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National Electric Power Regulatory Authority
Islamic Republic of Pakistan

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No. NEPRA/DG(M&E)/LAD-05/3222

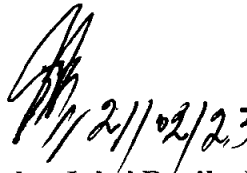
February 21, 2023

Campus Coordinator,
University of Engineering & Technology
(Kala Shah Kaku Campus),
G.T Road, Lahore

Subject: **ORDER IN THE MATTER OF SHOW CAUSE NOTICE NO. 20428 DATED 19.10.2022 ISSUED TO UET (KSK CAMPUS) LAHORE UNDER SECTION 27B OF NEPRA ACT, 1997**

Enclosed please find herewith the Order of the Authority dated 21.02.2023 (13 Pages) in the subject matter for compliance.

Enclosures: As Above


(Engr. Mazhar Iqbal Ranjha)



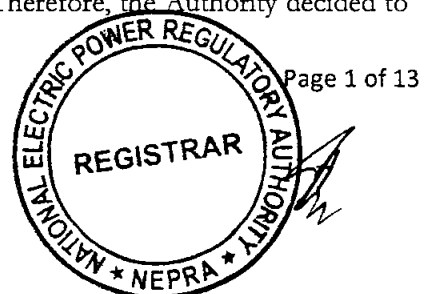
ORDER

**IN THE MATTER OF SHOW CAUSE NOTICE NO. 20428 DATED
19.10.2022 ISSUED UET (KSK CAMPUS) LAHORE UNDER SECTION
27B OF NEPRA ACT, 1997**

1. University of Engineering and Technology (UET) Kala Shah Kaku (KSK) Campus Lahore, is Bulk Power Consumer of LESCO. Electricity connection of UET (KSK Campus) is being fed through an independent 11kV feeder emanating from 132kV Shamkey Grid Station of LESCO. One point power supply is provided by LESCO to UET (KSK Campus) to run the said connection. The 11kV metering and protection panel is installed inside the premises of UET (KSK Campus). UET (KSK Campus) is obliged to comply with the NEPRA Act, rules, regulations and directions of the Authority issued thereunder including NEPRA Licensing (Distribution) Rules, 1999, the NEPRA Performance Standards (Distribution) Rules, 2005, the Distribution Code, NEPRA Consumer Eligibility Criteria 2003 (the Eligibility Criteria) and the Consumer Service Manual (the CSM).

Background:

2. According to Preliminary reports, an Electrician named Mr. Zaheer-ud-Din-Babar in UET (KSK Campus) was electrocuted on 28.2.2022, while carrying out the maintenance work on LT jumpers. The incident raised serious concerns regarding safety and effectiveness of distribution network of UET (KSK Campus) and its ability to supply electricity besides fully adhering to its statutory obligations. The Authority took serious notice of incident and hence constituted an investigation Committee (IC) under section 27A of the NEPRA Act, 1997 to conduct investigation against UET (KSK Campus) on possible violations of the NEPRA Act, Rules, Regulations and Codes made thereunder. A notice regarding investigation and constitution of the Investigation Committee in the matter was issued to UET (KSK Campus) under section 27A of the NEPRA Act, vide letter dated May 09, 2022.
3. The Investigation Committee visited UET (KSK Campus) on May 13, 2022 along with the team of LESCO and met all the concerned Officers/Officials from In-charge Campus Coordinator down to helper (Electrician) who presumable involved in the incident. Detailed discussions and deliberation were also made regarding the incident for the purpose of investigation & fact finding. Furthermore, the site where the incident occurred was also visited and the facts were gathered. Accordingly, Investigation Committee submitted the report to NEPRA Authority on 26.07.2022.
4. Based on the analysis and findings of the investigation Report, the Authority observed that *prima facie*, UET (KSK Campus) Lahore is responsible for this fatal accident as it failed to follow the Performance Standards (Distribution) Rules, 2005, Distribution Code, Power Safety Code and Consumer Service Manual. Therefore, the Authority decided to



issue Show Cause Notice to UET (KSK Campus) Lahore under Section 27B read with relevant rules regulations and applicable documents.

Show Cause Notice

5. A Show Cause Notice was issued to the UET (KSK Campus) vide letter No. NEPRA/DG (M&E)/LAD-05/20428 dated: 19.10.2021. The Show Cause Notice, inter alia, read as under:

3. **WHEREAS** the Authority came to know about the incident that on 28.02.2022 an electrician named Mr. Zabeer was electrocuted while carrying out maintenance work in the premises of UET (KSK) Campus, the incident raised serious concerns regarding safety and effectiveness of UET (KSK) distribution network and its ability to supply electricity besides fully adhering to its statutory obligations; and

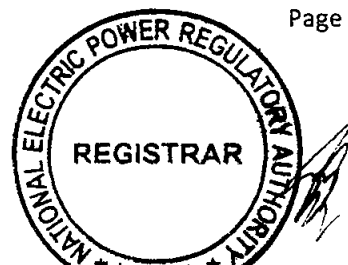
4. **WHEREAS**, the Authority, in exercise of its functions and duties as entrusted upon it under the NEPRA Act, initiated investigation under Section 27(A) of the NEPRA Act and constituted an Investigation Committee to investigate into fatal accident in the UET KSK's service territory occurred on 28.02.2022; and

5. **WHEREAS**, the investigation was concluded vide Investigation Report dated 30th June, 2022, (hereinafter referred to as the "Investigation Report") which is attached as **Annex A**; and

6. **WHEREAS**, in terms of investigation report, on 28.02.2022, around 14:30 Hrs, there was an issue in water pump of UET KSK Campus and the pump was not operating. After initial checking and repair by the UET technical team, they tried starting it again to no avail. In this regard, the UET team started to carry out patrolling/inspection and observed that there is fault in PG Clamp due to its rusty and deteriorated condition. Accordingly, Mr. Zabeer (deceased) being the senior most official of UET possessed the keys of the protection room and he was assigned to properly switch off the protection panel. He went to do the same and returned to site and confirmed that the panel is switched off along with other breakers. Two other crew members (Mr. Faisal and Mr. Iftikhar) were assigned to climb up on the H-Pole and to perform work. All this was supervised by the concerned AET/SDO of UET KSK. Suddenly, Mr. Zabeer (deceased) asked Mr. Faisal to leave the safety belt over there and come down, he (the victim) will perform task more quickly and save some time. Therefore, Mr. Zabeer (the victim) climbed up on H-Pole from another side of substation. During this process, one of his elbow touched the H.T conductor passing over the substation. He received severe electric shock and fell down from pole. Other members immediately rushed him to the university clinic, where he was declared dead; and

7. **WHEREAS**, in terms of investigation report, there are two set of protections which can be used to switch off the 11 kV line in order to carry out work on the line. One is to shut the feeder from grid and second is switching off of protection panel installed at connection point between UET KSK and LESCO. Both should be switched off for the sake of ensuring safety before start of any type of work on the HT/LT line, which was not done in this case. In the instant case, initially, the victim Mr. Zabeer did not properly switch off the panel by assuming that feeder is off as the same was informed by LESCO a day before. Further, it appears that Mr. Zabeer (the victim) was not properly trained to switching on/off the panel. Operation of distribution system without proper well trained staff for many years shows the extreme non-seriousness/negligence on part of UET KSK. The personnel are unaware of the risk in operating such electrical systems, which puts the personnel and students in danger; and

8. **WHEREAS**, in terms of investigation report, IC observed that UET KSK is completely unaware about the proper operation & maintenance of its distribution system as per safety standards



outlined in NEPRA laws. Moreover, UET KSK has never taken safety initiatives to train their technical team in order to run the system in accordance with Standard Engineering Practices. Hence, it can be obviously said that UET KSK has failed to develop safety culture in its service territory due to which loss of human life occurred; and

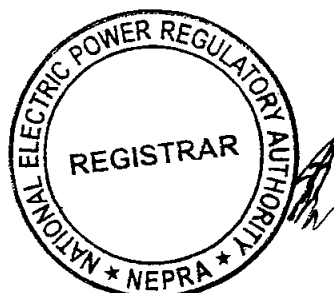
9. WHEREAS pursuant to 12.3.3 of Consumer Service Manual Clause, for the protection of consumer, it is necessary that electrical installation at the consumer's premises conform to the rules established by DISCO/NTDC and approved by the Authority as per terms and conditions of the Consumer Eligibility Criteria 2003, Performance Standards (Distribution) Rules 2005, Distribution Code, Safety Code and Grid Code. Contrary to above, UET KSK has failed to comply with the mentioned rules and regulations as IC noted that distribution system of UET KSK inside its premises is in dilapidated condition and no proper maintenance is being carried out.

10. WHEREAS pursuant to Distribution Code Clause CC 6.5 "Connection Agreement" If the applicant wishes to accept the offer to connect, the connection applicant (UET KSK) must follow all relevant rules and regulations already issued or to be issued in future by the licensee (LESCO), GOP, NEPRA or the relevant Authorities including safety Code of concerned Licensee. However, UET (KSK) has failed to follow the same which resulted in loss of human life. Further, no such agreement exists between LESCO and UET KSK. Had there been a connection agreement with all terms & conditions including the assurance of safety and subsequent penalties in case of non-compliance, there would have been of better safety culture in the territory of UET KSK and this accident could have been avoided; and

11. WHEREAS pursuant to clause 11.3.3 of Consumer Service Manual, if a consumer having consumer-owned substation requests DISCO for shutdown due to reason including maintenance. The consumer is required to submit a written request three days prior to the scheduled shut down. Contrary to above, UET KSK never put up such request to LESCO in last ten years for shut down of feeder to carry out maintenance work on its distribution system. This means that such maintenance work has been carried out by UET KSK without informing LESCO which is a clear violation of aforementioned clause of CSM and safety SOPs. The same scenario occurred in the instant case, had there been proper communication in written format between LESCO and UET regarding shutdown of feeder, there would have had a chance of saving human life; and

Submission of the UET (KSK Campus)

5. The UET (KSK Campus) vide its letter dated 14.11.2022 submitted its response to the abovementioned Show Cause Notice whereby the UET (KSK Campus) claimed as under;
 - a. At the very outset, the UET KSK campus is a 'Bulk power consumer' of the Lahore Electric Supply Company (hereinafter the "LESCO") the electricity is supplied to the campus through 11 kV Independent Feeder emanating from 132 kV Shamkey Grid Station. In this regard, 'One point supply' is provided by LESCO to run the connection, whereas, the 'one Metering' (hereinafter the "Metering Panel") and 'One Protection Panel' (hereinafter the "Protection Panel") are installed with the campus. The entire internal electrical network (hereinafter the "Distribution Network") is operated and maintained by UET KSK campus's own technical staff. Furthermore, the UET KSK campus is following all the possible safety measures and the SOPs for the wellbeing of their staff;
 - b. On 28.02.2022, an issue occurred in the water pump of the UET KSK campus, and the team of UET KSK Campus carried out an inspection of the PG clamp, whereas it was observed that it had become faulty due to accumulation of rust.



Thereafter, in order to carry out the required works, Mr. Zaheer ud Din Babar (hereinafter the "Deceased"), being the senior official of the UET KSK Campus and the custodian of the key of the protection room, was required to turn off the protection panel. Subsequently, the deceased, upon returning from the protection, confirm that he had turned off the panel;

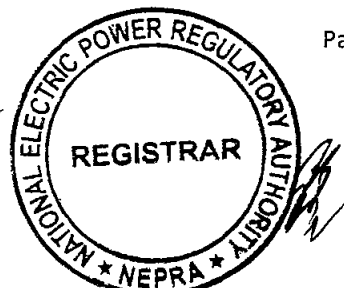
c. As a consequence, thereof, Mr. Faisal and Mr. Iftikhar climbed up the H-pole to carry out the required works. However, the Deceased ordered Mr. Faisal and Mr. Iftikhar to leave the safety belt climb down as he believed that he could expedite the task, and hastily climbed the pole. During the process, one of his elbows accidentally came in contact with the HT conductor, therefore, he received a fatal electric shock and fell down from the pole;

d. In this regard, it is essential to point out that, there was a scheduled maintenance shutdown on the 11KV UET KSK Campus's feeder from 9:00 A.M TO 4:00 P.M, which was intimated to the UET KSK Campus, by the LESCO, on 27.02.2022. However, the LESCO, without intimating the UET KSK Campus, prematurely restored the power supply to the UET KSK Campus. Despite the fact that the feeder was already shutdown by LESCO and was not expected to be restored before 4:00 P.M, the UET KSK campus, in line with the established SOPs, requested the Deceased to switch off the Protection Panel before carrying out any works. However, the Deceased was either mentally pre-occupied or forget to switch off the protection panel, as, prior to the occurrence of the accident. The deceased himself confirmed that he had turned off the Protection Panel. Additionally, despite the alleged fact that the Deceased forgot to switch off Protection Panel, the cause which actually resulted in the occurrence this unfortunate accident was the early restoration of feeder by the LESCO, as the electricity was restored on that day at 02:00 P.M, instead of the scheduled time of 4:00 P.M;

e. Additionally, all the maintenance staff is fully trained and qualified to operate and maintain the Distribution System, as all maintenance staff is working under the guidance of a graduate electrical engineer for over ten 10 years, and are strictly following the 'SOPs for maintenance work' issued by the UET KSK campus (copy attached), dated 22.12.2016;

f. Besides that, services of a Water and Power Development Authority's (hereinafter the "WAPDA") retired lineman were also hired in 2009, to guide the staff about safety standards for operation and maintenance of system, as per LESCO's practice. Furthermore, as per the advice of the Inquiry Committee, the Executive Engineer, Ferozewala Division LESCO, was requested to arrange a training session for Electrical Field Staff vide letter NO. B&W/XEN/KSK/957, dated 13-05-2022, but no action has been taken on this letter, at LESCO's end. Additionally, it is essential to clarify that the maintenance staff is only supposed to work for the connections of buildings, electrical appliances i.e., sewerage motors, and tube wells etc., with L.T lines, instead of maintenance of L.T lines; the maintenance/new works pertaining to L.T/H.T lines are outsourced;

g. With respect to the findings of the Investigation Committee of the NEPRA (hereinafter the "Investigation Committee"), wherein it is claimed that, as per clause 11.3.3 of Consumer Service Manual (hereinafter the "CSM") regarding intimation to the Grid three days prior to the scheduled maintenance, it is pointed out that the CSM



was never provided by the LESCO to the UET KSK Campus, neither at the time of energization of feeder, not at a later stage. Whereas, the LESCO informed to the UET KSK Campus that LESCO's control is up to the metering panel only, while all other internal network comes under the exclusive jurisdiction of UET KSK Campus. Additionally, it was also directed that any type of internal maintenance, scheduled and /or non- scheduled, may be carried out by UET KSK Campus by simply switching off the Protection Panel, without any formal intimation to the LESCO and the same has been in practice since then. However, with respect to any future maintenance of the Distribution System, instructions of the IC will be followed in letter and spirit i.e., the grid station will be formally intimated three 03 days prior to scheduled maintenance/shutdown as per the relevant clause of the CSM;

h. Moreover, as per clause 6.5 of Distribution code (hereinafter the "**Distribution Code**"), LESCO was required to execute a connection agreement with UET KSK Campus. In this regard, it is submitted that no detailed written connection agreement was entered into with the UET KSK Campus, neither at the time of energization of feeder, nor at any time thereafter, instead only a few terms and conditions, which were conveyed vide letter NO. 4481-901/DRW/328/IST, dated 05.05.2011 were provided to the UET KSK Campus. Similarly, the LESCO never provided or informed by the UET KSK campus, even at a later stage. Therefore, the UET KSK campus cannot be held liable for any violation of any such NEPRA rules and regulation, as the same were never communicated by the LESCO;

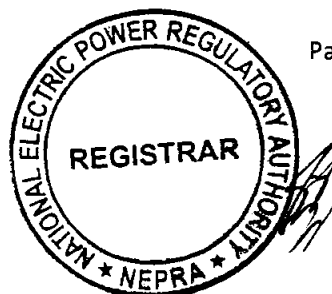
i. Likewise, as per clause 12.3.3 of the CSM, the Distribution system at UET KSK campus conform to the rules established, and intimated, by the LESCO. In this respect, it is submitted that as per the letter 05.5.2011, all the 11kV installations were inspected by the Electrical Inspector of the Punjab Government at the time of energization of feeder, and a satisfactory report was issued accordingly. However, no such practice of obtaining the test report of Distribution System from Electrical Inspector on annual basis exists, neither any such requirement was communicated by the LESCO at the time of energization of Feeder, or even at the later stages. Therefore, the UET KSK campus cannot be held liable for the violation of the said clause of the CSM, as the same was never communicated by LESCO;

j. In addition, thereto, as per the findings of investigation committee, UET KSK Campus is allegedly in violation of following NEPRA laws.

- a. Rule 4 (g) of Performance Standards (Distribution) Rules 2005;
- b. Clause SR 4 of safety Requirements of Distribution code;
- c. Clause CC 6.5 and CC 6.8 of connection code of Distribution Code;
- d. Clause 11.3.3 of chapter 11 and 12.3.3 and 12.3.6 of chapter 12 of CSM.

k. In this regard, it is submitted that as the UET KSK campus is a **BPC**, hence, the LESCO was responsible for providing and informing about all the relevant NEPRA laws and regulations. However, the LESCO never provided, nor intimated that BPCs are bound to follow any NEPRA's laws or regulations, neither at the time of energization of feeder, not at any later stages. Therefore, the UET KSK Campus cannot be held liable for the violation of the above-mentioned laws and regulations of the NEPRA, as the same were never communicated by the LESCO;

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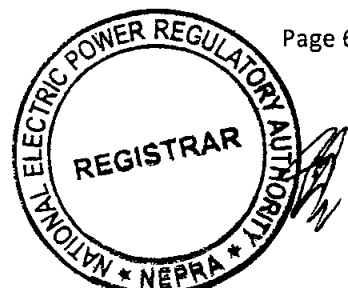


l. Whereas, as per the recommendation of the Investigation Committee, LESCO has already been requested to arrange a training session for Electrical field staff vide the above-mentioned letter, and safety training workshops are also being scheduled for the training of the staff. In this regard, NEPRA is also requested that a team of experts may kindly be arranged from NEPRA in order to provide the relevant laws and regulations and train the technical staff to run the Distribution System in accordance with standards set by NEPRA;

m. Considering the foregoing, it is evident that the UET KSK campus tried its level best to adopt all possible safety measures as directed/informed by LESCO. It is reiterated that the unfortunate incident occurred on account of untimely energization by the LESCO officials, without any intimation to the officials of UET KSK Campus, in addition to negligence on the part of the deceased Zaheer. Therefore, the UET KSK Campus beseeches you to withdraw the Notice, in the interests of justice.

Hearing

6. The Authority considered the response of the UET (KSK Campus) and decide to provide an opportunity of hearing. Accordingly, hearing in the matter was held on 13.12.2022. During hearing, the following submissions were made by the representatives of the UET (KSK Campus):
- a. There is no denial that the incident took place and UET lost the vital life of its employee along with financial loss. UET always had been in compliance to all the Authorities which are obligated and this is the first interaction of UET with NEPRA. Further, UET have complied all the instructions given by LESCO from time to time;
 - b. UET has addressed all the safety concerns raised by NEPRA in its Explanation. Further, UET has submitted the details of PPE provided to the technical staff a few months before the incident;
 - c. In 2016, an independent feeder of UET (KSK Campus) was energized, before that LESCO had visited the site and verified all the installations regarding the distribution system in UET (KSK Campus) and a clearance certificate was also provided which is part of the submitted response. However, no such requirement of NERPA laws was shared by LESCO with UET;
 - d. On the first day of energization of 11kV UET (KSK Campus) feeder, clear instructions were given by LESCO that from now on UET (KSK Campus) not required to inform LESCO for maintenance work inside its premises. However, UET will switch off the protection panel and conduct all required work inside its premises. Moreover, the requirement of 03 days prior notice is required under regular maintenance shutdowns, however, on the day of the incident it was an emergency and the supply of water in the campus was disturbed. Hence, UET could not serve the required notice to LESCO;
 - e. According to the plan, Mr. Zaheer would switch off the panel and two other crew members would conduct the task. So both the staff members had proper PPEs and were performing the task. Mr. Zaheer was preoccupied and told them that they are



doing work slowly. Therefore, he decided to climb up and complete the same quickly. Accordingly, he started to climb from other side of the H-Pole;

- f. In order to avoid such tragic accidents in future, UET has written a letter to LESCO for the training of its staff. Safety SOPs are being improved and from now onwards, two persons have been deputed for switching of the protection panel for the purpose of cross-verification. UET is trying its level best to improve the system;
- g. UET has cleared all the dues of the deceased and compensation according to the policy of Punjab Govt: and the job to next of kin has also been offered to the family of deceased.

Action Plan:

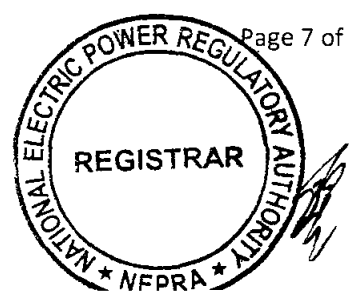
7. During hearing, the Authority directed UET (KSK Campus) to submit a compliance report of the Authority's decision pertaining to actions taken and/or to be taken regarding adherence to HSE standards and distribution system of UET (KSK Campus) within 05 days. In response, UET vide its letter dated 19.12.2022 received by this office on 20.12.2022 has submitted the same. The summary of the same is as under;

1. UET INITIATIVES TO IMPROVE THE DISTRIBUTION SYSTEM

- i. The hiring of Technical Field Staff is under process by the University and would be completed soon (Advertisement attached);
- ii. As per the advice of Investigation Committee, LESCO has already been requested to arrange regular training session for Electrical Field Staff vide letter No. B&W/XEN/KSK/957 dated 13-05-2022 (Copy attached);
- iii. As per the recommendations of Investigation Committee, conveyed to UET New Campus vide letter No. NEPRA/DG(M&E)/LAD-05/20428 dated 19-10-2022 and in compliance to Clause 12.3.3 of Consumer Service Manual, Electrical Inspector Government of Punjab has been requested vide letter No. XEN/NC/KSK/1094 dated 07-11-2022 (Copy attached) to conduct the inspection of Distribution Network UET, New Campus and issue the test report accordingly;
- iv. Clause 11.3.3 of Consumer Service Manual regarding intimation at Grid Station three days prior to scheduled maintenance, has been implemented at UET New Campus issued vide letter No. B&W/PD/N.C/1080 dated 01-11-2022 (Copy attached) and will be followed in letter and spirit;
- v. All the possible safety measures are being adopted for the wellbeing of staff, as per LESCO guidelines and would be further improved in compliance to Rule 4(g)-Safety and SR 4, Safety Management Criteria, as per NEPRA rules;
- vi. The mechanism for the operation and shutdown of protection panel has been updated at UET, New Campus. The lock and key system of Protection Panel is also being installed. In addition to the operator of Protection Panel, an independent well-trained official has been deputed

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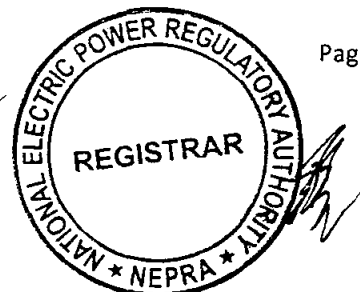
for the confirmation that the panel is in off mode before taking up any maintenance work. Further, SOPs for the safety of staff during operation and maintenance of Distribution network are being improved as per NEPRA rules and regulations.

2. **FINANCIAL ASSISTANCE TO THE FAMILY OF DECEASED**

- i. As far as the financial assistance to the family of deceased is concerned, the following compensations were approved by the Competent Authority issued vide office order No. 485 dated 13-05-2022 (Copy attached) and have been disbursed to the widow Mst. Fouzia Manzoor;
- ii. Financial Assistance Rs. 1,900,000/-;
- iii. Four Months Salary;
- iv. Lumpsum Payment equal to full pay of 365 days;
- v. G.P Fund amounting to Rs. 97,435/- approved vide Office Order No. 209 dated 04-04-2022 (Copy attached);
- vi. The widow Mst. Fouzia Manzoor also requested the Vice Chancellor dated 15-03-2022 for the employment of her son in the University against the death quota on attaining the age of an adult, who is still underage (Copy attached). The University has acceded to her request and the statues for the employment to the unemployed widow / child and the grant of salary and pension to the dependents of deceased employee have been sent to the Secretary, Higher Education Department Government of Punjab for granting the approval of Chancellor / Governor of Punjab.

Findings/Analysis:

8. UET KSK has submitted that there was a scheduled maintenance shutdown on the 11KV UET KSK Campus's feeder from 9:00 A.M TO 4:00 P.M, which was intimated to the UET KSK Campus, by the LESCO, on 27.02.2022 telephonically. However, the LESCO, without intimating the UET KSK Campus, prematurely restored the power supply. Hence, the cause which actually resulted in the occurrence of this unfortunate accident was the early restoration of feeder by the LESCO, as the electricity was restored on that day at 02:00 P.M, instead of the scheduled time of 4:00 P.M intimated telephonically to UET. The Authority has considered the submissions of UET (KSK Campus) and observes that UET has tried to shift its responsibility to LESCO by giving sub-par excuses. UET KSK has to understand that the primary protection was to switch off the protection panel, which was not done by the deceased. It is a matter of fact that LESCO should have intimated UET KSK for early restoration of supply, but totally considering this aspect as an actual cause of accident by the UET KSK is not justified.
9. UET KSK has further submitted that despite the fact that the feeder had already been shutdown by LESCO and was not expected to be restored before 4:00 P.M, the UET KSK campus, in line with the established SOPs, requested the deceased to switch off the protection panel before carrying out maintenance and to rectify the fault. However, the deceased was either mentally pre-occupied or forget to switch off the protection panel, as, prior to the occurrence of the accident, the deceased himself confirmed that he had turned off the protection panel. Additionally, it is an alleged fact that the deceased forgot to switch off protection panel. The Authority has gone through the submissions of UET KSK and observes that the statement given by UET KSK itself indicates an admittance of allegation on its part. However, the reasons given that the deceased was preoccupied is baseless. It

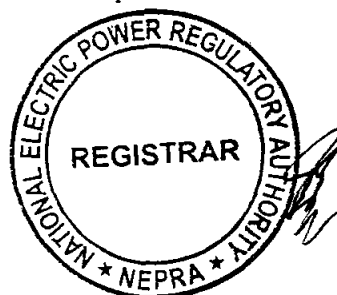


was the duty of Supervisor (AET in this case) who was present at site to ensure that the protection panel was properly switched off by the deceased, which he failed to do so. Moreover, during investigation, IC observed that the UET's team is not properly trained to operate and maintain the UET's internal distribution system. Serious supervisory lapses and operation of system by the untrained staff are the major causes of this tragic accident;

10. UET KSK has also submitted that all the maintenance staff is fully trained and qualified to operate and maintain the distribution system, as all maintenance staff is working under the guidance of a graduate electrical engineer for over ten 10 years, and are strictly following the SOPs for maintenance work. The Authority has examined the submissions of UET KSK and observes that the submissions of UET KSK are far away from ground realities. During investigation, it was witnessed by the IC that UET's distribution network is in a dilapidated condition and no proper maintenance is being carried out. Further, if UET's statement is assumed to be true then line staff should have followed proper working practices as per SOP while carrying out maintenance work which they have failed to do.
11. UET KSK has argued that regarding intimation to the Grid three days prior to the scheduled maintenance, CSM was never provided by LESCO to the UET KSK Campus, neither at the time of energization of feeder, nor at a later stage. Whereas, LESCO informed UET KSK Campus that LESCO's control is up to the metering panel only, while all other internal network comes under the exclusive jurisdiction of UET KSK Campus. Additionally, it was also directed by LESCO that any type of internal maintenance, scheduled and /or non- scheduled, may be carried out by UET KSK Campus by simply switching off the protection panel, without any formal intimation to LESCO and same has been in practice since inception. The Authority has considered the arguments of UET KSK and observes that the claim of UET is not plausible. UET KSK being a holder of Consumer Substation should have knowledge about Consumer Service Manual. It is noted that since the energization (2016) of UET's connection, this practice of serving notice three days prior to maintenance has never been followed by the UET which is grave violation of CSM and tantamount to sheer negligence on part of UET. Hence, the arguments put forward by the UET are baseless.
12. UET has further referred clause 6.5 of Distribution code and submitted that no detailed written Connection Agreement was entered into with UET KSK Campus, neither at the time of energization of feeder, nor afterwards, instead only a few Terms and Conditions, which were conveyed vide letter dated 05.05.2011. Therefore, the UET KSK campus cannot be held liable for any violation of NEPRA rules and regulation, as the same were never communicated by the LESCO. The Authority has examined the submissions of UET KSK and observes that the submission of UET itself indicate UET's negligence that being a party (BPC) it should have entered into proper agreement rather accepting the few terms & conditions. It should have understood and clarified by UET KSK that whenever two parties negotiate on any point, there should be proper written agreement containing clear bindings to be followed by both parties. The same is categorically illustrated in clause 6.5. of Connection Code of Distribution Code which UET has failed to comply with.
13. UET KSK has submitted that as per clause 12.3.3 of the CSM, the Distribution system at UET KSK campus conform to the rules established. In this respect, all the 11KV installations were inspected by the Electrical Inspector of the Punjab Government at the time of energization of feeder, and a satisfactory report was issued accordingly. However, no such practice of obtaining the test report of Distribution System from Electrical Inspector on annual basis exists, neither any such requirement was communicated by

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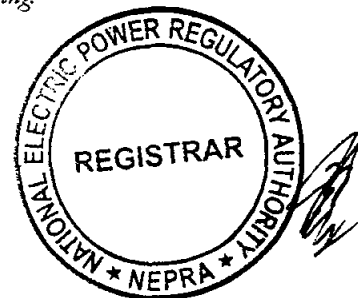
LESCO at the time of energization of Feeder, or even at the later stages. The Authority has considered the submissions of UET KSK and observes that UET KSK is trying to shift system's responsibility towards Electric Inspector by stating that at the time energization, the report Electric Inspector was satisfactory. However, UET should realize that system always needs regular & periodical corrective & preventive maintenance, which UET has failed to do so and system was found in deteriorated & depilated condition. Hence, it can be said that UET's system does not conform to the rules & regulations established under the NEPRA Act.

14. UET KSK has pleaded that it is a **BPC**, hence, LESCO was responsible for providing and informing about all the relevant NEPRA laws and regulations. However, LESCO never provided, nor intimated that BPCs are bound to follow any NEPRA's law or regulation, neither at the time of energization of feeder, not at any later stages. Therefore, the UET KSK Campus cannot be held liable for the violation of Performance Standards, Distribution Code and Consumer Service Manual. The Authority has gone through the plea taken by UET KSK and observes that although LESCO should have communicated the NEPRA laws, but due to non-communication by LESCO, UET cannot be absolved from its own liabilities & obligations. UET being a BPC and owner of a Substation, should have known about the NEPRA Performance Standards, Distribution Code, Power Safety Code and Consumer Service Manual, which UET has not complied. Hence, the plea taken by the UET KSK is unjustified and is rejected in toto.
15. In this regard, NEPRA Performance Standards (Distribution) Rules, 2005, Distribution Code, and Consumer Service Manual state as follows:

g. Overall Standards 7-(Safety (OS7): (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.*



Clause SR 4 Safety Management Criteria of Distribution Code:

a. 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, Performance Standards (Distribution) and other 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.

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 CC 6.5 of Distribution Code states as follows:

"If the Applicant wishes to accept the Offer to Connect, the Connection Applicant must:

- a.
- b. Agree to be bound by relevant provisions of the Grid Code (if applicable) and Distribution Code;
- c. Must follow all relevant rules and regulations already issued or to be issued in future by the Licensee, GOP, NEPRA, or the relevant authorities including Safety Code of the concerned Licensee.
- d.
- e. Enter into a connection agreement with each relevant distribution Licensee and, in doing so, must use its reasonable endeavors to negotiate in good faith with all parties with which the Applicant must enter into such a connection agreement."

Clause CC 6.8 of Distribution Code states as follows:

Where for operational reasons, Licensee determines that a means of routine and emergency operation, communication between the Licensee and the User is required, then the same shall be provided and maintained by the Licensee.

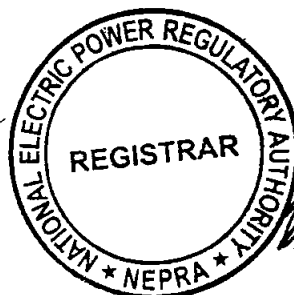
Chapter 11: Consumer Service Manual

Clauses 11.3.3 states as under:

If any consumer having consumer owned substation requests DISCO for shutdown; due to reasons including maintenance of machinery etc., the DISCO shall shut down the transformer sub-station, without any charges. However, the consumer is required to submit a written request three days prior to the scheduled shut down.

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Chapter 12: Consumer Service Manual

Clauses 12.3.3 states as under:

For the protection of the consumer it is necessary that electrical installation at the consumer's premises conform to the rules established by DISCO/NTDC and approved by the Authority as per terms and conditions of the Consumer Eligibility Criteria 2003, Performance Standards (Distribution) Rules 2005, Distribution Code, Safety Code and Grid Code.

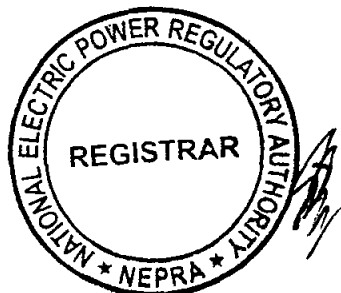
Clauses 12.3.6 states as under:

Any consumer committing a breach of procedures/rules outlined above shall render himself/ herself liable for disconnection of his/ her electric power and legal action.

16. As far as the action plan submitted by UET KSK is concerned, the Authority has gone through the same and observes that UET (KSK Campus) has taken all the actions after the initiation of legal proceedings by NEPRA which should have been taken a lot earlier so that a precious human life could have been saved.

Decision

17. Keeping in view the submissions of the UET (KSK Campus), evidence available on record and provisions of relevant NEPRA laws, the Authority observes that an Electrician named Zaheer-u-din baber in UET (KSK Campus) was electrocuted on 28.02.2022, while carrying out the maintenance work on LT Jumper by violating the safety SOPs/protocols, Performance Standards Rules, Distribution Code, Consumer Service Manual, Power Safety Code and other applicable document. In view of foregoing, the Authority hereby imposes a fine of Rs. 10,000,000/- (Ten Millions) on the UET (KSK Campus) in respect of the following:
- a. The UET (KSK Campus) has failed to discharge its statutory obligation to maintain safety standards and ensure that distribution facilities in accordance with Rule 4(g) of the NEPRA Performance Standards (Distribution) Rules, 2005, Clause SR4 of Safety Requirements of Distribution Code, Clause CC 6.5 & Clause CC 6.8 of Distribution Code, Clause 11.3.3 of Chapter 11, Clauses 12.3.3 and 12.3.6 of Chapter 12 of the Consumer Service Manual;
18. The Authority has also noted that the UET (KSK Campus) has given compensation to the family of deceased, who lost his life due to above mentioned contraventions of the laws by UET (KSK Campus). However, UET has given less amount of compensation in comparison to the amount given by LESCO to its employee in case of fatal accident i.e. Rs. 3.5 Million. Therefore, the Authority directs UET (KSK Campus) to grant compensation to the bereaved family equal to the amount being awarded by LESCO to its employees' family along with a job to the next of kin. Further, the UET (KSK Campus) shall submit documentary evidence of its compliance in this regard to the satisfaction of the Authority within two months.
19. Therefore, UET (KSK Campus) is hereby directed to pay the fine amount of Rs. 10,000,000/- (Ten 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 them for non-compliance.

20. This order shall not prejudice any other rights and remedies of the families of the victims as may be available to them under the law.

AUTHORITY


Rafique Ahmed Shaikh
Member (Technical)




Engr. Maqsood Anwar Khan
Member (Licensing)



Mathar Niaz Rana
Member (Finance & Tariff)



Tauseef H. Farooqi
Chairman



Dated _____, 2023.

