

## **Annexure 1**

### **Power and duties of its officers and employees**

**POWERS AND DUTIES OF OFFICERS AND EMPLOYEES****[Section 4(I)(b)(ii)]**

As per the provisions of Manual of Office Procedure prescribed by  
Department of AR & PG

**(A) Secretary** – A Secretary to the Government of India is the administrative head of the Ministry or Department. He is the principal adviser of the Minister on all matters of policy and administration within his Ministry/Department, and his responsibility is complete and undivided.

**(B) Special Secretary/Additional Secretary/Joint Secretary & Equivalent Officers**– When the volume of work in a Ministry exceeds the manageable charge of a Secretary, one or more wings may be established with Special Secretary/Additional Secretary/Joint Secretary, in charge of each wing. Such a functionary is entrusted with the maximum measure of independent functioning and responsibility in respect of all business falling within his wing subject, to the general responsibility of the Secretary for the administration of the wing as a whole.

**(C) Director/Deputy Secretary and Equivalent Officers**– Director /Deputy Secretary is an officer who acts on behalf of the Secretary. He holds charge of a Secretariat Division and is responsible for the disposal of Government business dealt within the Division under his charge. He should, ordinarily be able to dispose of the majority of cases coming upto him on his own. He should use his discretion in taking orders of the Joint

Secretary/Secretary on more important cases, either orally or by submission of papers.

**(D) Under Secretary and Equivalent Officers**– An Under Secretary is in charge of the Branch in a Ministry consisting of two or more Sections and in respect thereto exercises control both in regard to the dispatch of business and maintenance of discipline. Work comes to him from the sections under his charge. As Branch Officer he disposes of as many cases as possible at his own level but he takes the orders of Deputy Secretary or higher officers on important cases.

**(E) Section Officer and Equivalent Officers**

**(a) General Duties –**

- (i) Distribution of work among the staff as evenly as possible;
- (ii) Training, helping and advising the staff;
- (iii) Management and co-ordination of the work;
- (iv) Maintenance of order and discipline in the section;
- (v) Maintenance of a list of residential addresses of the Staff.

**(b) Responsibilities relating to Dak –**

- (i) to go through the receipts;
- (ii) to submit receipts which should be seen by the Branch Officer or higher officers at the dak stage;
- (iii) to keep a watch on any hold-up in the movement of dak; and
- (iv) to scrutinize the section diary once a week to know that it is being properly maintained.

**(c) Responsibilities relating to issue of draft –**

- (i) to see that all corrections have been made in the draft before it is marked for issue;
- (ii) to indicate whether a clean copy of the draft is necessary;
- (iii) to indicate the number of spare copies required;
- (iv) to check whether all enclosures are attached;
- (v) to indicate priority marking;
- (vi) to indicate mode of dispatch.
- (vii) Responsibility of efficient and expeditious disposal of work and checks on delays
- (viii) to keep a note of important receipts with a view to watching the progress of action;
- (ix) to ensure timely submission of arrear and other returns;
- (x) to undertake inspection of Assistants' table to ensure that no paper of file has been overlooked;
- (xi) to ensure that cases are not held up at any stage;
- (xii) to go through the list of periodical returns every week and take suitable action on items requiring attention during next week.

**(d) Independent disposal of cases –**

He should take independently action of the following types –

- (i) issuing reminders;
- (ii) obtaining or supplying factual information of a non--classified nature;
- (iii) any other action which a Section Officer is authorized to take independently.
- (iv) Duties in respect of recording and indexing

- (v) to approve the recording of files and their classification;
- (vi) to review the recorded file before destruction;
- (vii) to order and supervise periodic weeding of unwanted spare copies;
- (viii) ensuring proper maintenance of registers required to be maintained in the section;
- (ix) Ensuring proper maintenance of reference books, Office Orders etc. and keep them up-to-date;
- (x) Ensuring neatness and tidiness in the Section;
- (xi) Dealing with important and complicated cases himself;
- (xii) Ensuring strict compliance with Departmental Security Instructions.

**(F) Assistant Section Officer/Senior Secretariat Assistant**

He works under the orders and supervision of the Section Officer and is responsible for the work entrusted to him. Where the line of action on a case is clear or the Branch Officer or higher officers have given clear instructions, he should put up a draft without much noting. In other cases he will put up a note keeping in view the following points:

- (i) to see whether all facts open to check have been correctly stated;
- (ii) to point out any mistakes or incorrect statement of the facts;
- (iii) to draw attention, where necessary, to precedents or Rules and Regulations on the subject;
- (iv) to put up the Guard file, if necessary, and supply other relevant facts and figures;
- (v) to bring out clearly the question under consideration and suggest a course of action wherever possible.

**(G) Private Secretary/ Personal Assistant/ Stenographer**

He will keep the officer free from routine nature of work by mailing correspondence, filing papers, making appointments, arranging meeting and collecting information so as to give the officer more time to devote himself to the work in which he has specialized. The Personal Assistant will maintain the confidentiality and secrecy of confidential and secret papers entrusted to him. He will exercise his skill in human relations and be cordial with the persons who come in contact with his boss officially or who are helpful to his boss or who have dealings with the boss as professional persons. Some of the more specific functions are enumerated below:-

- (i) taking dictation in shorthand and its transcription in the best manner possible;
- (ii) fixing up of appointments and if necessary cancelling them;
- (iii) screening the telephone calls and the visitors in a tactful manner;
- (iv) keeping an accurate list of engagements, meetings etc. and reminding the officer sufficiently in advance for keeping them up;
- (v) maintaining, in proper order, the papers required to be retained by the Officer;
- (vi) keeping a note of the movement of files, seen by his officer and other officers, if necessary;
- (vii) destroying by burning the stenographic record of the confidential and secret letters after they have been typed and issued;
- (viii) carrying out the corrections to the officer's reference books and making fair copies of draft demi-official letters to be signed by the officer;
- (ix) generally assisting him in such a manner as he may direct and at the same time, he must avoid the temptation of abrogating to himself the authority of his boss.

**(H) Junior Secretariat Assistant**

Junior Secretariat Assistants are ordinarily entrusted with work of routine nature, for example – registration of Dak, maintenance of Section Diary, File Register, File Movement Register, Indexing and Recording, typing, comparing, dispatch, preparation of arrears and other statements, supervision of correction of reference books and submission of routine and simple drafts etc.

**(I) Assistant Director (Hindi)**

He/She has to supervise the work of Hindi Branch. In addition to that he has to provide help in translation work.

**(J) Sr./Jr. Hindi Translator**

They have to do translation work of Parliament Questions, Cabinet Notes and other papers/documents provided by officers/Sections of the Ministry.

**(K) Sr. Librarian**

He/she is responsible for the maintenance of the library and its supervision.

**(L) Jr. Librarian**

Jr. Librarian is responsible for maintaining the records of the books and issuance.

**(M) Investigating Officer**

- (i) Technical analysis of Balance Sheets
- (ii) Compilation & Dissemination of corporate sector data
- (iii) Correspondence with field offices of Department, RBI, CSO, State Government etc.
- (iv) Supervision of day to day work carried out by Statistical Assistants.
- (v) Preparation of Annual Report of the Minister,
- (vi) Press Note on the growth of Corporate Sector

**(N) Statistical Assistants**

They have to assist the Officers in connection with the above mentioned work and also to do the work assigned to them by the Officers of the R&A Division.

**(O) Jr. Technical Assistant/Sr. Technical Assistants**

They are generally posted in the Sections dealing with the provisions of the Companies Act, 1956/2013. They work under the orders and supervision of the Section Officer/ Assistant Director and are responsible for the work entrusted to them.

Where the line of action on a case is clear or the Branch Officer or higher Officers have given clear instructions, he should put up a draft without much noting. In other cases he will put up a note keeping in view, the following points:-

- (i) to see whether all facts as are open to check have been correctly stated;
- (ii) to point out any mistakes or mis-statements of the facts;
- (iii) to draw attention where necessary to precedents or Rules and Regulations on the subject;
- (iv) to put up the Guard File, if necessary, and supply other relevant facts and figures;
- (v) to bring out clearly the question under consideration and suggest a course of action wherever possible.

**(P) Research Assistants**

They have to work under Sr. Analyst and Jr. Analyst in R&A Division to deal with the work relating to O&M Section.



**(Q) Sr. Library Attendant/Jr. Library Attendant**

He has to assist in the functioning of library.

**(R) Multi-Tasking Staff (MTS)**

The following are the duties of the MTS

- (i) Physical Maintenance of records of the Section.
- (ii) General cleanliness & upkeep of the Sectional Unit.
- (iii) Carrying of files & other papers within the building.
- (iv) Photocopying, sending of FAX etc.
- (v) Other non-clerical work in the Sectional Unit.
- (vi) Assisting in routine office work like diary, dispatch etc., including on computer, delivering of dak (outside the building) etc.

Government of India

Ministry of Water Resources, River Development &amp; Ganga Rejuvenation

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Shram Shakti Bhawan, Rafi Marg,  
New Delhi, dated 9<sup>th</sup> January, 2019**OFFICE MEMORANDUM**

***Subject:- Guidelines for Settlement of Claims for Compensation on accidents applicable to the Ministry of Water Resources, RD&GR and the Organisations (including PSUs) under its control - Reg.***

The undersigned is directed to say that as per the directions of Cabinet Secretariat and with the approval of Competent Authority, this Ministry has framed the guidelines for settlement of compensation claims arising out of accidents resulting into loss of life or permanent disability to a member of general public where the accident happens in any premises where any official activity of the Ministry is being carried out.

2. A copy of the guidelines is enclosed.

Encls.: As above

  
(A.K. Kaushik)

Under Secretary to the Govt. of India

Tel. 011-23738126

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To

1. All Organisations under the Ministry of Water Resources, RD&GR
2. All Wing Heads/Division Heads/Branch Heads/Sections of the Ministry of Water Resources, RD&GR
3. Cabinet Secretariat [Attn.: Shri S.A.M. Rizvi, Joint Secretary], Rashtrapati Bhavan, New Delhi – w.r.t. Cabinet Secretariat's ID Note No. 111/2/3/2016-Cab.III dated 21.7.2017, O.M. dated 20.4.2018 and other communications on the subject.
4. PPS to Secretary/PS to AS/PS to DG(NMCG)/PS to ADG(Stats)/PPS to JS(A)/PPS to JS(IC&GW)/PS to JS&FA, Ministry of Water Resources, RD&GR
5. NIC, MoWR,RD&GR - with request to upload the guidelines on website of the Ministry.
6. NIC, MoWR,RD&GR - with request to upload the O.M. on intra-net of the Ministry.

25912027202377ADMIN-SECTION  
**GUIDELINES FOR SETTLEMENT OF CLAIMS FOR COMPENSATION ON ACCIDENTS**  
**APPLICABLE TO THE MINISTRY OF WATER RESOURCES, RD&GR AND THE**  
**ORGANISATIONS (INCLUDING PSUs) UNDER IT'S CONTROL**

## Preamble

Accidents are unfortunate incidents, occurrences of which cannot be obliterated completely, but can only be minimized by adopting most vigilant practices, safety precautions etc. Sometimes accidents do happen when responsibility and liability cannot be affixed on certain individuals or malfunctioning of certain machinery and the Law recognizes the Principle of 'No faulty Liability' for such unfortunate incidents. In such cases, the loss of life and loss of dependency cost of the dependents of such victims cannot be written off merely on the pretext that negligence on the part of Ministry or its agencies cannot be substantiated for want of stricter proofs particularly in a welfare state like ours. Therefore, these guidelines have been framed.

**1. Title:** These guidelines would be called as Guidelines for Settlement of Claims for Compensation.

**2. Effective date:** The guidelines would be effective from the date of issue.

**3. Applicability:** These guidelines would govern the settlement of compensation claims arising out of accidents resulting into loss of life or permanent disability to a member of general public where the accident happens in any premises where any official activity of the Ministry is being carried out.

## 4. Definitions:

**a. Accident:** Any death or permanent disability resulting solely and directly from any unintended and unforeseen injurious occurrence caused during the maintenance, Operation and provisioning of any public services undertaken by the Ministry where no negligence can be proved on the part of the Ministry.

**b. Competent Authority:** Competent Authority means Secretary to Govt. of India in the Ministry of Water Resources, RD&GR or Chairman & Managing Director of a Public Sector Undertaking under the control of the Ministry.

**c. Department:** means Ministry of Water Resources, River Development & Ganga Rejuvenation.

**d. Dependent:** As defined in the Employee's Compensation Act, 1923.

**e. Designated Officer:** An Officer designated by the Competent Authority of the level of Deputy Secretary/Director or equivalent for the purposes of receiving and processing claims for compensation under the present Guidelines.

**f. Victim:** Any person who suffers permanent disablement or dies in an accident as defined in these Guidelines.

**g. Permanent Disablement:** A disablement that is classified as a permanent total disablement under the proviso to Section 2 (l) of The Employee's Compensation Act, 1923.

**5. Detailed Accident Report:**— The report prepared by the police within a period of 30 days from the date of incident as per Schedule 1 of these guidelines.

*As per* 9/11/19

25912021/2023/ADMIN SECTION  
A-50013/231/2023-ADMINISTRATION-MOWR  
Explanation: For the purposes of the preparation of the detailed accident report, the word "injury" as referred in Schedule -I refers to "permanent disability" as mentioned in clause 4(a) of the Guidelines.

**6. Extent of Liability:** On the occurrence of any "accident" as defined under these Guidelines, the Department shall whether or not there has been any wrongful act, neglect or default on its part and notwithstanding anything contained in any other law, be liable to pay compensation to such extent as prescribed below:

- (i) In the event of death or permanent disability resulting from loss of both limbs: upto Rs. 10,00,000/- (Rupees Ten Lakh).
- (ii) In the event of other permanent disability : upto Rs. 7,00,000/-(Rupees Seven Lakh).

However, persons claiming compensation under these guidelines will not claim additional compensation from the Department under any other regulation or statute either directly or through a court of law. The claimant shall submit an undertaking to this effect before availing the compensation under these guidelines.

### 7. Procedure for settlement of claims in respect of compensation

a. The victim or his/her dependent would make an application within a period of 90 days of the accident to the Designated Officer under whose jurisdiction the accident had occurred. The application should be accompanied by the following documents:

- (i) Proof of age of the victim.
- (ii) Death certificate of the victim

OR

Permanent disability certificate issued by the Medical Board authorized by the Government.

- (iii) Certified copy of FIR lodged in respect of the accident.
- (iv) Proof of applicant's relation with the victim/ Dependency Certificate.

b. The Designated Officer may seek any further documents for settlement of claim to its satisfaction.

Provided that where there are more than one dependent, the Applicant must mention their name, addresses and relations with the victim and the Designated Officer may at its own discretion issue notices to all before releasing the compensation.

c. The Designated Officer on receipt of above application shall take into consideration the Detailed Accident Report submitted by the Police Authority would process the claim of compensation on priority basis but would not normally take more than 30 days for seeking the orders of the competent authority in any case.

d. The Designated Officer, in case where no application is received from the victim/dependents of victims, may on receipt of the detailed accident report proceed suo-moto to initiate the process for consideration for grant of the compensation to the victim/dependents of victim. The payment of compensation whether fully in cash or partly in cash and partly towards reimbursement of medical expenses shall be decided by the sanctioning authority.

*Aswini* 9/11/19

2591202/2023/ADMINISTRATION  
e. With effect from the date of the present Guidelines, all contract & agreements to be entered into by the Department with any person or agency for maintenance, operation and provisioning of public service would invariably include a clause whereby any compensation paid under these guidelines shall be recoverable from such person, agency or firm.

f. In no case a claim for appointment of any of the dependents on the compassionate grounds would be entertained by the Ministry.

**8. Method of Disbursement of compensation.**

i. The amount of compensation so awarded shall be deposited in a Nationalized bank or if the branch of a Nationalized Bank is not in existence, it shall be deposited in the branch of a scheduled commercial bank, in the joint or single name of the victim/dependent(s). Out of the amount so deposited, 75% (seventy five percent) of the same shall be put in a fixed deposit for a minimum period of one year and the remaining 25% (twenty five percent) shall be available for utilization and initial expenses by the victim/dependent(s) as the case may be. Provided that in exceptional cases, amounts may be withdrawn before one year for Domestic need/marriage in family/educational or medical needs of the beneficiary at the discretion of the Ministry.

ii. In the case of a minor, 75% of the amount of compensation so awarded shall be deposited in the fixed deposit account and shall be drawn only on attainment of the age of majority. but not before one year of the deposit provided that in exceptional cases. amounts may be withdrawn for educational or medical needs of the beneficiary at the discretion of the Ministry.

iii. The interest on the sum shall be credited directly by the bank in the savings account of the victim/dependent(s) on monthly basis.

*Aaunul* 9/11/19

## PART-I - PARTICULARS OF THE ACCIDENT

1.	FIR No. , Date and Under Section.	
2.	Name of the Police Station.	
3.	Date, Time, Place of the accident	
4.	Who reported the accident to the police	
5.	Name of the Person who took the victim to the hospital and Name of the Hospital	
6.	Whether any hospital denied treatment to the Victim?	
7.	Nature of the accident :- (i) Whether resulted in death or injury or both? (ii) Number of persons injured/died.	
8.	Name and Contact No. of the Investigating Officer	
9.	Name of the witnesses of the accident.	
10.	Description of the accident	

A-50013/231/2023

## PART-II - IMPACT OF THE ACCIDENT ON THE VICTIMS

1.	<p>Death Cases :-</p> <p>a) Name and Address of the deceased</p> <p>b) Age</p> <p>c) Gender</p> <p>d) Education</p> <p>e) Occupation</p> <p>f) Income (Monthly)</p> <p>g) Legal Heirs/Guardian</p> <p>i. Name</p> <p>ii. Relationship</p> <p>iii. Age</p> <p>iv. Address</p> <p>v. Contact No.</p>	
2.	<p>Injury Cases (permanent disablement)</p> <p>a) Name and address of the injured</p> <p>b) Age</p>	

Account 9/11/19

c) Gender

d) Education

e) Occupation

f) Income (Monthly)

g) Details of family dependent of the victim  
MLC No.

h) Nature of injuries

i) Name of the Hospital where the injured treated

j) Whether victim refused medical treatment

k) Period of hospitalization

l) Period of treatment

m) Whether treatment continuing

n) Name, address and contact number of the doctor  
(s) who treated the injured

o) Whether the injured underwent any surgery? If  
yes, then give particulars.

Accepted 9/11/19



	<p>p) Whether suffered any permanent disability.</p> <p>g) Expenditure incurred on treatment conveyance, special diet, attendant etc. Give details, if available.</p> <p>r) Whether the injured got reimbursement of medical expenses from his employer or under a mediclaim policy. Give details, if available.</p> <p>s) Whether the injured was provided cashless treatment by the Insurance Company? Give details, if available.</p>	
3.	Any other relevant information.	

PART-III - RELEVANT DOCUMENTS TO BE ATTACHED		
1.	First Information Report	
2.	Photographs of the scene of the accident from all angles	
3.	Statement of the witnesses recorded by the Police.	
4.	Scientific report, if the Victim was under the influence of any liquor/drugs	
5.	<p>In case of Death.</p> <p>a) Post Mortem Report</p> <p>b) Death Certificate</p> <p>c) Photograph and proof of the identity of the Dead.</p>	

*Accused*  
9/11/19

	d) Proof of legal representatives of the deceased. e) Photograph, specimen, signatures attested by the bank and identify proof of the legal representatives of the deceased. f) Treatment of the deceased with name and address of the Hospital. g) Bank account No. of the legal representatives of the deceased.	
6.	In case of Injury a) MLC b) Multi angled photographs of the injured. c) Photograph, specimen, signatures attested by the bank and identify proof of the injured. d) Disability certificate	
7.	Any other relevant information.	

## VERIFICATION

Verified at \_\_\_\_\_ on this \_\_\_\_\_ of \_\_\_\_\_ that the contents of the above report are true and correct and the documents mentioned in Part III have been verified.

Station House Officer  
(Name and Stamp)

Assistant Commissioner of Police  
(Name and Stamp)

*Aravind*  
9/11/19