



TELANGANA STATE ELECTRICITY REGULATORY COMMISSION

D.No. 11-4-660, 5th Floor, Singareni Bhavan, Red Hills, Hyderabad - 500 004.

ABSTRACT

TSERC - Safety Measures - Enhancement of ex-gratia sum payable in a fatal accident resulting in death of a non-departmental persons and / or to an animal owing to electrocution and review of order dated 13-08-2013 of erstwhile Commission - Orders - Reg.

Proceedings No. TSERC/Secy/86 of 2015

Dt. 28-12-2015

Read the following:

- (1). Erstwhile Commission Order dated 13-08-2013.
- (2). Lr. No. TSERC/Secy/S-101-15/T-03 of 2015/D.No.744 Dt.24-09-2015.
- (3). Lr. No. TSERC/Secy/S-101-15/T-03 of 2015/D.No.824 Dt.15-11-2015.
- (4). Lr.No.CGM(OP)/NPDCL/WGL/GM(OP)/DE(O&M)/D.No.180/14-15 Dt.24-11-2015 of CMD,TSNPDCL, Warangal.
- (5). Lr.No.CMD/CGM(O&M)/SE(O&M)/F.No./D.No.1317/15 Dt.04-12-2015 of CMD,TSSPDCL, Hyderabad.

ORDER:

During the course of public hearings conducted by the Commission at several places, the consumer associations, the farmers' associations and several other stakeholders have made, inter-alia, the following submissions:

- (i) Enhancement of ex-gratia from the existing sum of Rs.2,00,000/- to a non-departmental person in a fatal accident resulting in death;
- (ii) Abnormal Delay in disbursement of ex-gratia to legal heir(s);
- (iii) Evolving a simple procedure for claiming ex-gratia and reduction of number of documents to be presented by the legal heirs to DISCOMs.

2. An opportunity was given to the DISCOMs vide this Office letter Dt.24-09-2015 seeking the views of the Chairman & Managing Director, TSSPDCL, Hyderabad &

Chairman & Managing Director, TSNPDCL, Warangal and in response, both have submitted their views and objections. The views and objections raised were considered by the Commission during the meeting held on 14-12-2015.

3. After careful consideration of the information submitted and issues raised by the DISCOMs, the Commission hereby enhances the ex-gratia sum payable, as a safety measure, in the case of a fatal accident resulting in death of a non-departmental person and / or of an animal owing to electrocution and other issues connected therewith are dealt hereunder:

4. Enhancement of quantum of ex-gratia:

The ex-gratia payable in the case of a fatal accident resulting in death of a non-departmental person and / or of an animal owing to electrocution is enhanced as under from the existing sum prescribed in the order of erstwhile Commission dated 13-08-2013:

S.No.	Fatal Accident	Existing Ex-gratia	Enhanced Ex-gratia
1	Per Person	Rs.2,00,000/-	Rs.4,00,000/-
2	Per Animal		
	(a) Cattle (including Buffaloe)	Rs.20,000/-	Rs.40,000/-
	(b) Goat & Sheep	Rs.4,000/-	Rs.7,000/-

5. Conditions and Procedure for claiming the ex-gratia:

- (i) For claiming the Ex-gratia, the cause of fatal accident resulting in death of a Non-departmental person and / or of an Animal should be on account of Electrocution.
- (ii) The information relating to fatal accident may be given to the Assistant Divisional Engineer (ADE) having jurisdiction over the place of fatal accident within 24 hours from the time of the fatal accident by any person, orally or in writing or in any electronic form.

A. Fatal accident resulting in death of a non-departmental person:

The DISCOMS may create a web link on their website for placing the claim of ex-gratia in the format annexed to this order along with the following documents, electronically.

- I. A copy of the First Information Report (FIR) of the Police department.
- II. A copy of the Panchnama conducted by the police department.
- III. A copy of the Post Mortem Report issued by a Government doctor.
- IV. A copy of the Death Certificate
- V. A copy of the Legal heir certificate

B. Fatal accident resulting in death of an Animal:

The claim of ex-gratia shall be in the format annexed to this order with the following Documents, electronically, by the claimant:

- I. Document reflecting the ownership of an animal issued by a local body.
- II. A copy of the Post Mortem Report issued by a Government veterinary doctor
- III. A copy of the Panchnama, if conducted by, a local body.
- IV. A copy of the photo exhibiting the death of animal(s).

C. Alternatively, the claim for ex-gratia can be filed manually with the above documents in the office of the Assistant Divisional Engineer (ADE) having jurisdiction over the territory where the fatal accident resulting in death took place.

6. Time limit for disposal of ex-gratia claim:

The ex-gratia claim with the proper documents as stipulated in para 5 shall be settled and be paid within two (2) months from the end of the month in which the claim of ex-gratia is received by the TSDISCOMs from the legal heir(s).

7. **Internal mechanism of DISCOMs:**

The DISCOMS shall lay down their own internal procedure for conducting the enquiry, if necessary. However, the DISCOMs shall make the payment of Ex-gratia within the stipulated time in para 6.

8. **Interest on delayed payment of Ex-gratia:**

Any delay in payment of ex-gratia to the legal heir(s) after 2 months from the end of the month of the receipt of the claim shall attract the simple interest @ 12% per annum till the date of payment.

9. **Payment of ex-gratia and form of ex-gratia:**

(A). In case of a Non-departmental person:

- (i). The ex-gratia sum of Rs.4,00,000/- (Rupees Four Lakhs only) payable to a legal heir(s) of a deceased person shall be split into two components, namely, a Fixed deposit for a sum of Rs.3,50,000/- (Rupees Three Lakhs Fifty Thousand only) and balance of Rs.50,000/- (Rupees Fifty Thousand only) by way of cash.
- (ii). A sum of Rs.3,50,000/- (Rupees Three Lakhs Fifty Thousand only) shall be deposited by the concerned DISCOM in a Fixed Deposit account with a nationalised bank at the place of residence or nearest to the place of residence in the name of legal heir(s) for a minimum of period of 5 years and interest on such Fixed Deposit shall be received by the legal heir(s) in every quarter. After five years, the legal heir(s) is / are at liberty to withdraw the cash from the bank.
- (iii). The Fixed Deposit receipt standing in the name of legal heir(s) along with the balance cash of Rs.50,000/- (Rupees Fifty Thousand only) shall be handed over to the legal heir(s) after obtaining the original documents prescribed at para 6.
- (iv). The entire ex-gratia can be paid in cash where a legal heir or all the legal heir(s) is/are above the age of 60 years.

- (v). Where the Chairman & Managing Director or any officer authorised by him, is satisfied that if the payment of ex-gratia in the form of a Fixed Deposit for a sum of Rs.3,50,000/- (Rupees Three Lakhs Fifty Thousand only) shall result in a financial hardship to the legal heir(s), then, he can relax the condition of deposit of ex-gratia in a Fixed Deposit account on an application by the legal heir(s) and make the payment in cash to the legal heir(s).

(B). Ex-gratia in case of Animal(s):

The ex-gratia in the case of a fatal accident owing to electrocution resulting in death of an animal(s) shall be paid in cash to the extent prescribed in para 4.

10. Wrong Claims:

Where the DISCOM finds any false claim, it shall initiate the appropriate legal action against the claimant of Ex-gratia.

11. Long Term measures:

To prevent the fatal accidents, the DISCOMs shall initiate, inter-alia, the long term measures, such as:

- (i). Observing a week in year as a safety measures week;
- (ii). Conducting education programs on safety measures in rural areas;
- (iii). Mass media advisement in respect of safety measures.

12. Monitoring mechanism:

In addition to the existing mechanism, the Commission recommends for establishing a monitoring mechanism at the headquarters of DISCOMs relating to ex-gratia payments and review the developments thereon once in a month.

13. Effect of Enhancement of ex-gratia:

(A). This order shall come into force in respect of a fatal accident resulting in death of a Non-departmental person and / or of an animal(s) owing to electrocution with effect from 1st January 2016.

(B). The fatal accidents resulting in death of a Non-departmental person and / or of an animal(s) owing to electrocution upto 31-12-2015 shall be governed by the erstwhile Commission order dated 13-08-2013.

14. Power to remove difficulties

Where any difficulty arises in giving effect to any of the provisions of this Order, the Commission may, by general or special order, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

(BY ORDER OF THE COMMISSION)


COMMISSION SECRETARY

Copy to

✓ The Chairman and Managing Director,
TSSPDCL, # 6-1-50, Corporate Office, Mint Compound, Hyderabad.

The Chairman and Managing Director,
TSNPDCL, H.No: 2-5-31/2, Corporate Office, Vidyut Bhavan, Nakkalgutta,
Hanamkonda, Warangal-506001.

The Managing Director,
Co-Operative Electric Supply Society (CESS) - Sircilla
7-5-5, Tehsil Road, Siricilla - 5003001, TELANGANA.

CLAIMING EX-GRATIA IN CASE OF ANIMAL

1.	(a) Name of Person whose animal(s) met with Fatal electrical Accident (b) His Father / Husband / Wife name	
2.	Date & Place of electrical accident occurred (a) Date & Time (b) Place (i) Village / Town / Mandal / District (ii) Sub-Division (iii) Assistant Engineer / Operation (iv) ADE / Operation	
3.	Whether accident occurred on account of HT / LT Line or Distribution Transformer	
4.	Type & Number of Animal (s) (A) (i) Cow - (ii) Calf - (iii) Buffalo - (iv) Bull - (v) Ox - (B) (i) Goat - (ii) Sheep -	
5.	Address for correspondence	
6.	Mobile No. / Telephone No. / Email Address:	
7.	List of Documents enclosed (i) Documents reflecting the ownership of animal issued by local bodies (ii) A copy of post mortem issued by the Government veterinary doctor (iii) A copy of panchnama if conducted by local bodies (iv) A copy of photo exhibiting the death of animal(s).	

VERIFICATION

IS/o..... R/o.....Village & Mandal.....district.....hereby solemnly affirm that the above information furnished by me is true and correct.

Signature

Place:

Date:

CLAIMING EX-GRATIA IN CASE OF HUMAN BEING

1.	(a) Name of Person who met with Fatal electrical Accident (b) Name of Father / Husband / Wife : (c) Age of victim	
2.	Date & Place of electrical accident occurred (a) Date & Time (b) Place (i) Village / Town / Mandal / District (ii) Sub-Division (iii) Assistant Engineer / Operation (iv) ADE / Operation	
3.	Whether accident occurred on account of HT / LT Line or Distribution Transformer	
4.	Name(s) of Legal Heirs (i) (ii) (iii) (iv)	
5.	Address for correspondence	
6.	Mobile No. / Telephone No. / Email Address:	
7.	List of Documents enclosed (i) A copy of First Information Report of Police department. (ii) A copy of Panchnama issued by Police department (iii) A copy of Post Mortem Report issued by a Government Doctor (iv) Copy of Death Certificate	

VERIFICATION

IS/o..... R/o.....Village & Mandal.....district.....hereby solemnly affirm that the above information furnished by me is true and correct.

Signature

Place:

Date: