSC-6.3 General Provisions of Safety:

The general provisions of safety shall be provided by each licensee covering the following:-

- *The provisions for workers/operators to object to doing work on safety grounds*
- *The use & wearing of safety equipment & protective clothing*
- *Physical fitness & personal conduct of the worker before and during on job*
- *Arrangement and procedure of job briefing before the work is started*
- *Requirements to safe guard the public and property when work in progress*
- *Requirements for housekeeping in a safe working conditions*
- *Arrangements and requirements of fire protection*
- *Requirements, arrangements and use of proper tools and plants for the proper and safe storage lifting and carrying of different types of material*
- *Procedure and reporting requirements of patrolling of lines*
- *Procedure for tree trimming*
- *List of common protective devices and equipment used for the safety purposes.*

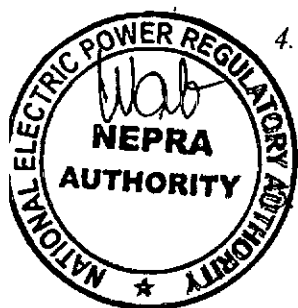


5. **WHEREAS**, according to Performance Standards (Distribution) Rules, 2005, the Licensee is obligated to submit the details of fatal accidents for employees as well as the general public that occurred in its service territory. Accordingly, in FY 2022-23, the Licensee has reported a total number of eleven (11) fatalities (8 Employees & 3 Public Persons); and
 6. **WHEREAS**, according to Performance Standards (Distribution) Rules, 2005, the Licensee is obligated to submit the details of fatal accidents for employees as well as the general public that occurred in its service territory. Accordingly, in FY 2022-23, the Licensee has reported a total number of five (05) fatalities (4 Employees & 1 Public Person); and
 7. **WHEREAS**, the Authority has taken serious notice of such casualties and is of the view that the Licensee has failed to operate and maintain its distribution facilities in a safe and reliable manner. Hence, it can be said that the Licensee has, prima facie, violated Section 21(2)(f) of the NEPRA Act, Article 11 of the Distribution License read with Rule 4(g) of the NEPRA Performance Standards (Distribution) Rules, Clause 4 of Safety Requirements, Clauses PSC-1, PSC-2, & PSC-6.3 of Power Safety Code and other applicable documents; and
7. The Licensee submitted its response vide its letter dated September 13, 2023, against the SCN served. The summarized points of the Licensee's response are narrated below:

"Preliminary Objections/ Submissions:

2. *At the outset it is reverently submitted that the impugned SCN is coram-non-judice as the NEPRA has failed to constituted an Investigation Committee (the "IC") under section 27A of the NEPRA Act, 1997 to conduct investigation against the Licensee/MEPCO. Where the issuance of SCN is against the provision of law and without any basis, the proceedings have to be dropped forthwith.*
3. *That as per Section 27A of the Chapter IIIA (Enforcement,) of NEPRA Act 1997, was bound to the Authority was bound to appoint IC which may comprise of not less than two officer to conduct investigations in respect of alleged violations/matters highlighted in the SCN. Perusal of Section 27A(2) ibid reveals that the Authority whilst appointing the investigation officers, shall specify (a) the reason for initiation of investigation; (b) the possible violations which are to be investigated; and (c) the time frame within which the investigation is to be completed.*
4. *Further, the Authority has on hand failed to appoint IC as narrated above but also did not provide a copy of the notice of investigation to the MEPCO in terms of proviso contained in Section 27A of the NEPRA Act, 1997.*

The impugned act of the Authority by contravening the foremost provision of NEPRA Act 1997, has taken away the statutory remedy of the Licensee to challenge the conduct of investigation by way of filing complaint in terms of subsection (5) of section 27A ibid.



6. *Without prejudice to the legal assertions made above, it is stated that the Authority has previously did not bypass the provisions of law i.e. Section 27A of the Act 1997 as on previous occasions, the IC was duly constituted which visited the site of accidents, recorded statements before proceeding any further.*
7. *The Authority generally and more pertinently in the letters of fatal accidents constitutes IC which is assigned to ascertain and evaluate the facts and causes of fatalities and to determine whether any violation or substantiv,e non-compliance of the provisions of applicable laws, terms, and conditions of license have been committed by the Licensee or not. A notice regarding constitution of the IC under section 27A of the NEPRA Act, 1997 is also mandatory to be served upon to the Licensee before visiting the sites of the fatal accidents. In the instant case, the Authority did not consider it appropriate and without any reason violated the provisions of NEPRA Act 1997 making the very initiation of proceedings illegal and corum-nonjudice.*
8. *MEPCO indeed is devoting full efforts to follow the Performance Standards Rules during construction, operation, control and maintenance, activities with respect to necessary applicable documentation and performing the practical activities start from construction up to maintenance. Distribution system is being maintained by providing necessary arrangements to eliminate the causes of leakage of current which may result the harm to human life by providing necessary earthing system, other necessary arrangements to the equipment, and distribution circuits.*
9. *That Licensee is focusing full concentration & efforts to implement suitable, necessary appropriate rules, regulations and working procedures as per the Distribution Codes & applicable documentation through very effective training & awareness system.*
10. *That all staff of the MEPCO particularly the line staff is being trained & awared through the multidirectional effective training courses i.e. Promotion Training Courses, Capacity Building Training Courses, Safety Training Courses at Regional Training Centre MEPCO Multan & Circle Training Centers established at each circle level, conducting Safety Seminars at Divisional Level & Safety Committee meeting at circle level on regular basis. During practical activities at the site, company is making full efforts by adopting all the possible measures for providing suitable & effective isolations through Safety Tools, Equipment, ensuring the existence of safe working zone and other necessary arrangements to carry out the work safely by the line staff. To prevent any danger from feed backing/inductions temporary earthing is being provided on both sides of the working poles/structures by the line staff. All the staff is being educated & awared through different training & job briefing for providing necessary earthing on either side during the work activities.*
11. *That apart from above, MEPCO issued a comprehensive instruction to all the formations working under MEPCO upto Sub-Divisional level to implement for*



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creating safe & sound environment to work on the distribution lines by the line staff duly equipped with PPE & T&P after adopting the above safety measures. A thorough perusal of these precautionary measures reveals that after having adopted these instructions there is left no chance of any major or minor incident.

- 12. It is submitted that to improve the awareness towards adopting safety precautionary measures before and during the work at site according to safe working procedure/safety code, the training programs in Regional Training Center and 09 Nos. Circle Training Centers are being conducted on regular basis. The maximum line staff has been provided the training awareness through different safety courses, capacity building refresher courses and regular promotion training courses. The main focus of all the training is to provide maximum awareness to follow the safe working procedure under all safety precautionary measures according to Authority instructions and safety code. MEPCO is making maximum efforts for providing the effective training on the subject matter. MEPCO has left no stone unturned for providing the regular and effective safety training through Regional Training and 09 Nos. Circle Training Centers. The daily assemblies are being held continuously to address the line staff about safety. The safety seminar are also being conducted at Divisional Level by XEN, concerned and safety committee meeting are also held on monthly basis under concerned SEs. It is further added that not only the employees but the officers violating the safety rules are also being penalized. It is submitted that safety seminars, safety parades, field visits, and other efforts are being made on regular basis.*
- 13. It is undeniable fact that all the required safety tools & plants have been provided to all line staff working under MEPCO. The incidents in question are those which occurred due to the unauthorized working by the staff (ALM) and more importantly the negligence of individual not at the end of the Licensee.*
- 14. NEPRA has failed to appreciate the fact that the incidents occurred due to the act of unauthorized officials (ALM), who climbed to work on the distribution system by their own violation of safety rules and under the personal interest. The manual clearly provides that ALM who is authorized by the Authority to work on lines shall not proceed to work unless having clear orders (PTW) from the concerned quarter for doing specific job. This fact has been ignored by NEPRA whilst issuing SCN even after perusal of the MEPCO's report for each accident. The duties as provided in the Manual are very comprehensive and ALMs are well aware of the same,, but nonetheless, the ALMs undertake the job unauthorizedly leading to such accidents.*
- 15. MEPCO has made serious efforts continuously for the provision, of healthy T&P to their all line staff. There is absolutely no doubt for the provision of healthy safety T&P to all line staff under MEPCO.*

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PARAWISE REPLY TO THE SCN: -

1. *That the contents of Para No.1 of the SCN is formal hence needs no reply.*
2. *That the contents of Para No.2 of the SCN defines the issuance distribution license to MEPCQ for providing distribution services, hence need no reply.*
3. *That the contents of Para No. 3 of the SCN state the duty of the Licensee under NEPRA Act of following performance standards for th distribution and transmission of electric power, hence need no reply.*
4. *That the contents of Para No. 4 reproduce the laws NEPRA has rélied upon, hence need no reply.*
5. *The contents of Para No. 5 reproduce the laws NEPRA has relied upon, hence need no reply.*
6. *The contents of Para No. 6 entail fulfillment of MEPCO's d4y of submitting Investigation Report for the fatal accidents per Performance Standards Rules, 2005, hence need no reply.*
7. *That the Para No. 7 under reply is misleading, as reiterated in the preceding paragraphs along with supporting evidence that MEPCO had diligently operated and maintained the distribution facilities in a safe and reliable manner. Hence, the alleged accusations made by the Authority are completely baseless and have no standing. As opposed to this, NEPRA itself had failed to abide by its past practices and issued the SCN in haste and haphazard manner.*
8. *That the Para No. 8 is misconceived, as MEPCO has proved Lonslsteftcy and dedication to maintain the appropriate performance standards as laid down in PSDR-2005 and a zero-tolerance policy when it comes to violation of any SOPs, Health & Safety measures or any other violation by its filed staff. Moreover, pursuant to the accidents, MEPCO had not only conducted a fair internal inquiry but also taken relevant measures to prevent future incidents. Hence, this leaves no grounds for the NEPRA to impose any punitive punishment on MEPCO.*
... ”

8. In addition to the above, MEPCO has submitted the details of each fatal accident that occurred in its territory in FY 2022-23. The summary of the same is discussed in para 4 above.

Hearing:

9. The Authority considered the response of the Licensee and decided to provide an opportunity for a hearing to the Licensee under NEPRA (Fine) Regulations, 2021, before further proceeding in the matter. Accordingly, the said hearing was held on September 24, 2024, wherein, the CEO of the Licensee along with his team made the following submissions:



- (i) NEPRA has not investigated the cases under Section 27(A) of the NEPRA Act.
- (ii) MEPCO has launched a rigorous safety system, according to which the training of the line staff has been carried out on a regular basis.
- (iii) In two cases of the MEPCO employees, the fatalities occurred by working unauthorized. Therefore, the responsibility is not on MEPCO's end.
- (iv) Similarly, notices were served to one public person by MEPCO with respect to illegal construction under the MEPCO lines. The victim's kin submitted in writing that MEPCO is not responsible for the victim's electrocution. Therefore, he got electrocuted by his own negligence.
- (v) For the remaining two victims, there is no violation of NEPRA laws by MEPCO.

10. Findings/Analysis:

NEPRA Act and distribution license issued to all distribution companies impose a statutory obligation on the distribution licensees to follow safety standards laid down by the Authority. In this regard, reference is made to Section 21 of the NEPRA Act and Article 11 of the distribution license of the Licensee:

Section 21(2) (f) NEPRA Act

The Licensee shall follow the performance standards laid down by the Authority for distribution and transmission of electric power, including safety, health, and environmental protection instructions issued by the Authority or any Governmental agency;

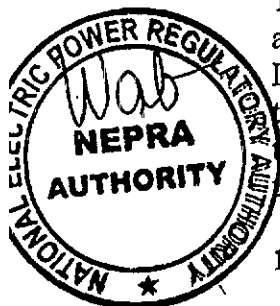
Article 11 Distribution License - Compliance with Performance Standards

Compliance with Performance Standards – The Licensee shall conform to the relevant Performance Standards as may be prescribed by the Authority from time to time.

The Licensee is required to follow the design parameters of the distribution network and take all possible measures as laid down in the NEPRA Performance Standards Distribution Rules, Distribution Code, and Consumer Service Manual to ensure that there is no leakage of current from its distribution facilities to avoid any danger or harm to human life and property. Based on the details of individual cases briefed at length in the preceding paragraphs, the major findings of the NEPRA are as follows:

10.1. DETERIORATED DISTRIBUTION SYSTEM / IMPROPER PROTECTION SYSTEM:

As per the inquiry report, in the case of Mr. Muhammad Naveed, the victim got electrocuted and died when the 11 kV conductor of the 11 kV Ismailabad feeder broke from the disk insulator and fell over the shoulder of the victim. The Licensee is responsible for the fatal accident as it failed to maintain its HT line. During the inquiry, it was revealed that the same HT conductor had also broken one month earlier, and the



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incident could have been avoided if proper maintenance had been carried out by the Licensee at that time. Moreover, after the breakage of the conductor, there was no tripping on the grid station. Therefore, the Licensee's protection system also failed.

NEPRA laws and applicable documents particularly Performance Standard Distribution Rules, Distribution Code, and Consumer Service Manual require a distribution licensee to ensure that its distribution facilities do not cause any leakage current and that its protection devices are properly installed and coordinated to ensure isolation of faulty circuits. In this regard reference is made to provisions of the relevant NEPRA laws:

NEPRA Performance Standards (Distribution) Rules

Rule 4(g), Overall Standards 7-Safety

- (i)
- (ii) *A distribution company shall ensure that its distribution facilities do not cause any leakage of electrical current or step potential beyond a level that can cause harm to human life, as laid down in the relevant IEEE/IEC Standards; prevent accessibility of live conductors or equipment; and prevent development of a situation due to breakdown of equipment which results in voltage or leakage current that can cause harm to human life, property and general public including without limitation, employees and property of the distribution company.*
- (iii)

Distribution Code

PR 1 Protection System Practices and System Co-ordination

The Licensee shall follow suitable and necessary provisions regarding protection system practices and co-ordination such as the following but not limited to achieve the aims of proper functioning of the distribution system of the Licensee at all times:

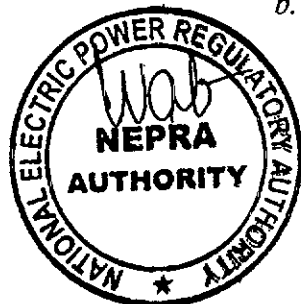
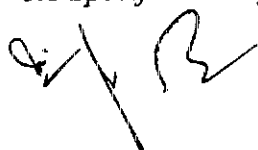
- a. *Protection co-ordination of distribution system, sub-transmission system and system upto the metering point of the User (wherever applicable).*
- b. *Intentions to protect the Licensees lines, sub-station facility and equipment against the effects of faults.*

SR 4 Safety Management Criteria

- a.
- b. *A distribution company shall ensure that its distribution facilities do not cause any leakage of Electrical Current or Step Potential beyond a level that can cause harm to human life, as laid down in the relevant IEEE/IEC Standards; prevent accessibility of live conductors or equipment; and prevent development of a situation due to breakdown of equipment which results in voltage or leakage current that can cause harm to human life, property and general public including without limitation, employees and property of the distribution company.*

DDC 3 DESIGN PRINCIPLES

3.1 Specification of Equipment, Overhead Lines and Underground Cables



- a. *The principles of design, manufacturing, testing and installation of Distribution Equipment, overhead lines and underground cables, including quality requirements, shall conform to applicable standards such as IEC, IEEE, Pakistan Standards or approved current practices of the Licensee.*
- b. *The specifications of Equipment, overhead lines and cables shall be such as to permit the Operation of the Licensee Distribution System in the following manner;*
 - i. *within the safety limits as included in the approved Safety Code of the Licensee or the relevant provisions of the Performance Standards (Distribution);*

Consumer Service Manual
Chapter 12 Safety and Security
12.2 Obligation of MEPCO

MEPCO shall monitor and implement the safety and security plan for consumers. The safety and security objectives can be achieved by adopting good engineering practices, including measures as described below:

- 12.2.1 *Operation and maintenance of MEPCO distribution system /Network shall be carried out only by the MEPCO authorized and trained personnel.*
- 12.2.2 *MEPCO system equipment, including overhead lines, poles/structures/towers underground cables, transformers, panels, cutouts, meters, service drops, etc. shall be installed and maintained in accordance with Grid Code, Distribution Code, and other relevant documents.*

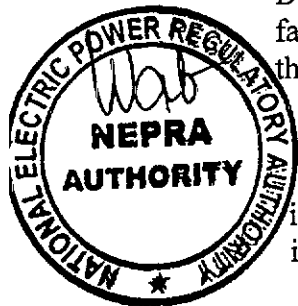
In view of the foregoing, the Licensee has failed to discharge its statutory obligation to maintain safety standards and ensure that its protection system operates on time to prevent leakage of current, therefore, the Licensee has contravened Section 21(2)(f) of the NEPRA Act, Article 11 of the Distribution Licence read with Rule 4(g) of the NEPRA Performance Standards (Distribution) Rules, 2005, Clause 4 of the Safety Requirements of Distribution Code, Clause PR 1 of Protection System Requirements of Distribution Code, Clause DDC 3 of Design Code of Distribution Code and Chapter 12 of Consumer Service Manual.

10.2. LACK OF SAFETY MEASURES/CULTURE:

During the review of the preliminary reports, it has been observed that four (04) fatalities of the Licensee employees occurred due to lack of safety measures/culture in the the Licensee's service territory. Further, details are the following:

- i. Mr. Muhammad Abdul Ghafar (LM-I)
- ii. Mr. Asif Bilal (ALM)
- iii. Mr. Abdul Hakeem (ALM)
- iv. Mr. Sadiq Hussain (ALM)

The root cause of the accident was casual attitude, risky decisions, supervisory lapses, carelessness, working without authorization, unprofessional behavior, and non-



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compliance with safety-related operating procedures by the Licensee's staff. Failure to ensure the issuance of PTW, using improper PPE, and lack of supervision of work under safety precautions at the worksite are also contributing factors to this accident. Moreover, the execution of work in an unplanned and haphazard manner is also a reason for the fatal accident.

Pursuant to performance standards laid down for the distribution licensees, the Licensee is required to implement suitable, necessary, and appropriate rules, regulations, and working practices, as outlined in the Distribution Code or applicable documents, to ensure the safety of its staff and members of the public. This shall also include suitable training for familiarity and understanding of the rules, regulations, practices, and training to use any special equipment that may be required to create awareness among employees and inculcate a safe environment.

NEPRA Performance Standard (Distribution) Rules

Rule 4(g) – Overall Standard (Safety)

- (i) *All distribution facilities of a distribution company shall be constructed, operated, controlled and remained in a manner consistent with the applicable documents.*
- ii) *A distribution company shall ensure that its distribution facilities do not cause any leakage of electrical current or step potential beyond a level that can cause harm to human life, as laid down in the relevant IEEE/IEC Standards; prevent accessibility of live conductors or equipment; and prevent development of a situation due to breakdown of equipment which results in voltage or leakage current that can cause harm to human life, property and general public including without limitation, employees and property of the distribution company.*
- iii) *A distribution company shall implement suitable, necessary, and appropriate rules, regulations and working practices, as outlined in its Distribution Code or applicable documents, to ensure the safety of its staff and members of the public. This shall also include suitable training for familiarity and understanding of the rules, regulations, practices, and training to use any special equipment that may be required for such purposes including without limitation basic first aid training.*

Distribution Code

SR 4, Safety Management Criteria

- a. *All distribution facilities of a distribution company shall be constructed, operated, controlled and remained in a manner consistent with the applicable documents.*
- b. *A distribution company shall ensure that its distribution facilities do not cause any leakage of Electrical Current or Step Potential beyond a level that can cause harm to human life, as laid down in the relevant IEEE/IEC Standards; prevent accessibility of live conductors or equipment; and prevent development of a situation due to breakdown of equipment which results in voltage or leakage current that can cause harm to human life, property and general public including without limitation, employees and property of the distribution company.*



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- c *A distribution company shall implement suitable, necessary, and appropriate rules, regulations and working practices, as outlined in its Distribution Code or applicable documents, to ensure the safety of its staff and members of the public. This shall also include suitable training for familiarity and understanding of the rules, regulations, practices, and training to use any special equipment that may be required for such purposes including without limitation basic first aid training.*

Clause PSC-1, PSC-2, & PSC-6.3 of Power Safety Code:

PSC-1 Purpose:

The purpose of this safety code is to ensure that the licensee's networks are planned, developed, operated and maintained in an efficient & safe way without compromising on safety of any kind related to the systems, personnel & others.

PSC-2 General Instructions of Power Safety:

The licensee shall abide by the safety requirements as set out in Power Safety Code, Distribution Code, Power Safety Manual, Performance Standards (Distribution) Rules 2005, Grid Code & other applicable documents.

The licensee shall promote a healthy & safe culture and provide all employees, contractors, and the people concerned and the public with a safe & healthy place to work. The Licensee shall ensure that safe working is integrated into every aspect and area of business. Moreover, safety culture shall be based on personal leadership, collaboration and involvement.

The licensee shall adhere to the highest standards in all work practices so as to ensure protection of employees and any other affected by what licensee do. Each licensee shall ensure in day to day work that facilities/support programmers are provided to safeguard the health, welfare & well-being of their staff.

PSC-6.3 General Provisions of Safety:

The general provisions of safety shall be provided by each licensee covering the following:-

- *The provisions for workers/operators to object to doing work on safety grounds*
- *The use & wearing of safety equipment & protective clothing*
- *Physical fitness & personal conduct of the worker before and during on job*
- *Arrangement and procedure of job briefing before the work is started*
- *Requirements to safeguard the public and property when work in progress*
- *Requirements for housekeeping in a safe working conditions*
- *Arrangements and requirements of fire protection*
- *Requirements, arrangements and use of proper tools and plants for the proper and safe storage lifting, and carrying of different types of material*
- *Procedure and reporting requirements of patrolling of lines*
- *Procedure for tree trimming*
- *List of common protective devices and equipment used for the safety purposes.*

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11. The Licensee has contended that failure to constitute an investigation committee under section 27A of the Act is a substantial miscarriage of justice. It was further alleged that in past the Authority has constituted Investigation Committee in fatality cases to evaluate and ascertain the facts of the matter.

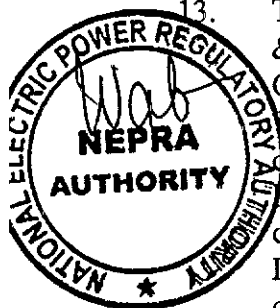
The Authority while considering and analyzing the submissions of the Licensee is of the considered opinion that section 27A and 27B of the Act are distinct provisions and are not interlinked. In case sufficient information is available, the Authority has the legal mandate and jurisdiction to initiate enforcement proceedings under section 27B of the Act by issuing a Show Cause Notice. In the instant case, The Licensee reported a total of five casualties (4 employees and 1 public person) under the Performance Standards (Distribution) Rules, 2005. Therefore, the casualties were an admitted fact and did not require any further inquisition.

12. The Licensee has submitted that it indeed is devoting full efforts to follow the Performance Standards Rules during construction, operation, control, and maintenance, activities with respect to necessary applicable documentation, and performing the practical activities starting from construction up to maintenance. The Licensee has further added that its distribution system is being maintained by providing necessary arrangements to eliminate the causes of leakage of current which may result the harm to human life by providing necessary earthing system, other necessary arrangements to the equipment and distribution circuits. The Licensee also submitted that it is focusing full concentration & efforts to implement suitable, necessary appropriate rules, regulations, and working procedures as per the Distribution Codes & applicable documentation through a very effective training & awareness system.

In this regard, the Authority has analyzed the submissions of the Licensee and observes that the Licensee asserts that it adheres to the Performance Standards (Distribution) Rules by taking measures to eliminate current leakage risks; however, the continuous occurrence of fatal accidents depicts that these efforts may be insufficient. Moreover, it appears that the Compliance of the Rules is only on paper, however, tangible and consistent implementation of these safety protocols across all areas, is lacking. Additionally, The Licensee has highlighted its focus on safety regulations and internal awareness initiatives, the frequency of incidents calls into question the practical effectiveness of these measures. NEPRA requires a proactive approach where safety is ensured not only through training but also through enforceable actions that result in tangible risk mitigation.

13. The Licensee has submitted that all of its staff particularly the line staff are being trained & aware through the multidirectional effective training courses i.e. Promotion Training Courses, Capacity Building Training Courses, Safety Training Courses at Regional Training Centre, Multan & Circle Training Centers established at each circle level, conducting Safety Seminars at Divisional Level & Safety Committee meeting at circle level on regular basis. Moreover, the Licensee has also submitted that it issued a comprehensive instruction to all the formations working under the Licensee upto Sub-Divisional level to implement for creating a safe & sound environment to work on the distribution lines by the line staff duly equipped with PPE & T&P after adopting the above safety measures.

In this regard, the Authority has considered the submissions of the Licensee and believes that the Licensee's commitment to training its staff through courses and



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seminars is recognized. However, the continued occurrence of accidents implies that training alone is not enough. These efforts must be coupled with rigorous field enforcement and routine audits to ensure adherence to safety protocols, bridging the gap between theory and practice is mandatory to achieve the target of zero fatal accidents. Moreover, the Licensee claims that it has provided sufficient instructions and PPE to prevent accidents, however, the occurrence of recent incidents points to a need for stronger enforcement of these safety measures. NEPRA stresses that comprehensive guidelines alone are inadequate without consistent supervision and accountability mechanisms to ensure that field staff adhere to established safety standards.

14. The Licensee has submitted that it is an undeniable fact that all the required safety tools & plants have been provided to all line staff working under the Licensee. The incidents in question are those which occurred due to the unauthorized working by the staff (ALM) and more importantly the negligence of individuals not at the end of the Licensee.

In this regard, the Authority after considering the submissions of the Licensee observes that the Licensee contends that safety incidents were due to unauthorized actions by individual staff, but this does not absolve the Licensee of responsibility. It is the duty of the Licensee, to enforce strict oversight and supervision to prevent unauthorized work. If staff members are acting beyond their authority, this indicates a breakdown in internal controls, for which the Licensee remains accountable.

15. The Para-wise grounds adopted by the Licensee are generic in nature and the counter of the same has already been done in the aforementioned paras.
16. In conclusion, the Licensee is supposed to provide electric services in its territory in a safe and reliable manner, however, it has failed to do so, which is a clear violation of the terms and conditions of its Distribution Licence and NEPRA Laws.

17. **Decision**

- 17.1. Keeping in view the submissions of the Licensee, the evidence available on record, and provisions of relevant NEPRA laws and terms and conditions of distribution license issued to the Licensee, the Authority hereby rejects the response of the Licensee against the served Show Cause Notice dated August 30, 2023, and imposed a fine of PKR 13,000,000/- (Thirteen Million) on the Licensee under the NEPRA Act, and NEPRA (Fine) Regulations, 2021 on account of non-compliance by the Licensee with NEPRA Act, Terms & Conditions of its License, Performance Standards (Distribution) Rules 2005, Distribution Code, Power Safety Code, Consumer Service Manual and other applicable documents.



- 17.2. The Authority has also observed that the Licensee gives compensation of PKR 4.0 Million to the families of its employees in case of their fatal accidents along with a job to next of kin. However, the Licensee has not provided compensation to the members of bereaved families of public persons who lost their lives due to the above-mentioned contraventions of the law by the Licensee. Therefore, the Authority hereby directs the Licensee to give compensation to the families of deceased public persons equal to the amount being given to its employee's family and provide jobs to their next of kin. Further, the Licensee shall submit

documentary evidence of its compliance in this regard to the satisfaction of the Authority within a period of two months.

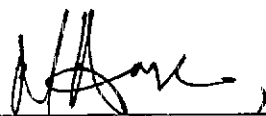
- 17.3. The Licensee is directed to pay the fine amount of PKR 13,000,000/- (Thirteen Million) in designated bank of the Authority within a period of 15 days from the date of issuance of this order and forward a copy of the paid instrument to the Registrar Office for information, failing which the Authority may recover the amount due under section 41 of the NEPRA Act as arrears of the land revenue or through any other appropriate legal means in addition to taking any other appropriate legal action against the Licensee for non-compliance.

AUTHORITY

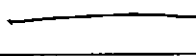
Rafique Ahmed Shaikh
Member (Technical)



Engr. Maqsood Anwar Khan
Member (Licensing)



Mathar Niaz Rana (nsc)
Member (Tariff)



Amina Ahmed
Member (Law)



Waseem Mukhtar
Chairman



Dated 03 Feb, 2025

