

**IN THE HONOURABLE HIGH COURT OF SINDH AT KARACHI
(CONSTITUTIONAL JURISDICTION)**

Constitution Petition No. _____ of 2019

1. Mohammad Jibran Nasir,
Son of Nasir Azhar Siddiqui,
Muslim, Adult,
Resident of 9/E, Askari 3,
School Road, Cantt,
Karachi

2. Muhammad Farhan Wazir
Son of Muhammad Wazir,
Muslim, Adult,
Resident of 35/09, Defence Garden
Apartment, Phase 1, DHA, Karachi

3. Pakistan Institute of Labour
Education & Research,
Registered as an Association under Section 42,
Companies Ordinance, 1984,
Through its authorized person,
Having its registered office at PILER Centre,
ST-001, Sector X, Sub-Sector V,
Gulshan-e-Maymar, Karachi-75340

4. Tariq Mahmood Butt,
Son of Zulfiqar Ali Butt,
Muslim, Adult,
Resident of Flat No. 15,
Defence Garden Apartment,
Phase 1, DHA, Karachi

5. Muhammad Saleem Khan,
Son of Muhammad Rafiq,
Muslim, Adult,
Resident of Flat No. 08,
Defence Garden Apartment,
Phase 1, DHA, Karachi

6. Tanveer Ahmed Anjum,
Son of Chaudhry Ahmed Khan,
Muslim, Adult,
Resident of Flat No. 12,
Defence Garden Apartment,
Phase 1, DHA, Karachi

7. Muhammad Amin,
Son of Muhammad Ilyas,
Muslim, Adult,
House No. MP-3/14-15,
Kamil Road, Lee Market,
Karachi.....Petitioners

Versus

1. Federation of Pakistan,
Through the Secretary,
Ministry of Water and Power,
Room No. 201-204, 2nd Floor,
A Block Pak Secretariat,
Islamabad

2. National Electric Power Regulatory Authority (NEPRA),
An Authority established under
the Act No. XL of 1997,
Through its Chariman,
Having Office at NEPRA Tower,
Attaturk Avenue (East), Sector G-5/1,
Islamabad

3. K-Electric Supply Company Limited (K-Electric),
Through its Chief Executive Officer,
Having its registered office at
Sunset Commercial Street #1,
Karachi.....Respondents

**CONSTITUTIONAL PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973**

It is most respectfully and most humbly submitted on behalf of the abovenamed
Petitioners as under:

1. That subject matter of the present Petition is the criminal negligence of the
Respondent No.3 [‘K-Electric’] in failing to ensure that safe electric cables and poles
were installed for the supply of electricity to the citizens of Karachi, as a result of

which numerous lives, reportedly 35, were lost due to electrocution during the rain and monsoon that affected Karachi and various parts of Sindh in the months of July and August, 2019. As the facts herein will show, even though the Respondent No.3 ['K-Electric'] is criminally negligent in failing to ensure that the installed electric cables and poles were safe and has also committed an illegal and malafide act of using substandard electric cables and poles, the Respondents No.1 ['Ministry of Water and Power'] and No.2 ['NEPRA'] have also failed to take any action against Respondent No.3 ['K-Electric'] and/or in ensuring that electricity was supplied to the citizens of Karachi, safely during the rain and monsoon and therefore, the Respondents No.1 and No.2, along with the Respondent No.3 are equally responsible for the aforementioned loss of lives. Through, the present Petition, the Petitioners seek, inter alia, directions from this Honourable Court to the effect that this Honourable Court may direct the Respondents No.1 and No.2 to take action against the Respondent No.3 ['K-Electric'] and to undertake a detailed infra structure audit vis-a-vis the quality, standard and safety of electric poles and cables installed by Respondent No.3 in Karachi. In the alternative, this Honourable Court may constitute a broad based judicial commission to investigate into the liability of Respondents No.1 and No.2 ['Federation' and 'NEPRA'] and Respondent No.3 ['K-Electric'], to conduct independent infra structure audit of electric poles and cables and to recommend measures regarding, inter alia, safe insulation of electric poles and cables for the prevention of incidents of electrocution. The Petitioners further seek directions against Respondent No.3 ['K-Electric'] and Government of Pakistan to, collectively, compensate the victims' families for the loss of lives of the victims.

2. That the Petitioner No.1 is a law-abiding citizen of Pakistan who is an Advocate of High Court, enrolled with the Sindh Bar Council since 2013. The Petitioner No.1 is involved in disaster and medical relief work for the citizens of Pakistan since 2010 through various charitable causes and organizations. He is also actively engaged in advocacy and litigation for protection of constitutional and fundamental rights of the citizens of Pakistan and against extremism, terrorism and the activities of proscribed organization at the risk of his personal security. He is

engaged in developing a positive mindset amongst the youth of Pakistan by being an active speaker for the last four years at schools and universities on the subject of tolerance, co-existence and counter extremism. He has also represented Pakistan internationally through his talks and has been invited to represent Pakistan at major Universities in the United States of America including various Ivy League Institutions. He is concerned with the national and provincial welfare of Pakistan and has also contested the general elections for both the National Assembly and the Sindh Assembly in 2013 and 2018 as an independent candidate.

*A copy of the documents reflecting profile of Petitioner No. 1 are annexed and marked herewith as **Annex 'A'**.*

3. That the Petitioner No.2 is a known activist and the Petitioner No.3 is a known Non-Governmental Organisation involved in various struggles for the enforcement of the legal and human rights of the people of Pakistan. Amongst the major causes for which the Petitioner No.3 had immensely fought, the most significant include, but are not limited to, fighting against the Respondent No.3 ['K-Electric'] and Respondents No.1 and No.2 ['Federation' and 'NEPRA'] for the victims of the heat wave tragedy in the year 2015, through Constitution Petition No. 3885 of 2015 before this Honourable Court and through various other legal proceedings, including but not limited to, Suit No. 1453 of 2015, Constitution Petition No. 3891 of 2016, Constitution Petition No.D-1754 of 2017. Whilst being directly affected by the performance of K-Electric, the Petitioner No.3 have instituted the aforementioned Petition in public interest on behalf of all those whose welfare, safety and economic efficiency is dependent upon the performance of K-Electric i.e. a major public utility provider, generator, transmitter and distributor of electricity. The Petitioners No.4 to No.7 are the family members of the victims who lost their lives as a consequence of electrocution during the rain and monsoon in July/August, 2019. The Petitioner No.4 is the father of the victim i.e. Mr. Hamza, the Petitioner No.5 is the father of the victim i.e. Mr. Faizan, the Petitioner No.6 is the father of the victim i.e. Mr. Talha (the victims of the electrocution incident near

Khayaban-e-Shahbaz, DHA, Karachi) and Petitioner No.7 is the brother of the victim i.e. Umair who died due to electrocution in Kharadar, Karachi.

*A copy of the documents reflecting the work of the Petitioners No.2 and No.3 and Board Resolution of Petitioner No.3 and FIR (s) lodged by Petitioners No.4 to No.7 is annexed and marked as **Annex 'B' to 'B-4'**.*

4. That the Respondent No.1 ['Ministry of Water and Power'] is the Federal Ministry responsible for, inter alia, regulation of generation, transmission and distribution of power and energy to public, including electric power. The Respondent No. 2 ['NEPRA'] is a statutory body established by the Federal Government pursuant to Section 3 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 ['1997 Act'], which is conferred with the powers, functions and responsibilities of inter alia, regulating the provision of electric power services, and of prescribing and enforcing performance standards for generation, transmission and distribution companies such as its licensee i.e. Respondent No.3 ['K-Electric']. The Respondent No. 3 ['K-Electric'] is a licensee of Respondent No. 2 ['NEPRA'] and holds inter alia, the generation and distribution licence, which confers responsibility upon Respondent No.3 ['K-Electric'] to generate electric power and provide distribution service and make sales of electric power within its territory on a non-discriminatory basis to all the consumers ensuring their safety.

5. That the background of facts that resulted in the filing of the present Petition are as follows: As a result of the torrential downpour and urban flooding in Karachi in July and August, 2019, at least 35 people died due to electrocution. They received the electric shock from a pole from which current had spread out into the surrounding rainwater. Reportedly, police officers had to attach and use a rope to remove the deceased bodies from the rainwater. According to the report submitted by the Inspector General of Police, Sindh, the cases registered pertaining to electrocution deaths which occurred in two spells of monsoon rain, which hit Karachi, from 29th July, 2019, to 13th August, 2019, 35 people lost their lives due to electrocution while 10 FIRs were registered at different police stations. Among these

35 people, four people died of electrocution in Zone South, three in Zone East, and six in Zone West and their cases were registered in different police stations, including Darakhshan, Paposh Nagar, Taimuria, Shahrah-e-Noor Jahan, Khawaja Ajmair Nagri, Gulbahar, SITE, Super highway and Baghdadi Police Station and two cases were registered at the Malir City Police Station. The details of the other individual deaths, which have been reported, can be summarized as follows:

a. As stated above, the children of Petitioners No. 4 to No.6 died due to electrocution near Khayaban-e-Shahbaz, DHA, Karachi, the brother of Petitioner No.7 died due to electrocution in Kharadar, Karachi.

b. Two motorcyclists suffered electric shock and died when a live wire snapped from a pole-mounted transformer (PMT) and fell on them near a seminary in SITE. The wire apparently fell due to the heavy rains, said SITE-A SHO Saleem Awan. He identified the victim as Abdul Rauf, 35, and Abdul Mannan, 45. The bodies were taken to the Abbasi Shaheed Hospital for medico-legal formalities.

c. In Moosa Colony, two brothers were electrocuted. An Edhi Foundation spokesperson said that accumulated rainwater entered a house and a live electric wire fell in the water, killing 11-year-old Javed and 14-year-old Saleem.

d. Eight-year-old Arman died of electric shock inside his house in Hijrat Colony.

e. A woman suffered an electric shock while walking on a footpath in Boat Basin. She was saved by area people who shifted her to a hospital for treatment. The SSP South Sheeraz Nazeer said that Samia Irfan became unconscious and fell there due to the electric shock.

6. That soon after the aforementioned incidents, the Respondent No.3 [‘K-Electric’] immediately disconnected the power supply in the area, which reflects that the Respondent No.3 [‘K-Electric’] was aware of the fact that it’s electric cables and poles are not safe for the supply of the electricity. Reportedly, Respondent No.2 [‘NEPRA’] levied blame of deaths on Respondent No.3 [‘K-Electric’] for not taking pre-rain measures or secure mechanisms for the safety and security of the citizens which exposed the citizens to high-tension wires resulting in their death. Reportedly, the Respondent No. 2 [‘NEPRA’] also made statements to the effect that the Respondent No.3 [‘K-Electric’] invested billions of rupees in wiring systems but still people are dying from its short circuits. However, apart from the aforementioned reports, there is no information or public record of any strict action taken by NEPRA against K-Electric.

7. That reportedly, the Sindh Assembly passed a private resolution unanimously in which the K-Electric was asked to pay Rs. 5 million to each of individuals electrocuted. The resolution also urged the Respondent No.2 ['NEPRA'] to play the role of facilitator in ensuring the victims' families received compensation from the sole power utility in the Sindh capital. However, it has been further reported that families of the victims are being pressurized to restrain from initiating legal proceedings against Respondent No.3 [K-Electric'] regarding the deaths of the victims.

8. That it is important to state here that the Respondent No.2 ['NEPRA'] had only issued a Press Release dated: 06.09.2019 through which Respondent No.2 ['NEPRA'] held Respondent No.3 ['K-Electric'] responsible for 19 out of 35 lives lost due to electrocution, and has stated that Show Cause notice has been issued. However, there is no record of whether the Show cause notice has in fact been issued and whether any progress has been made against K-Electric in respect of any action taken by NEPRA against it.

A copy of the news clippings stating the aforementioned facts and Press Release of NEPRA are annexed and marked as Annex 'C' to 'C-9'.

9. That it is important to submit that the Respondent No.2 ['NEPRA'] has consistently violated the provisions of Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 ['1997 Act']. In terms of Section 28, 1997 Act, Respondent No.2 ['NEPRA'] was required to suspend and revoke the licence of the Respondent No.3 ['K-Electric'] in case of its consistent failure to comply with the conditions of the licence. It is obvious from the distribution license of K-Electric that K-Electric was required to abide by the performance standards in terms of the distribution license. However, the same had not been complied with, as a result of which NEPRA should have taken strict action against K-Electric, which has not been taken in violation of the provisions of 1997 Act. In terms of Section 29, 1997 Act, the Respondent No.2 ['NEPRA'] was required to impose penalties and fines and in

terms of Section 34, 1997 Act, the Respondent No.2 was required to prescribe performance standards for generation, transmission and distribution companies to encourage, safe, efficient and reliable service. However, it is obvious that for the failure of the Respondent No.3 [‘K-Electric’] to comply with the prescribed performance standards, the Respondent No.2 [‘NEPRA’] has failed to take any action against K-Electric.

*A copy of the Distribution License of K-Electric is annexed and marked as **Annex ‘D’**.*

10. That the consumer services manual lays down the criteria in terms of section 21 of 1997 Act, for the distribution companies to ensure safe, effective and reliable supply of electricity. In terms of Chapter 12 of the Consumer Services Manual, particularly, Section 12.1, KESC [now K-Electric/Respondent No.3] shall take all the safety and security measures to avoid fatal/non fatal accidents. It further provides that the consumers shall be educated through all possible means to observe safety measures in order to avoid any casualty especially during the monsoon season. Section 12.2 of the Consumer Services Manual further obligates that KESC/K-Electric [Respondent No.3] shall monitor and implement the safety and security plan for consumers. The safety and security objectives can be achieved by adopting good engineering practice, including the following measures: a) Operation and maintenance of KESC’s [Respondent No.3] electrical distribution system /Network which shall be carried out only by the KESC’s [Respondent No.3] authorized and trained personnel; b) The KESC’s system equipment, including overhead lines, poles/structures/towers underground cables, transformers, panels, cut outs, meters, service drops, etc. shall be installed and maintained in accordance with good engineering and utility practice; c) To ensure proper operation of the KESC’s [Respondent No.3] network under abnormal conditions (short-circuits, overloading, etc.) appropriate protective relays shall be installed and properly coordinated; d) The earthing systems installed shall be dimensioned and regularly tested to ensure protection from fire and shock hazards; e) The steel structure installed on the public

places shall be earthed at ONE point through steel/copper conductor, in accordance with the KESC's laid down procedures.

11. That in terms of Rule 4g (ii), National Electric Power Regulatory Authority Performance Standards (Distribution) Rules, 2005, which prescribe Overall Standards -7 (Safety OS7), a distribution company is obligated to 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.

12. That a distribution Code has also been issued by Respondent No. 2 ['NEPRA'], which provides for Safety Management Criteria (SR4), in the following terms: (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 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.

A copy of the extract of the Consumer Services Manual and Distribution Code is annexed and marked as Annex 'E' & 'E-1'.

13. That it is obvious from the aforementioned facts that despite the persistent failure of the Respondent No.3, the Respondents No.1 and No.2 have failed to take

any action against the Respondent No.3. This reflects complete collusion on the part of the Respondents No.1 and No.2 who have since the date of incidents failed to place liability on the Respondent No.3. Such conduct of the regulators i.e. Respondents No.1 and No.2 warrant that an independent and broad based commission be constituted to probe and investigate into the aforementioned deaths and determine liability on Respondent No.3 as well as Respondents No.1 and No.2. Needless to specify, it is not the first time when such incidents of electrocution have happened in the city of Karachi, However, since no effective measures and sanctions have been taken by the Respondents No.1 and No.2, to improve the quality of electric cables and poles in the city of Karachi, so many lives have been lost for which the Respondents are collectively responsible.

14. That it is important to submit that from the aforementioned incident of electrocution during rain and monsoon, it has become obvious that the electric cables and poles that have been used by K-Electric are of substandard quality and insufficient to ensure safe supply of electricity. It has also become obvious that neither NEPRA nor K-Electric had carried out infrastructure audit to assess the state of electric cables and poles. It therefore, becomes necessary that the independent commission may be given the task of not only carrying out detailed infrastructure audit of electric poles and cables, by taking the assistance of international organizations, but also recommend measures regarding the material used for cables and poles.

15. That the families of the victims and the citizens of Karachi have the right to know what action has been taken by the Respondents No.1 and No.2 against K-Electric under Article 19-A, Constitution, 1973, as well as under Freedom of Information Ordinance, 2002, as K-Electric is a public utility service provider and as the facts stated above show, the loss of lives of the victims of electrocution has been directly caused by K-Electric. It is obvious that the regulator i.e. NEPRA has failed to disclose the information regarding the action taken against K-Electric, if any, and in fact, is acting in collusion with Respondent No.3 [K-Electric] by keeping such

information secret. In view of the above, inquiry must be conducted into what action has been taken by NEPRA against K-Electric, as the said action has a direct bearing on how K-Electric could in future ensure safe supply of electricity to consumers.

16. That it is most respectfully and most humbly submitted that being aggrieved by the abovementioned omission of the Respondents, particularly NEPRA, to take any action against the Respondent No.3 [K-Electric] in respect of its failure to comply with the aforementioned provisions of the 1997 Act and the rules promulgated thereunder, as being unconstitutional, without jurisdiction, illegal, and malafide, the Petitioners have no alternate or efficacious remedy except to invoke the Constitutional jurisdiction of this Court on the, inter alia, facts and grounds stated herein.

GROUND

A. That it is most respectfully and most humbly submitted that the above facts clearly prove that the Respondent No.3 [‘K-Electric’] has wilfully and deliberately failed to comply with the provisions of the 1997 Act, its Distribution License, Consumer Services Manual, National National Electric Power Regulatory Authority Performance Standards (Distribution) Rules, 2005, and Distribution Code. The Respondent No.3 [K-Electric] is conferred with utmost responsibility of ensuring safe, adequate and affordable supply of electricity and energy to the citizens of Karachi. The right to electricity, which impinges upon other fundamental rights, particularly, Article 9 (right to life), Constitution, 1973, obligates upon the aforementioned Respondents to ensure that the electricity be supplied to the citizens of Karachi through means, poles and cables, which do not pose any danger to the lives of its citizens. It is obvious from the conduct of the Respondent No.3 that it is criminally negligent by failing to ensure safe supply of electricity, in complete violation of the 1997 Act, the rules and codes promulgated there under and the

fundamental rights of the citizens of Karachi, and the victims of electrocution as envisaged under Articles 9, and 14, Constitution, 1973, hence, the Respondent No.3 [K-Electric] should be strictly held accountable and responsible for violating the aforementioned laws and Article 9 and 14, Constitution, 1973.

B. That it is most respectfully and most humbly submitted that the above facts clearly prove that the Respondents No.1 and No.2 [‘Federation’ and ‘NEPRA’] have wilfully and deliberately failed to comply with the provisions of the 1997 Act, the rules promulgated there under, Consumer Services Manual, National National Electric Power Regulatory Authority Performance Standards (Distribution) Rules, 2005, and Distribution Code, by failing to take action against Respondent No.3 [‘K-Electric’] for the loss of lives of the victims of the electrocution. It is therefore, obvious that by failing to take action against K-Electric, the Federation and NEPRA have acted in collusion with K-Electric, in complete violation of the aforementioned laws and the fundamental rights of the victims of electrocution, and the citizens of Karachi, under Articles 4, 9, 10-A, and 14, Constitution, 1973.

C. That it is most respectfully and most humbly submitted that the Petitioners have no alternate remedy or forum for the resolution of the aforementioned issues. The necessity for the appointment of independent commission to conduct the inquiry into the issues specified above stems from the fact that NEPRA i.e. the regulator has failed to take any action against K-Electric either due to collusion with K-Electric and/or mere negligent omission. It is obvious from the conduct of the Respondent No.3 that it is criminally negligent by failing to ensure safe supply of electricity, in complete violation of the 1997 Act, the rules and codes promulgated there under and the fundamental rights of the citizens of Karachi, as envisaged under Articles 9, and 14, Constitution, 1973. It is also obvious that NEPRA which is acting in collusion with K-Electric is also equally responsible for failing to take action against K-Electric. Therefore, it becomes imperative that an inquiry and investigation must be conducted by an independent commission against the Respondents, particularly

NEPRA and K-Electric in order to effectively place liability upon NEPRA and K-Electric respectively.

D. That it is most respectfully and most humbly submitted that from the aforementioned facts, it has become obvious that the electric cables and poles that have been used by K-Electric are of substandard quality and insufficient to ensure safe supply of electricity. It has also become obvious that neither NEPRA nor K-Electric had carried out infrastructure audit to assess the state of electric cables and poles. It therefore, becomes necessary that the independent commission may be given the task of not only carrying out detailed infrastructure audit of electric poles and cables, by taking the assistance of international organizations, but also recommend measures regarding the material used for cables and poles.

E. That in view of the fact that if it is obvious that not only is the Respondent No. 3 [‘K-Electric’] is responsible but also the Respondents No.1 and No.2 are equally responsible for the loss of lives of the victims of electrocution who have a fundamental right under, inter alia, Article 9 of the Constitution, to demand reasonable and appropriate financial contribution and compensation not only from the Respondent No.3 but also from the Government of Pakistan.

F. That the families of the victims and the citizens of Karachi have the right to know what action has been taken by the Respondents No.1 and No.2 against K-Electric under Article 19-A, Constitution, 1973, as well as under Freedom of Information Ordinance, 2002, as K-Electric is a public utility service provider and as the facts stated above show, the loss of lives of the victims of electrocution has been directly caused by K-Electric. It is obvious that the regulator i.e. NEPRA has failed to disclose the information regarding the action taken against K-Electric, if any, and in fact, is acting in collusion with Respondent No.3 [K-Electric] by keeping such information secret. In view of the above, inquiry must be conducted into what action has been taken by NEPRA against K-Electric, as the said action has a direct bearing on how K-Electric could in future ensure safe supply of electricity to consumers,

thereby affecting their fundamental rights under Article 4, 9, and 14, Constitution, 1973.

G. That it is most respectfully and humbly submitted that the Petitioners seek the indulgence of this Honourable Court to raise further grounds at the time of the hearing of this Petition.

P R A Y E R

It is, therefore, most respectfully and most humbly prayed that this Honourable Court may graciously pass judgment, and orders, in the following terms:

(a) Declare that the failure of the Respondents No.1 and No.2 [‘Federation of Pakistan and ‘NEPRA’] to take action against Respondent No.3 [‘K-Electric’] for the loss of lives of the victims of electrocution during the rain and monsoon in the year 2019, is violative of Articles 4, 9, 10-A, and 14, Constitution, 1973, and Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997, the rules and codes promulgated thereunder;

(b) Direct the Respondents No.1 and No.2 [‘Federation of Pakistan’ and ‘NEPRA’] to undertake a detailed infra structure audit vis-a-vis the quality, standard and safety of electric poles and cables installed by Respondent No.3 [K-Electric] in Karachi;

(c) Direct the Respondents No.1 and No.2 [‘Federation of Pakistan’ and ‘NEPRA’] to inquire and investigate into the incident of loss of lives of the victims of the electrocution during the rain and monsoon in the year 2019, to take action against the Respondent No.3 [‘K-Electric’], and determine liability in terms of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997, the rules and codes promulgated thereunder;

IN THE ALTERNATIVE

(d) Direct the Constitution of a broad based Judicial Commission, headed by a retired High Court Judge, or a retired Supreme Court Judge, and comprising of relevant and respected civil society persons including experts, as nominated by this Honourable Court (at the cost of the Federal Government), and direct this Judicial Commission to place its report before this Honourable Court for further Orders, after giving its findings on, inter-alia, the following terms of reference:

I. Inquire into the loss of lives due to electrocution during the rain and monsoon in the year 2019 and assign responsibility and liability for causing, either deliberately or through criminal negligence or through non- performance of their statutory duties, the aforementioned loss of lives;

II. Inquire into the responsibility of the Respondent No.3 [‘K-Electric’] vis-à-vis its compliance of performance standards and use of safety standards for its infrastructure including electric cables and poles;

III. Inquire into the collusive role of the Respondents No.1 and No.2 [‘Federation of Pakistan’ and ‘NEPRA’] with the Respondent No.2 [‘K-Electric’], in relation to the issue of failure of Respondents No.1 and No.2 to take action against Respondent No.3 for the loss of lives of the victims of electrocution during the rain and monsoon in the year 2019;

IV. After assigning responsibility and liability on various persons and entities, to recommend civil, criminal and administrative actions, to be taken against the responsible and liable persons and entities;

V. Determine the quantum of compensation for the victims, their families and the injured persons, for the loss of life, emotional distress, social and economic destabilization, as a result of the loss of lives due to electrocution during the rain and monsoon in the year 2019;

VI. Conduct a detailed infra structure audit of electric poles and cables and to recommend measures regarding, inter alia, safe insulation of electric poles and cables for the prevention of incidents of electrocution.

(e) Direct the Respondents No.1 and No.2, to issue directions and take action against the Respondent No.3 ['K-Electric'], in terms of the report of the Judicial Commission, as well as the further Orders passed by this Honourable Court, on this report;

(f) Grant such further, additional or alternative relief, as this Honourable Court may deem fit and proper;

PETITIONER NO.1

PETITIONER NO.2

PETITIONER NO.3

PETITIONER NO.4

PETITIONER NO.5

PETITIONER NO.6

PETITIONER NO.7

ADVOCATE FOR THE PETITIONERS

Karachi;

Dated: _____, 2019

DOCUMENTS FILED: As shown in the Petition
DOCUMENTS RELIED UPON: The abovementioned documents e.t.c.
ADDRESS OF PETITIONERS: As per in title of the petition

ADDRESS OF PETITIONERS' COUNSEL: Faisal Siddiqi
Advocate
HC-8504/HC/KHI
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DHA, Phase 6,
Karachi.

DRAWN BY ME

ADVOCATE