



RAJASTHAN RAJYA VIDYUT UTPADAN NIGAM LTD.
VIDYUT BHAWAN, JANPATH, JYOTI NAGAR, JAIPUR – 302 005.

No: RVUN/P&A /F. /D. 412

March 28, 2011

ORDER

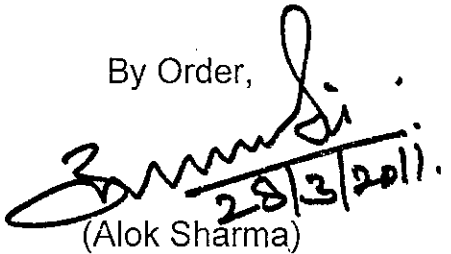
Sub:- Payment of compensation in cases of death/ permanent disablement of publicman caused due to electrical accidents.

The Board of Director, in its 184th meeting held on 17.03.2011 has approved the "Rajasthan Rajya Vidyut Utpadan Nigam Ltd. Payment of Compensation (in cases of Death/Permanent Disablement of Publicman caused due to Electrical Accident) Rules, 2010" (copy enclosed). These rules are deemed to have come into force from **09.11.2010**.

It is hereby enjoined upon all concerned to ensure strict compliance of the provisions of aforesaid rules.

Encl:- As above.

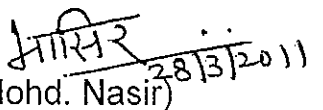
By Order,


 28/3/2011
 (Alok Sharma)

Jt. Director (Per. & Admn.)

Copy to the following for information and necessary action:-

1. The Director (Project / Technical/ Finance), RVUN, Jaipur.
2. The Chief Engineer (), RVUN,
3. The Addl./ Dy. Chief Engineer (), RVUN
4. The Chief Accounts Officer (), RVUN,
5. The Company Secretary, RVUN, Jaipur.
6. The Jt. Director Personnel (KTPS), RVUN, Kota,
7. The Superintending Engineer (), RVUN,
8. The Sr. AO/AO/AAO (IA/), RVUN, Jaipur/
9. The Public Relations Officer, RVUN,
10. The Dy. Secretary/ Asstt. Secretary (), RVUN,
11. The Personnel Officer/ Asstt. Personnel Officer () RVUN,


 28/3/2011
 (Mohd. Nasir)

Personnel Officer (Estt.-I)



RAJASTHAN RAJYA VIDYUT UTPADAN NIGAM LTD.

(A Government of Rajasthan Undertaking)

VIDYUT BHAWAN, JANPATH, JYOTI NAGAR, JAIPUR – 302 005.

Website : www.rvunl.com

To provide for a Scheme of Payment of Compensation in cases of death/ permanent disablement of publicman caused due to electrical accident, the Rajasthan Rajya Vidyut Utpadan Nigam Limited frames the following rules:

CHAPTER 1

PRELIMINARY

1. Short Title and Commencement:

- i) These rules may be called “Rajasthan Rajya Vidyut Utpadan Nigam Limited Payment of Compensation (in cases of death/ permanent disablement of publicman caused due to electrical accident) Rules-2010”.
- ii) These rules shall deemed to have come into force from 9.11.2010.

2. i) Scope:

These rules will regulate the mode, procedure and quantum of Compensation payable to eligible dependents of the deceased or injured publicman (as the case may be), who meets with electrical accident from broken/ faulty/ electric lines/ poles/ stay wires/ installations in the area under the jurisdiction and control of the Rajasthan Rajya Vidyut Utpadan Nigam Limited and consequently hospitalized due to grievous injuries, dies or becomes permanently disabled, provided that such publicman at the time of incident was not indulging/involved in mal-practices or unfair activities for diverting the supply or extracting power/electricity for misuse or committing theft.

ii) Definitions:

Unless the context otherwise requires:

- a) ‘Assistant Engineer’ means the Engineer of the Nigam holding the post of Assistant Engineer at the time of incident of electrical accident of a publicman.
- b) ‘Chairman & Managing Director’ means the Chairman & Managing Director of the Nigam.
- c) ‘Dependent’ means any of the following relatives of the publicman died due to electrocution; namely:
 - i) Wife
 - ii) Husband
 - iii) Parent (Mother, Father, Paternal Grandfather, Paternal Grandmother).

हस्ताक्षर

- iv) Son
 - v) Unmarried daughter
 - vi) Widowed Daughter-in-law
 - vii) Grand Son/ Unmarried Grand Daughter.
 - viii) Brother, Unmarried Sister, if wholly dependent on the earnings of the deceased.
- d) *'Enquiry Officer'* means an Officer of the Nigam (not below the rank of Executive Engineer), who is appointed by the concerned Project Chief or any higher authority to investigate the causes of electrical accidents of publicman.
 - e) *'Enquiry Report'* means the report of detailed investigation as submitted by the Enquiry Officer.
 - f) *'Electrical Accident'* means accident of a publicman from broken/ faulty electrical lines/ poles/ stay wires/ installations belonging to the Nigam and which resulted into death/ permanent disablement/ grievous injuries requiring hospitalization.
 - g) *'Executive Engineer'* means the Executive Engineer (Electrical Maintenance) of the Power Projects of the Nigam.
 - h) *'Junior Engineer'* means Junior Engineer (Electrical Maintenance) of the Power Projects of Nigam under whose jurisdiction, the incident of electrical accident of a publicman takes place.
 - i) *'Medical Board'* means a Board of 3 Doctors, out of which one should not be below the rank of CMHO/ Distt. Medical Officer.
 - j) *'Nigam'* means Rajasthan Rajya Vidyut Utpadan Nigam Limited.
 - k) *'Permanent Disablement'* means such disablement, as reduces the earning capacity of a publicman in any employment, in which he was engaged at the time of electrical accident, resulting in the disablement and such disablement, as reduces his earning capacity in every employment, which he was capable of undertaking at that time.
 - l) *'Preliminary Enquiry Report'* means the report submitted by the concerned Executive Engineer to the Project Chief about the incident of electrical accident of a publicman.
 - m) *'Project Chief'* means the head of the concerned Power Generation Project.
 - n) *'Publicman'* means a person, who is not an employce of Nigam or Contract labour and who meets with an electrical accident from broken/ faulty lines/ poles/ stay wires/ installations under the jurisdiction and control of the Nigam's Power Projects.
 - o) *'Settlement'* means a compromise deed executed by mutual consent between the head of the concerned power project / Settlement Committee and the eligible dependents of the deceased publicman.
 - p) *'Superintending Engineer'* means the Superintending Engineer (Electrical Maintenance) of the concerned Power Project.

हार्दर

ENQUIRY & REPORTS

3. (i) Whenever any case of electrical accident of a publicman takes place in the area of any Power Project of Nigam, and the information is received through phone, in person or any other suitable means by the SE/ XEn or the staff of the Nigam of concerned area, the entry of such information shall be made in the register to be maintained in the SE office by the receiver of the information. If information is received by any person other than SE, he shall brought the said information into the notice of concerned SE immediately. Also the name & number of the affected persons and age thereof will be entered, if available.
- (ii) The SE will inspect the accident site as soon as possible, but not later than 12 hours from the time of receipt of information. The SE will conduct a preliminary enquiry of the accident, prepare preliminary enquiry report, as per Annexure "I" and submit the same to the Project Chief concerned within three days of the receipt of information of the accident.
- (iii) In case, the concerned SE is not available due to tour, leave or any other reason then it shall be the duty of XEn of the concerned area to take action as per clause 3(i) & 3(ii):
4. On receipt of Preliminary Enquiry Report from the SE/ XEn, the Project Chief concerned will appoint Enquiry Officer not below the rank of Executive Engineer immediately, but not later than three days from the date of receipt of preliminary report. Provided that Superintending Engineer or Executive Engineer(Electrical Maintenance) of the concerned area under whose jurisdiction the accident has taken place, shall be deemed disqualified for the appointment as Enquiry Officer.
5. The Enquiry Officer so appointed, will visit the place of accident and do whatever he thinks fit, to come to the conclusion whether the Nigam is directly/indirectly responsible for the accident. The Enquiry Officer is expected to inspect site, take the statements of the concerned XEn/ Assistant Engineer/Jr.Engineer and other Official(s)/Officer(s), the eye witnesses of the accident, messenger, publicmen, family members/dependents of the deceased, etc., so that a comprehensive detailed report may be prepared. He will also collect the copy of the FIR, site report/map, copy of post-mortem report and also the documents in support of the details of the dependents of deceased.
6. The Enquiry Officer shall conduct enquiry in such manner, as it thinks appropriate for which he may call any record/document etc. from the concerned SE/ XEn/ Assistant Engineer/Junior Engineer, may call any person concerned or any document required. It is expected from the enquiry officer that while preparing Final Enquiry Report, the contents of essential documents viz; police report, site report, site map, report of Medical Board, post-mortem report & statement of witnesses and family members/dependents of deceased publicman should be taken into main consideration.
7. The Enquiry Officer shall prepare the Final Enquiry Report as soon as possible and submit the same to the Project Chief concerned within three days from the date of his appointment as Enquiry Officer. The report will be submitted along with all relevant and referred documents. The Enquiry Officer shall also record the reasons of his findings/ recommendations.

- 45
8. The concerned Project Chief will call a meeting of concerned JDP/DDP/ Personnel Officer, CAO/Sr.AO/AO/ AAO and the Enquiry Officer within two days of receiving the Final Enquiry Report. This Committee of Officers (to be presided over by the Project Chief), will go through the Final Enquiry Report to come to the conclusion whether compensation should be paid or not. The reasons of such conclusion should be recorded in detail in the proceedings of the meeting.
 9. On the recommendations of the said Committee, the Project Chief will issue financial sanction within three days of meeting of the Committee after executing settlement with the eligible claimant. A specimen copy of Settlement is enclosed as Annexure – "II".
 10. The concerned Accounts head will ensure that the payment is made to the eligible claimant with whom settlement has been executed by the Project Chief/ Settlement Committee within five days from the date of issue of sanction.
 11. The Project Chief concerned will send the detailed report of each case either accepted or rejected, within 15 days from the date of its disposal, to the Corporate Office for information of the Chairman & Managing Director, Rajasthan Rajya Vidyut Utpadan Nigam Limited, and initiating further action against the delinquent officer(s)/official(s) of the Nigam, if any.
 12. The Project Chief shall have the power to remove any Enquiry Officer so appointed and appoint another Enquiry Officer, in the same case at any stage of enquiry. However, the reasons of such removal and new appointment shall be recorded in writing.
 13. The Project Chief shall also have the power to appoint Second Enquiry Officer in the same case, if the committee of Project Chief, is not satisfied with the findings of the First Enquiry Officer. However, the reasons of such second appointment shall also be recorded in writing.

Chapter 3

DETERMINATION OF COMPENSATION

14. (1) If the Committee comes to the conclusion that the compensation is payable, the payment shall be determined and calculated as under:
 - a. Where death/permanent total disablement resulted from injury caused by electrical accident – Rs. 2.50 lacs;
 - b. Where permanent partial disablement resulted from the injury, caused by the electrical accident – such percentage of the compensation, which would have been payable in the case of death/permanent total disablement (as per para (a) above) as is proportionate to the bodily disability.

(Percentage of bodily disability shall be taken, as assessed by the Medical Board duly authorised by the Nigam).
- (2) Financial compensation for grievous injuries requiring hospitalisation will be made as under:
 - (a) Rs. 5,000/- (Rupees five thousand) only per person, in case of grievous injury, requiring hospitalisation upto one week.

(b) Rs. 15,000/- (Rupees fifteen thousand) only per person, in case of grievous injury, requiring hospitalisation for more than a week.

46

Note: The financial compensation for grievous injuries, requiring hospitalisation will be paid in addition to the compensation payable, as per para 1(a) & 1(b) above and on converting the injuries into death/permanent total/partial disablement, the amount of compensation so paid will not be adjusted/set off from the amount of compensation, payable in case of death/ permanent disablement.

Chapter-4

PAYMENT OF COMPENSATION

- 15.(i) The payment of compensation will be made to the concerned publicman or to one of the dependents of the deceased through settlement on producing the affidavits by all other dependents with regard to their No Objection.
- (ii) The dependent claiming compensation shall submit an affidavit duly attested by Tehsildar/1st Class Magistrate containing the full details of all dependents of the deceased publicman. However, if the Committee thinks it essential, it may ask for "Succession Certificate" to be arranged from the Competent Court.

Chapter-5

MAINTENANCE OF RECORD

16. The SE/ XEn concerned, Enquiry Officer and the Project Chief will maintain proper Records containing the following details:

A. Records to be maintained by SE/ XEn :

- i) Case Title
- ii) The date & Time of receipt of information of accident.
- iii) Mode of information received (Phone/Messenger etc.)
- iv) Name of informer with details.
- v) Date & Time of visit of the SE/ XEn to the place of accident.
- vi) Date & Time of sending the Preliminary Enquiry Report to the Project Chief along with mode & No. of the letter.

B. Records to be maintained by Enquiry Officer :

- i. Case Title
- ii. Date & Time of receiving the office order of Project Chief appointing him as an Enquiry Officer.
- iii. Details of Enquiry held.
- iv. Date and letter No. vide which final Enquiry Report was submitted to the Project Chief.

C. Records to be maintained by Project Chief :

- i. Date & Time of receiving the preliminary Enquiry Report of accident from SE/ XEn.
- ii. Date & letter No. appointing the Enquiry Officer.
- iii. Date of receiving Final Enquiry Report from Enquiry Officer.

- (47)
- iv. Date of notice calling meeting of the Committee.
 - v. Date of holding the meeting of the Committee.
 - vi. Date & No. of order issuing financial sanction of compensation.
 - vii. Details of payment made.
 - viii. Date and Number of sending enquiry report to Corporate Office.
 - ix. Date and Number of appointing second Enquiry Officer (if applicable) with justification.
17. All the records referred in Rule 16 should be maintained in Registers properly.
18. Besides the said records, as envisaged under Rule 16, other records viz; the enquiry report, documents, evidences, statements, FIR, post-mortem report, report of Medical Board, minutes of the meeting of the Committee, calculation of amount of compensation, disbursement of compensation should be maintained as office records.

Chapter-6

OFFENCES & PENALTIES

- 19.(a) The Officer(s)/official(s) of the Nigam found defaulter in the final Enquiry Report shall be liable for disciplinary action under the relevant Regulations of the Nigam.
- (b) The officer(s)/official(s) of the Nigam found defaulter in maintaining records as stated hereinabove shall be punishable for minor penalty under the relevant Regulations of the Nigam.
20. The officer(s)/official(s) found responsible for any delay/lapse in taking action in prescribed time shall be punishable for minor penalty under the relevant Regulations of the Nigam.

Chapter-7

SETTLEMENT COMMITTEE

21. There shall be a Nigam level Settlement Committee comprising of Chairman & Managing Director as Chair Person, Director (Projects), JDP or DDP (in case there is no JPD), as members to deal with the following cases:
- i) Any representation(s) made by the victim/ dependent(s) of deceased being dissatisfied with the disposal of the matter under Rule-8.
 - ii) Court cases pending before any civil court for compensation either referred to by the court or by representation made on this behalf by the publicman/ dependent(s) of the deceased for settling the case by way of settlement.
22. After receiving the representation under Rule 21(i), the Settlement Committee shall go through the complete case, as received from the Project Committee. The Settlement Committee will call the

publicman/dependent(s) of deceased and hear him/them, before passing an appropriate order.

43

23. After receiving the reference or the representation as the case may be, under Rule 21(ii), the Settlement Committee shall require from the publicman/dependent(s) of the deceased to furnish such document(s), evidence(s), witness(s), records(s), as it may think appropriate to the conclusion of any point related to the matter.
24. The Settlement Committee may adopt such procedure, as it may think fit to dispose of the matter.
25. If any settlement is arrived at and the payment is to be made to the publicman/dependent(s) of the deceased, then Settlement Committee will send a copy of order to the concerned Project Chief to make payment within seven days from the date of Committee's Order.

REPEAL

26. All related orders/concerned part of the related orders issued, from time to time, before commencement of this scheme, regarding payment of compensation/ex-gratia to the dependents of publicman died due to electrocution shall stand superseded/repealed with effect from the date of enforcement of this scheme. However, the cases wherein electrocution of publicmen caused prior to the date of enforcement of these rules (other than the cases pending before any Civil Court), will be decided as per orders/rules which were in force at the relevant point of time. Provided that the CMD, in view of merit of each such case, may order to decided any such case in accordance with the provision of this scheme.
27. In case of any doubt in interpretation of any provision of these Rules or any difficulty in implementing the scheme, the Chairman & Managing Director shall be competent to interpret the clause and according directions for removal of difficulties reported. The decision of the Chairman & Managing Director shall be final in this regard.

हार्दिक

* * * * *

(19)

Scheme for "Payment of Compensation in case of death/permanent
disablement of publicman due to electrical accident"

(19)

ANNEXURE - I

Preliminary Enquiry Report

(Preliminary Report of accident due to electrocution as per Rule 3(ii)
of the Scheme)

1. Name of Deceased/Injured :
2. Age :
3. Date of Accident with Time :
4. Place of Accident :
5. Nature and cause of accident in detail :
6. Details of accident including nature of injuries :
7. (i) Timing of Breaking of wire or some other serious happening/ fault :
- (ii) Date and time when the information received :
- (iii) Name of informer and mode of information :
- (iv) Time of shut down taken :
- (v) Restoration of supply :
8. Statement of at least three (3) eye-witnesses, family members and other witnesses like; Govt. functionaries, Public representatives, etc. Detailed site report along with site map.
9. Details of police enquiry, if done/ available.
10. Details of post-mortem Report (the copies of police enquiry and post-mortem report may be enclosed, if available).
11. Probable cause of electrocution.
12. Apparent responsibility of RVUNL, if any.

Signature

(Name & Designation of
Enquiry Officer)

SETTLEMENT

This agreement is entered into and made this _____ day of _____ between the Project Head, Rajasthan Rajya Vidyut Utpadan Nigam Limited, _____ (hereinafter called the first party) and Shri/ Smt./ Kumari _____ S/o / D/o / W/o _____ Resident of _____ (hereinafter called the second party).

WHEREAS the second party is desirous and agreed to take the payment of compensation amounting to Rs. _____ (Rupees _____) only under the provisions of Rajasthan Rajya Vidyut Utpadan Nigam Limited. Payment of Compensation (in cases of death/permanent disablement of publicman caused due to electrical accident) Rules, 2010 for the personal injury caused to _____ by accident on _____ at _____ from broken/faulty electric line/pole/stay wire/installations under the jurisdiction and control of Nigam, which resulted into his/her death/permanent disablement and the first party has agreed to pay the sum of Rs. _____ (Rupees _____) only in full and final settlement of all and every claim arising out of death/permanent disablement of _____ (Name of Victim).

WHEREAS the second party agreed that after receipt of payment of compensation amounting to Rs. _____ (Rupees _____) only, it will not raise any claim in any court or before any authority for compensation on account of death/permanent disablement of _____.

In witness thereof the parties have hereunder set their hands the day and year as written above.

SIGNATURE OF FIRST PARTY

SIGNATURE OF SECOND PARTY

WITNESSES

- 1.
- 2.