

DAKSHIN HARYANA BIJLI VITRAN NIGAM

NOTIFICATION

22nd February, 2017

No. 25/SE/Admn/REG-15. In exercise of powers conferred under Section – 56(3) (vi) of Haryana Electricity Reforms Act – 1997, read with the Electricity Act – 2003, Article 42 of the Articles of Association of DHBVN and all other enabling powers in this behalf, the Dakshin Haryana Bijli Vitran Nigam is pleased to frame a Compensation Policy for the fatal/non-fatal accidents of Human Beings, due to electrocution & compensation thereon, for the Nigam Employees, Contractual Employees & Private Persons (including minors). The salient features of the Compensation Policy are given in the succeeding paragraphs.

1. Dakshin Haryana Bijli Virtan Nigam (hereinafter called DHBVN) is engaged in activities which are hazardous and risky to human life. Presently, DHBVN pays compensation to its employees under Employees Compensation Act 1923. Similarly, private persons are also awarded compensation as per formula applicable to its regular employees in case the Nigam owns its negligence.
2. It has been noticed that there are certain discrepancies as well as inadequacy in the compensation presently being paid for the fatal as well as non-fatal accidents of human beings due to electrocution. Under such circumstances, the Nigam should compensate for the damage caused to human life due to electrocution, irrespective of any carelessness or fault on its part or on the part of employees of the Nigam.
3. Accordingly, the revised norms are hereby prescribed for the payment of compensation for fatal as well as non-fatal accident of

human beings due to electrocution or working on electrical system of the DHBVN or while on duty for the DHBVN.

4. The compensation allowed under these instructions is over and above the benefits otherwise admissible to the concerned categories as per the terms of employment/ contract/ applicable law.

5. The compensation allowed by the DHBVN as above is purely on humanitarian ground and shall not create any obligation whatsoever enforceable in any court of law.

6. Type of Accidents:

Depending upon the severity of the accident and its impact on human beings, the accidents due to electrocution are classified as under:-

I. Fatal accident:- Resulting into the death of human beings.

II. Non-Fatal Accidents:- Resulting into disability to human beings. Depending upon the disability, these non-fatal accidents are further classified as under:-

(a) Accidents resulting in permanent disability.

(b) Accidents resulting in partial disability.

(c) Accident resulting in temporary disability.

7. Category of the affected person:-

The affected victims covered under the policy are categorized as under:-

I. Regular employees of the Nigam.

II. Contractual workers (Direct – Part Time and Full Time).

III. Contractual workers (Part Time and Full Time through contractors)

IV. Private Persons.

- (a) Adults.
- (b) Children.

The compensation payable to above mentioned categories is detailed out as under:-

8. Nigam Regular Employees.

(I) Fatal Accident

- (a) The Compensation payable, where death occurs from the injury shall be payable to the legal heir in accordance with the provisions contained in the Employees Compensation Act, 1923.

(b) Other Financial Assistance:-

Financial Assistance of Rs. 10.00 lacs in case of fatal accident, which occur due to electrocution or are directly attributable to carrying out the business activities of the Nigam.

- (c) **Service benefits:-** The benefits as admissible under monthly financial assistance scheme 2006 prescribed by the Govt. of Haryana and adopted by the DHBVN shall be payable to the legal heir of the deceased regular employee.

(II) Non Fatal Accident.

The following compensation shall be payable to the victim:-

(A) Permanent Disablement

- (a) Where the injury results in permanent disablement of the employee as per the "Persons with Disabilities Act, 1995", the compensation shall be payable as per provision contained in the Employees Compensation Act, 1923.

- (b) **Other Financial Assistance:-** In addition to above compensation, the employee shall be reimbursed the actual medical expenditure incurred by him for treatment of injuries caused during the course of employment, irrespective of the amount prescribed under the medical reimbursement rule.
- (c) Entire service benefits admissible upto the age of 58 years in case of permanent disability.
- (d) Financial Assistance of Rs. 10.00 lacs in case of permanent disability over & above (b) & (c), in the event of non-fatal accidents resulting into permanent disability, which occur due to electrocution or are directly attributable to carrying out the business activities of the Nigam.

(B) Partial Disablement

- (a) Where the injury results in partial disablement as per the "Persons with Disabilities Act, 1995", the compensation shall be payable as per provision contained in the Employees Compensation Act, 1923.
- (b) **Other Financial Assistance:-** In addition to above compensation, full free medical treatment is provided to the victim, irrespective of the amount prescribed under the medical reimbursement rule.

(C) Temporarily Disablement

- (a) Where the injury results in temporary disablement of the employee as per the "Persons with Disabilities Act, 1995", the compensation shall be payable as per provision contained in the Employees Compensation Act 1923.

- (b) **Other Financial Assistance:-** In addition to above compensation, the employee shall be reimbursed the actual medical expenditure incurred by him for treatment of injuries caused during the course of employment, irrespective of the amount prescribed under the medical reimbursement rule.

9. Contractual Workers (Direct - Part Time & Full time).

The following compensation shall be payable:-

(I) Fatal Accident.

- (a) The Compensation payable, where death occurs from the injury shall be payable to the legal heir in accordance with the provisions contained in the Employees Compensation Act, 1923.

(b) Other Financial Assistance:-

Financial Assistance of Rs. 10.00 lacs in case of fatal accident, which occur due to electrocution or are directly attributable to carrying out the business activities of the Nigam.

(II) Non Fatal Accident

(A) Permanent Disablement

Where the injury results in permanent disablement of the employee as per the "Persons with Disabilities Act, 1995", the compensation shall be payable as per provision contained in the Employees Compensation Act 1923.

Financial Assistance of Rs. 10.00 lacs shall be payable in case of permanent disability over & above, in the event of non-fatal accidents resulting into permanent disability, which occur due to electrocution or are directly

attributable to carrying out the business activities of the Nigam.

(B) Partial Disablement

Where the injury results in partial disablement as per the "Persons with Disabilities Act, 1995", the compensation shall be payable as per provision contained in the Employees Compensation Act, 1923.

(C) Temporarily Disablement

Where the injury results in temporary disablement of the employee as per the "Persons with Disabilities Act, 1995", the compensation shall be payable as per provision contained in the Employees Compensation Act 1923.

10. Contractual Workers (Part Time & Full time through Contractor)

(I) Fatal Accident

(a) Other Financial Assistance:-

Financial Assistance of Rs. 10.00 lacs in case of fatal accident, which occur due to electrocution or are directly attributable to carrying out the business activities of the Nigam.

- (b)** Minimum compensation to the tune of Rs. 3.00 lacs shall be payable by the contractor under Group Insurance policy as per contract clause.

Contractual workers are engaged through contractor, hence the liability of these workers is not owned by DHBVN.

(II) Non Fatal Accident

Contractual workers are engaged through contractor, hence the liability of these workers is not owned by DHBVN. The compensation as admissible under the

provision of the Employees Compensation Act, 1923 shall be payable by the Contractor concerned.

Financial Assistance of Rs. 10.00 lacs shall be payable in case of permanent disability over & above, in the event of non-fatal accidents resulting into permanent disability, which occur due to electrocution or are directly attributable to carrying out the business activities of the Nigam.

11. Private Person for Fatal Accident & Non-Fatal Accidents

DHBVN is engaged in the hazardous activity and risky for the human life and thus DHBVN owns strict liability for compensation to the private person. Accordingly, the compensation to the private person shall be payable in case of fatal as well as non-fatal accident irrespective of the reasons for such accident as the electricity system is open to the public. The compensation amount shall be payable as per provision of the Employees Compensation Act, 1923. However, this compensation shall be applicable for the accident cases occurring with the electrical network of the DHBVN and not in private premises.

12. Private Person having age less than of 16 years for Fatal Accident & Non-Fatal Accidents

The compensation for fatal as well as non-fatal accident to a private person having age less than 16 years, shall be payable as per the provisions of the Employees Compensation Act, 1923. Since, the age factor for person having age less than 16 years is not available in the Employees Compensation Act 1923, accordingly, the age factor for the 16 years (being the highest age factor) shall be considered for working out the amount of compensation. However, this compensation shall be

applicable for the accident cases occurring with the electrical network of the DHBVN and not in private premises.

13. The authority for sanction of the compensation under the above policy shall be as under:-

Sr. No.	Category of persons	Type of accidents	Description	Investigating Officer	Sanctioning Authority
01.	Nigam Regular Employees	Fatal Accidents	Compensation	Respective SE(OP)	Respective CE(OP)
02.	-do-	-do-	Other Financial assistance	Respective SE(OP)	Respective SE(OP)
03.	-do-	Non-Fatal Accidents	Compensation	Respective XEN(OP)	Respective CE(OP)
04.	-do-	-do-	Other Financial assistance	Respective XEN(OP)	Respective SE(OP)
05.	Contractual Workers (Direct) (Part Time & Full time)	Fatal Accidents	Compensation	Respective SE(OP) through CEI	Respective CE(OP)
06.	-do-	-do-	Other Financial assistance	Respective SE(OP) through CEI	Respective SE(OP)
07.	-do-	Non-Fatal Accidents	Compensation	Respective XEN(OP) through CEI	Respective CE(OP)

Sr. No.	Category of persons	Type of accidents	Description	Investigating Officer	Sanctioning Authority
08.	-do-	-do-	Other Financial assistance	Respective XEN(OP) through CEI	Respective SE(OP)
09.	Contractual Workers (Part Time & Full time through Contractor)	Fatal Accidents	Compensation	Respective SE(OP) through CEI	Respective CE(OP)
10.	-do-	-do-	Other Financial assistance	Respective SE(OP) through CEI	Respective SE(OP)
11.	-do-	Non-Fatal Accidents	Compensation	Respective XEN(OP) through CEI	Respective CE(OP)
12.	-do-	-do-	Other Financial assistance	Respective XEN(OP) through CEI	Respective SE(OP)
13.	Private persons	Fatal Accidents	Compensation	Respective SE(OP) through CEI	Respective CE(OP)
14.	-do-	-do-	Other Financial assistance	Respective SE(OP) through CEI	Respective SE(OP)
15.	-do-	Non-Fatal Accidents	Compensation	Respective XEN(OP) through CEI	Respective CE(OP)

<u>Sr. No.</u>	<u>Category of persons</u>	<u>Type of accidents</u>	<u>Description</u>	<u>Investigating Officer</u>	<u>Sanctioning Authority</u>
16.	-do-	-do-	Other Financial assistance	Respective XEN(OP) through CEI	Respective SE(OP)
17.	Private persons (Not more than the age of 16 years)	Fatal Accidents	Compensation	Respective SE(OP) through CEI	Respective CE(OP)
18.	-do-	-do-	Other Financial assistance	Respective SE(OP) through CEI	Respective SE(OP)
19.	-do-	Non-Fatal Accidents	Compensation	Respective XEN(OP) through CEI	Respective CE(OP)
20.	-do-	-do-	Other Financial assistance	Respective XEN(OP) through CEI	Respective SE(OP)

14. Procedure for sanction of compensation.

(A) Nigam Employees [Regular/ Direct (Part Time/Full Time)].

1. Intimation of accident through E-mail/ Telephonically may be sent to the respective authority by concerned SDO within 12 hours of the occurrence of accident.
2. Site of accident should be visited by concerned Executive Engineer within 24 hours and he will submit his

independent investigation report within 4 days to all concerned authorities.

3. Sub Divisional Officer will collect true copy of Post Mortem report, FIR, Police Panchnama & submit the same within 7 days to the next authority. Based on the report, the Executive Engineer will approve the provisional payment of Rs. 1,00,000/- & issue cheque in favour of authorized legal heir and the same shall be adjusted from final payment. He will hand over the cheque to the legal heir of the deceased along with covering letter & obtain receipt of the same alongwith ID.

Procedure for final compensation.

1. It will be the responsibility of the SDO concerned to obtain following relevant documents and will submit to XEN withn 10 days:-
 - (i) Copy of FIR.
 - (ii) Copy of Police Panchnama.
 - (iii) Copy of Post Mortem report.
 - (iv) Statement of witness of concerned staff & eyewitness if any.
 - (v) Sketch of the site accident/ photo of the deceased if any.
 - (vi) Report in the forms as prescribed by CEI.
 - (vii) Duty certificate.
 - (viii) Claim petition of authorised legal heir of the deceased.
2. Concerned XEN will verify above documents & submit the case to concerned SE(OP) alongwith the following documents within 7 days.
 - (i) DOB as per service book.

- (ii) Last Pay Drawn Certificate.
- (iii) Clear cut recommendation of compensation.
- (iv) Name of responsible officer/official of the accident, if any.
3. Concerned SE(OP) will forward the case to CE(OP) alongwith his clear cut recommendation of compensation within 04 days.
4. CE(OP) will approve the compensation under Employees Compensation Act-1923 & amended from time to time.
5. Concerned SE(OP) will sanction the Financial Assistance to the next of kin of deceased contractual worker on the basis of above information/ documents.
6. In case of Non Fatal Accident of Nigam Employees (Regular/ contractual/ Part Time), the respective CE(OP) will sanction the compensation as per procedure as stated above and as per disability of the victim.

(B) Procedure for dealing the Financial Assistance of Contractual Workers (Part Time & Full time through Contractor).

Concerned SE will sanction the Financial Assistance to the legal heir of deceased contractual worker on the basis of information/ documents as mentioned at Para (A) above for Nigam Employees.

(C) Procedure for dealing the Compensation of Private Person.

The procedure for dealing the compensation cases for convenience of the general public is detailed out as under:-

Procedures to be followed for releasing initial financial assistance.

1. On occurrence of fatal electrical accidents to human beings (Outsider) on DISCOM's Electrical Infrastructures or equipments (not in private premises), the concerned SDO will visit the site within 24 hours and ascertain the cause of accident and to prepare the detailed investigation report containing, prescribed accident proforma specified by the Government, Site Panchnama, Site photographs, Site Map, Rojnamcha, Statement of witnesses, Statement of family members/ legal heirs of the victim, etc.
2. Concerned SDO will collect true copy of Post-Mortem report, FIR, Police Panchnama.
3. Based on the report, concerned SDO will prepare proposals for initial financial assistance of Rs. 1,00,000/- and the same shall be adjusted from final payment, with following bare minimum documents.
 - (i) Copy of FIR.
 - (ii) Copy of Post Mortem report.
 - (iii) SDO's Investigation report along with prescribed Proforma of Accident.
 - (iv) Payment Authorization letter.
4. On receipt of the proposal from the Sub-division, concerned XEN will approve the payment of Rs. 1,00,000/- and issue cheque in favour of the authorized legal heir.
5. Concerned SDO will hand over the cheque to the legal heir of the victim alongwith covering letter and obtain receipt of the same along with ID proof.
6. The complete procedures, as above, should be completed within 07 days.

Procedures for final compensation:

1. It will be the responsibility of the concerned SDO to obtain relevant documents such as-
 - (i) Copy of FIR.
 - (ii) Copy of Police Panchnama.
 - (iii) Copy of PM Report.
 - (iv) Statement of witnesses and family members/ legal heirs of the deceased, etc.
 - (v) Proof of age of the deceased, such as birth certificate, school leaving certificate, any government issued documents indicating the birth date viz. Pan Card, Adhar Card, Voter ID, Driving Licence, etc.
 - (vi) Panchayat Certificate of Income for Rural area and from Municipal Corporation for Town area, has to be obtained or from any other Competent Authority.
 - (vii) Chief Electrical Inspector's (CEI) investigation report. It will be the responsibility of SDO to hand over relevant documents i.e. Police Panchnama, FIR, Post-Mortem Report and Standard forms, duly filled up, etc. to the Chief Electrical Inspector.
2. For eligible cases, Concerned SDO will submit the documents to XEN concerned.
3. Concerned XEN will verify all the documents and submit the same to the Circle Office.
4. In addition to above, before sanctioning the final compensation amount as per details given in the policy above. It would be imperative for the concerned XEN having jurisdiction over the area, to satisfy himself that the death of the victim was caused by electric shock in


DISCOM's Electrical Infrastructures or equipments (not in private premises) after thorough verification of certified copies of the relevant documents.

5. The compensation amount shall be approved by the concerned officer as per DOP mentioned above.
6. Final compensation shall be paid by the Nigam within a period of 02 months from the date of receipt of documents from the legal heir of the victim.

NOTE:- The purpose of report of CEI is to ascertain the cause of accident for taking remedial measures to avoid accidents in future. However, for sanction of compensation by competent authority, the CEI report is not mandatory requirement in all categories.

The compensation policy shall come into force in DHBVN with immediate effect.

This issues in pursuance of the decision taken by the Board of Directors of DHBVN in its meeting held on 02.02.2017.


**Chief Engineer/HR & Admn.,
DHBVN, Hisar**

Endst. No. Ch- 40 /SE/Admn/REG-15/Loose-VI

Dated: 22.02.2017

A copy of the above is forwarded to the following for information and necessary action:-

1. All Chief Engineers in DHBVN.
2. The Chief Financial Officer, DHBVN, Hisar.
3. CAO/FA(HQ)/Chief Auditor/F&A(MM)/F&A(P&D), Hisar.
4. The Chairman, CGRF, DHBVN, Hisar.

5. The Company Secretary, DHBVN, Hisar w.r.t. Memo No. CS/BOD-171/Advice-4730 dated 20.02.2017.
6. All Superintending Engineers in DHBVN.
7. The Controller of Stores, DHBVN, Hisar.
8. S.E./IT, DHBVN, Hisar **for uploading the same on website.**
9. The Chief Communications Officer, DHBVN, Hisar.
10. All Executive Engineers in DHBVN.
11. All Sectional Heads with Headquarters at Hisar.


**S.E./Administration,
DHBVN, Hisar**

Endst. No. Ch- 40 /SE/Admn/REG-15/Loose-VI

Dated: 22.02.2017

A copy of the above is forwarded to the following for information please:-

1. The Chairman-cum-Managing Director, UHBVN, Panchkula.
2. The Managing Director, HVPNL, Panchkula.
3. The Managing Director, HPGCL, Urja Bhawan, Panchkula.
4. The Director/V&S, HVPNL, Shakti Bhawan, Panchkula.
5. The Legal Remembrancer, HPUs, Panchkula.


**S.E./Administration,
DHBVN, Hisar**

CC:

1. Sr. P.S. to the Chairman-cum-Managing Director, DHBVN, Hisar.
2. Sr. P.S. to the Director/Operations, DHBVN, Hisar.
3. P.S. to the Director/Projects, DHBVN, Hisar.
4. P.A. to the Chief Engineer/HR & Admn., DHBVN, Hisar.