

UTTAR PRADESH STATE ELECTRICITY BOARD
'SHAKTI BHAWAN' 14-ASHOK MARG, LUCKNOW

5344

344-WC/SEB(AS-XIX)88-66-WJC/76

Dated: November 30, 1988.

OFFICE MEMORANDUM

Consequent to the discontinuation of Group Insurance-cum-Savings Scheme of the Life Insurance Corporation of India

i.e.f. 31.7.1988 the Board are hereby pleased to bring into operation the "Ex-Gratia Compensation Scheme" in substitution of the said Group Insurance-cum-Savings Scheme as under :-

1. Name: This Scheme shall be known as the "Ex-Gratia Compensation Scheme".
2. Date of commencement : It shall be deemed to have come in operation w.e.f. 1.8.1988.
3. Coverage: It shall cover all regular wholetime permanent and temporary employees of the Board including those who are on deputation or foreign service to other governments/organisations. It shall also cover those Muster Roll employees who have completed 3 months' continuous service or have actually worked for not less than 60 days within a period of 3 months or less under the Board.

Under this Scheme "Ex-Gratia Compensation" shall be payable to the dependants of an employee in case of his/her death due to any cause while in service of the Board on or after 1.8.1988. This Ex-Gratia Compensation will be in addition to the following :-

- (a) Death Gratuity.
- (b) Amount payable under the Board's Deposit Linked Insurance Scheme for Subscribers to G.P.F.
- (c) Compensation, if any, payable under the Workmen's Compensation Act 1923.
- (d) Amount of ex-gratia, if any, payable under the Board's rules/orders in case of death of employees due to injury/injuries received in accident arising out of and in the course of Board's employment.

The expressions "service" and "dependant" in clause 4 shall have the following meanings :-

- (1) "Service" in the case of regular wholetime employee shall mean the period commencing from the date he actually joins service under the Board after formal appointment and upto the date of superannuation as prescribed in Board's rules and regulations.

In the case of Muster Roll employee the service period would be deemed to have commenced from the date he completed 3 months' continuous service or after completing the 60th actual working day within a period of 3 months' or less from the date of his engagement.

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Ag. Secy.
check on m/c claim
statement from
ce/GM/Secy.
to Board
on monthly basis
of claim settled
by them during
the month.

OS

11/11/88

action as per

BSO in report of

Staff J. A. S. 4/11

5.

Encl. Pandey

27/12

(1) "Dependant" for the purpose of this Scheme shall include the following :-

- (1) Wife/husband, as the case may be.
- (2) Sons (including step sons and adopted sons).
- (3) Unmarried and widowed daughters (including stepdaughters and adopted daughters).
- (4) Brothers (less than 18 years of age) and unmarried/widowed sisters (including step brothers and step sisters).
- (5) Father and mother.
- (6) Married daughters (including step daughters); and
- (7) Sons and daughters of predeceased son(s).

6. The amount of ex-gratia compensation payable under this Scheme shall be as follows :-

Category of employees:	Amount of ex-gratia compensation: (Rs.).
(a) All employees the maximum of whose pay scale does not exceed Rs.1800/- (in the pay scales as revised w.e.f. 1.4.1984.) ...	25,000.
(b) All employees the maximum of whose pay scale exceeds Rs.1800 but does not exceed Rs.2690 (in the pay scales as revised w.e.f. 1.4.1984); and Junior Engineers (Ordinary Grade) and Junior Engineers (Selection Grade). ...	30,000.
(c) All employees the maximum of whose pay scale exceeds Rs.1360 but does not exceed Rs.1845 (in the pay scales as revised and in force w.e.f. 1.4.1979); but <u>excluding Personnel Officers, Industrial Relations Officers, Asstt. Law Officers Grade-I.</u> ...	50,000.
(d) All employees the maximum of whose pay scale exceeds Rs.1845 but does not exceed Rs.2700 (in the pay scales as revised and in force w.e.f. 1.4.1979); and P.O./I.A.O., Asstt. Law Officer, Gr-I ...	80,000.
(e) All employees the maximum of whose pay scale exceeds Rs.2700 (in the pay scales as revised and in force w.e.f. 1.4.1979.) ...	1,00,000.

7. Nomination: (1) All employees covered by the Scheme shall be required to submit nomination in triplicate in the form annexed herewith. Each employee shall be free to nominate one or more or all of the persons included in the definition of dependant as given in clause 5 above, duly indicating the order and the portion of the admissible amount of Ex-Gratia Compensation that should be paid to the nominee/nominees in the event of the employee's death during service period.

- (2) In case ^{a minor} of minor is nominated as beneficiary, the employee shall also appoint a person as guardian in the absence of natural guardian and the name, age, and address of the person so appointed shall be given in column 7 of the nomination form. While forwarding a claim in favour of a minor it will be the responsibility of the forwarding officer to clearly mention the fact of the minor's natural guardian being alive along with his/her name in the forwarding letter as well as the claim papers.
- (3) If there is no dependant as listed in clause 5 above, the employee can nominate any other person as beneficiary. However, a nomination made in favour of any other person shall be invalid if any of the said dependants exists. A nomination made in favour of any other person when the none of the dependants listed in clause 5 exist shall automatically stand cancelled as soon as the employee marries or acquires a family.
- (4) Each employee shall be free to make a fresh nomination at any time after cancelling the previous nomination.
- (5) On receipt of the nomination (in triplicate) from the employee, it will be countersigned by the Head of office and, if the employee himself is the Head of Office, by his next higher controlling officer. After countersignatures one copy of the nomination will be kept with the service book or service records (as the case may be), one copy will be kept in the personal file and one copy will be returned to the employee. It will be the responsibility of the countersigning officer to see and ensure before countersigning that the nomination form filled in by the employee is complete in all respects and there are no errors and omissions in it.
- (6) Daily completed nomination forms from all employees should be obtained by Head of Office/Controlling Officers within one month of issue of these orders.
- (7) In the cases of employees who are on deputation or foreign service to other Governments/organisations, action for getting nomination form completed and countersigned shall be taken by the officer sanctioning deputation or foreign service.
- (8) Persons joining Board's service as regular wholetime employees or muster roll employees becoming eligible for the benefit under this scheme shall also be required to submit nomination as detailed above within one month of the date of their joining or becoming eligible, by the respective Heads of office/Controlling Officers.

8. Payment of Ex-Gratia Compensation :

(a) If a nomination exists, payment of Ex-Gratia Compensation shall be made to the nominated person/persons, except in the following cases :-

- (1) If in certain special circumstances an employee has two wives at the time of his death, the amount of Ex-Gratia Compensation shall be paid to the minor children of the wife who has not been nominated along with the nominated wife. Fifty percent of the admissible amount shall be paid to the nominated wife and the remaining fifty percent shall be paid to the minor children of the wife who has not been nominated.
- (ii) If the nominated beneficiary is minor and a guardian in the absence of natural guardian has been appointed in the column-7 of the nomination form, payment to the guardian so appointed shall be made provided no guardian is appointed for that minor by a competent court till the date of payment. If a guardian is by the court, before the date of payment, then payment shall be made only to the guardian appointed by the court.

(b) If any employee nominates any person other than those listed as dependant in clause 5 above when any one of the said dependants exists, his nomination shall be treated as invalid and payment of Ex-Gratia Compensation in such a case shall be made in accordance with sub-clause (c) below.

(c) In case any employee dies before making any nomination subject to the clarifications (i) to (v) given below, the full amount of ex-gratia compensation shall be payable to the dependant in the following order :-

- (1) Wife/husband of the employee, as the case may be.
- (2) Minor son(s) and unmarried daughter(s).
- (3) Major son.
- (4) Mother and father.
- (5) Minor brother and unmarried sisters.
- (6) Married daughters.
- (7) Sons and daughters of predeceased son(s).

Clarifications:

- (i) No claim contrary to the provisions of this O.M., other than that arising out of a court order, shall be admissible.
- (ii) The date of death of the employee shall be deemed to be the date of arising of the claim. The beneficiary under the scheme shall be determined on the date of arising of the claim and on the said date of arising of the claim it shall also be determined whether the person who is to receive payment is actually entitled to receive payment under the rules or not.
- (iii) In respect of attaining the age of majority by a minor beneficiary, it is hereby clarified that persons in whose cases in accordance with Section-5 of the Indian Maturity Act 1875 a guardian (other than a guardian for the purpose of a suit under the Civil Procedure Code) is appointed or pro-

claimed by a court before their attaining the age of 18 years or such minor whose property is under the supervision of "Court of Wards", shall be deemed to have become major on completing 21 years of age. Other persons shall be deemed to have ~~xxx~~ become major on completing 18 years of age. In the said situations persons of lesser age than the above mentioned ages of majority shall be deemed to be minors,

- (iv) In case of death of a beneficiary before receiving payment, the amount shall be paid to his legal heirs.
- (v) If the beneficiary is a minor, in the absence of the natural guardian the payment shall be made to the guardian appointed by the court under the "Guardian and Wards Act".
- (vi) The employee shall have the right to change his/her nomination after cancelling the earlier nomination made by him/her.
- (vii) In case any employee dies before making any nomination and there is no dependant as defined in clause 5 above, the amount of ex-gratia compensation shall be paid to employee's legal heirs.

9. All claims arising under the Ex-Gratia Compensation Scheme shall be submitted to the Director (Personnel), U.P. State Electricity Board, Lucknow by the officers under whose control the deceased employee was posted at the time of death (not below the rank of Executive Engineer) in the form as annexed herewith supported by the prescribed documents.

10. Consequent to the coming into force of this Scheme w.e.f. 1.8.1988 the deduction of Rs.10, Rs.15 and Rs.20 being made so far from the wages/salaries of the employees and officers as contribution towards Savings Plan under the Life Insurance Corporation's Group Insurance-cum-Savings Scheme shall be discontinued w.e.f. 1.8.1988. The contribution, if any, made on this account from the wages/salaries of employees/officers upto the date of issue of this order shall be credited to their respective G.P. Fund Accounts. Contributions made upto 31.7.1988 shall be credited to respective G.P.F. Accounts of the employees on receipt of the principal sum plus interest from Life Insurance Corporation of India.

11. With the coming into force of the Ex-Gratia Compensation Scheme the Board's O.M.No.3375-WC/SEB(AS-XIX)85-209-GIS/85, dated 31.3.1985, shall stand superseded w.e.f. 1.8.1988. The amount of Ex-Gratia (Group Insurance) under the said O.M. shall be admissible only in those cases where claims have arisen under the erstwhile Group Insurance-cum-Savings Scheme of the Life Insurance Corporation upto 31.7.1988 and the powers for sanctioning the said ex-gratia

shall be exercised by the respective authorities named in para 2 of the said O.M. dated 31.8.'85 only in respect of those cases.

12. Claims arising on or after 1.8.1988 shall be dealt with in accordance with the provisions of the Ex-Gratia Compensation Scheme as contained in this O.M.
13. Claims arising under the erstwhile Group Insurance-cum-Savings Scheme of the Life Insurance Corporation of India as a result of death of employee covered by the said Scheme upto 31.7.1988 shall be submitted to the Divisional Manager, Life Insurance Corporation of India, Superannuation and Group Insurance Department, 30, Nazratganj, Lucknow along with the requisite documents as hitherto.

B.B. Sharma
(B.B. SHARMA)
MEMBER SECRETARY.

No.5344(i)WC/SEB(AS-XIX)88 of date.

Copy forwarded for information and necessary action to:-

1. All Chief Engineers/General Managers, U.P.State Electy.Bd.
2. All Chief Project Managers/Chief Engineers(Transmission & Design Zones), U.P.State Electricity Board.
3. All Superintending Engineers, U.P. State Electy. Board.
4. Chief Accounts Officer, U.P.State Electy.Board, Shakti Bhawan, Lucknow.
5. All Executive Engineers, U.P. State Electricity Board.
6. All Senior Personnel Officers/Personnel Officers, U.P. State Electricity Board.
7. All officers/Private Secretaries/Sections Officers, Board's Headquarters.
8. Senior Dy.Accountant General, (UPSEB), Shakti Bhawan Ext. Lucknow.

By order,

B.B. Sharma
(B.B. SHARMA)
MEMBER SECRETARY

REB

No.5344(ii)WC/SEB(AS-XIX)88 of date.

Copy also forwarded to :-

1. Sri S.H.H.Jaisi, Regional Provident Fund Commissioner, U.P., Nidhi Bhawan, Sarvodaya Nagar, Kanpur-208005 in continuation of Board's letter Nos.668-WC/SEB(AS-XIX)87-66WBC/76(H), dated 11.5.1988 and 1071-WC/SEB(AS-XIX)-308-GIS/81 dated 11.5.1988.
2. Secretary to Government of India, Ministry of Labour, Sharan Shakti Bhawan, Rafi Marg, New Delhi-110001 in continuation of Board's letter No.3008-WC/SEB(AS-XIX)86-308-GIS/81, dated 4.3.1987.

Contd.,.....7

3. Divisional Manager, Life Insurance Corporation of India,
Superannuation & Group Insurance Department, 30, Hazratganj,
Lucknow in continuation of Board's letter No.4047-WC/SEB
(AS-XIX)88-66-WBC/76 dated 28.7.1988.

By order,

B.B. Sharma

(B.B. SHARMA)
MEMBER SECRETARY.

RB

RB

Rk.
28/11

NOMINATION FORM FOR NOMINATION OF BENEFICIARY UNDER THE EX-GRATIA COMPENSATION SCHEME.

I,, hereby nominate the undermentioned person/persons to receive the amount of Ex-Gratia Compensation payable under Board's O.M.No. dated

1	2	3	4	5	6	7
Name and full address of the nominated person/persons:	Relationship with the employee:	Age of the nominated person:	Portion of the Ex-Gratia Compensation to be paid to the nominated person:	Contingencies on the happening of which the nomination will become invalid	Name and address of person/persons to whom the right conferred on the nominated person/persons shall pass in the event of their death and the portion to be given to each such person;	Name, age, address and relationship with minor of the person appointed as guardian in the absence of natural guardian of the person named in column (1) and (6) is minor:

Note:- If any person named in column (1) and (6) is minor, his date of birth should also be written alongwith age.

Signature of employee.....
Designation.....
Office of Posting.....
Address.....

Witness: (1) Signature, name & address.

(2) Signature, name & address.

Signature & Seal of Head of Office/Controlling Officer:
Date.....

REC

Revenue Stamp:
Signature of the beneficiaries.

Form for claims under Ex-Gratia Compensation Scheme
(to be submitted by claimants in duplicate)

1. (a) Name of Employee;
(b) Father's name;
2. Designation and scale of pay;
3. Place and address of posting;
4. Date of Birth;
5. Date of Death;
6. Cause of death:
(Three attested copies of death certificate to be attached).
7. Was the employee in service at the time of his/her death? Yes/No
8. Beneficiaries:

	Name:	Address:	Relationship with deceased:
(i)			
(ii)			
(iii)			

I/We hereby declare that the above particulars are correct to the best of my/our knowledge and belief and request that my/our claim(s) under the Ex-Gratia Compensation Scheme be settled on the basis of the above particulars.

Received a/ sum of Rs. (Rupees)
from U.P. State Electricity Board in full satisfaction and discharge of all my/our claims and demands arising under the Ex-Gratia Compensation Scheme.

Date:
Place: Revenue
Stamp:

Signature of the beneficiaries.

Witness:

Signature:

Name:

Address:

Certified that the above particulars are correct and have been verified from the records.

Place:

Date:

Signature of the Officer-in-Charge under whom the employee was working.

RCP

Proforma for submitting claims under Ex-Gratia Compensation
Scheme to the Board by respective authorities.

Director (Personnel),
U.P. State Electricity Board,
Akti Bnawan,
14-Ashok Marg,
Lucknow.

Sir,

I am submitting claim under the Ex-Gratia Compensation Scheme
as under :-

(1) (a) Name of Employee;
(b) Father's name;

(2) (a) Designation;
(b) Pay scale;
(c) Office of posting
with address;

(3) Date of Birth:

(4) Date of Death:

(5) Cause of Death:

(6) Beneficiaries:

Name:	Address:	Relationship with deceased:
(i)		
(ii)		
(iii)		
etc.		

2. I hereby confirm that the above particulars are correct and request the Board to settle the claim on the basis of the above particulars.

3. I also confirm that the death certificate of the above mentioned employee has been obtained and the date of death as given above has been tallied with that given in the death certificate. Attested copies of death certificate and nomination/succession certificate are also enclosed alongwith the application of the claimant(s).

4. I also certify that the above claim is being sent for the first time and has never been preferred before.

5. I also assure that the claim amount(s) shall be disbursed to the beneficiary promptly as soon as sanction is received from the Board and proper stamped receipt in acknowledgement of payment shall also be obtained from the payees.

Encls. As above.

Date: _____

Place: _____

Witness: Signature

Name

Designation

(Signature of officer submitting
claim)

Name of signing officer.

Designation " "

Seal of office:

Rep