

F.No. K-12017/8/2019-Coord  
Government of India  
Ministry of Finance  
Department of Revenue  
Coordination Section

1270069/19


New Delhi, /0 October, 2019

OFFICE MEMORANDUM

Subject: Adoption of guidelines framed by DoT to grant compensation to the families of the victims dying at public places due to the negligence and/or unforeseen causes, by other Ministries and Departments/Government entities functioning under their respective administrative control.

The undersigned is directed to forward herewith a copy of Cabinet Secretariat's OM No. 111/2/3/2016-Cab.III dated 1<sup>st</sup> October, 2019 on the above mentioned subject for information and necessary action.

Encl: as above

  
Anu Narayanan  
Section Officer – (Coord.)  
Tel: 2309-5372

- ✓ 1. The Chairman, CBDT
2. The Chairman, CBIC
3. Director, Director of Enforcement
4. D.G (CEIB)
5. Director (Hqrs), Revenue Hqrs
6. Director (Admn), Revenue Hqrs
7. Director (NC), Revenue Hqrs
8. US (IFU-III), Revenue Hqrs

Cu(151) in mts.  
M(A)

15/10/19  
J.S. (Adm) - anu  
DS (Adm)

Email sent to:

AU CCAs/Pr-CCITs)

AU DSITs

16/10/19

Most Immediate

F. No. 111/2/3/2016-Cab. III  
 Government of India / भारत सरकार  
 Cabinet Secretariat / मंत्रिमंडल सचिवालय  
 Rashtrapati Bhawan / राष्ट्रपति भवन

New Delhi, dated the 25<sup>th</sup> July, 2019Office Memorandum

**Sub:** Adoption of guidelines framed by DoT to grant compensation to the families of the victims dying at public places due to the negligence and/or unforeseen causes, by other Ministries and Departments/ Government entities functioning under their respective administrative control.

Kind attention is invited to this Secretariat's IO of even no. dated 12<sup>th</sup> July, 2017 (copy enclosed) and subsequent communications on the above mentioned subject.

2. In this regard, it is informed that High Court of Delhi, vide its order dated 05.07.2019 in FAO 154/2013 (copy enclosed) has directed that the Office Memoranda issued for adoption of the guidelines on the above subject be also circulated to all the entities under the Ministries/Departments, within a period of six weeks from 05.07.2019.

3. The compliance of these orders may please be ensured.

(Sibi Chakravarthy M)

Deputy Secretary

Tele: 23013507

To

Secretaries of all Ministries/Department to the Govt  
 (As per list enclosed)

F. No. 111/2/3/2016-Cab. III

Government of India / भारत सरकार  
Cabinet Secretariat / मंत्रिमंडल सचिवालय  
Rashtrapati Bhawan / राष्ट्रपति भवन



New Delhi, dated the 11<sup>th</sup> October, 2019

Office Memorandum

**Sub: Adoption of guidelines framed by DoT to grant compensation to the families of the victims dying at public places due to the negligence and/or unforeseen causes, by other Ministries and Departments/ Government entities functioning under their respective administrative control.**

Kind attention is invited to this Secretariat's ID of even no. dated 25<sup>th</sup> July, 2019 (copy enclosed) on the above mentioned subject.

2. In this regard, it is informed that D/o Expenditure vide ID Note No. 3(63)/E. Coord/2016 (300302378) dated 16.09.2019 has intimated the following 'Budget Head' formulated for incurring expenditure on compensation :

"Sub-Head '19-Compensation to the victims or to their families on account of accidents, injury or death at Public Places' under Minor Head '200 - Other Programmes' below Sub-Major head '60-Other Social Security and Welfare Programmes' under Major Head '2235-Social Security and Welfare'.

*R. S. Tiwari*

AS(R)

*h.*  
*21/10/19*

To

Secretaries of all Ministries/Departments to the Gol  
(As per list enclosed)

*AT*  
*30/10/19*

(Alok Tiwari)  
Deputy Secretary  
Tele: 23015861

*JS (H)* on tour

*DS (Comp)* *3/10*

*Pl communicate to all subordinates / attached offices including IFU for h. a.*

*PM*  
*04/10/2019*

*SO (Coord)*  
*Sh. Ankur*

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GOVERNMENT OF INDIA  
CABINET SECRETARIAT  
RASHTRAPATI BHAVAN

.....

**Subject: Guidelines framed by DoT to grant compensation in cases of death/permanent incapacitation of persons due to unintended/unforeseen occurrences during maintenance, operation and provisioning of public services - adoption by other Ministries/Departments and Government entities functioning under their administrative control - reg.**

In the matter of FAO No. 154/2013 and 262/2013 titled Writer Safeguard Ltd vs. Commissioner under Employees Compensation Act and Others before the High Court of Delhi, D/o Telecommunications had framed guidelines under the directions of the Court for compensation in cases of death/permanent incapacitation due to negligence and/or unforeseen causes in the course of provision of public services.

2. Additional Solicitor General handling the case has informed that High Court is of the view that the said guidelines of DoT should be adopted / followed by other Departments / Government entities as well.

3. A copy of the abovementioned guidelines framed by D/o Telecommunications is enclosed herewith (**Annex**). It is requested that the guidelines may be examined for adoption with the approval of Competent Authority.

4. Cabinet Secretariat may be kept updated of the action taken in this regard.

*AB of m/s*  
(S.A.M. Rizvi)  
Joint Secretary  
Tel: 23013662

Secretaries of all Ministries/Departments  
Cab. Sectt. ID No. 111/2/3/2016 - Cab. III

Dated: 12<sup>th</sup> July, 2017

List of Ministries/Departments adopted/framed/ in process of adopting the guidelines

1. D/o Telecommunications	47. Department for Promotion of Industry and Internal Trade (earlier DIPP)
2. M/o Commerce	48. M/o Development of North Eastern Region
3. D/o Rural Development	49. D/o Land Resources
4. D/o Biotechnology	50. D/o Scientific & Industrial Research
5. M/o Micro, Small and Medium Enterprises	51. M/o External Affairs
6. D/o Chemicals & Petrochemicals	52. M/o Statistics & Programme Implementation
7. NITI Aayog	53. D/o Food & Public Distribution
8. D/o Fertilizers	54. D/o Public Enterprises
9. D/o Youth Affairs	55. D/o Indian Council of Agricultural Research
10. D/o Health Research	56. Legislative Department
11. M/o New Renewable Energy	57. M/o Science & Technology
12. D/o Revenue	58. M/o Parliamentary Affairs
13. D/o Pension & Pensioners' Welfare	59. M/o Food Processing Industries
14. M/o Drinking Water & Sanitation	60. M/o Information & Broadcasting
15. D/o AYUSH	61. D/o Empowerment of Persons with disabilities
16. D/o Investment & Public Assets Management	62. M/o Social Justice & Empowerment
17. M/o Mines	63. D/o Economic Affairs
18. M/o Culture	64. D/o Agriculture, Cooperation & Farmers' Welfare
19. D/o Space	65. D/o Animal Husbandry, Dairying & fisheries
20. D/o Sports	66. M/o Petroleum & Natural Gas
21. D/o Personnel & Training	67. M/o Coal
22. D/o Pharmaceuticals	68. D/o Legal Affairs
23. M/o Panchayati Raj	69. D/o Defence Research & Development
24. D/o Higher Education	70. M/o Environment, Forests & Climate Change
25. D/o School Education & Literacy	71. M/o Health & Family Welfare
26. M/o Housing & Urban Alleviation	72. M/o Labour & Employment
27. M/o Corporate Affairs	73. M/o Road Transport & Highways
28. D/o Financial Services	74. D/o Heavy Industry
29. D/o Defence Production	75. M/o Civil Aviation
30. M/o Electronics & Information Technology	76. M/o Earth Sciences
31. M/o Defence	77. Atomic Energy
32. D/o Expenditure	78. Tribal Affairs
33. M/o Women & Child Development	79. M/o Power
34. M/o Water Resources, RD & GR	80. D/o Justice
35. M/o Skill Development and Entrepreneurship	81. M/o Minority Affairs
36. M/o Tourism	82. M/o Steel
37. D/o Administrative Reforms & Public Grievances	83. D/o Ex- Servicemen Welfare
38. Cabinet Secretariat	84. D/o Consumer Affairs
39. M/o Home Affairs	
40. D/o Border Management	
41. D/o Official Language	
42. D/o Inter-State Council Secretariat	
43. M/o Railways	
44. M/o Textiles	
45. M/o Shipping	
46. D/o Posts	

1. Mr.Kirtiman Singh, learned Central Govt. Standing Counsel submits that the copies of the office memorandums issued by the 60 Ministries/Departments have been placed on record. Copy of the same has been furnished to Mr.Satyam Thareja, learned amicus curiae.
2. This Court is satisfied with the office memorandums issued by 60 Ministries/Departments. Let these office memorandums be circulated to all the concerned Departments of the Ministries within a period of six weeks from today.
3. These appeals are disposed of. Pending applications are disposed of.
4. This Court appreciates the assistance rendered by Mr. Satyam Thareja and Mr. Joydeep Mazumdar, learned amici curiae as well as Mr.Kirtiman Singh, learned Central Govt. Standing Counsel in assisting the Court in this matter.
5. Copy of this order be given *dasti* under the signature of the Court Master.

J.R. MIDHA, J.

**JULY 05, 2019**  
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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ FAO 154/2013 & CM APPLN.5185/2013

WRITER SAFEGAURD LTD ..... Appellant  
Through: Mr.Satyam Thareja, Advocate as  
amicus curiae  
Mr.Joydeep Mazumdar, Advocate as  
amicus curiae with Mr.Rohit dutta,  
Ms.Priyata Chakraborty, Advocates

versus

COMMISSIONER UNDER EMPLOYEES  
COMPENSATION ACT AND ORS ..... Respondents  
Through: Mr.Kirtiman Singh, CGSC with  
Mr.Waize Ali Noor, Mr.Prateek  
Dhanda, Ms.Shruti Dutt, Advocates

+ FAO 262/2013 & CM APPLN. 9569/2013

M/S WRITER SAFEGUARD LTD ..... Appellant  
Through: Mr.Satyam Thareja, Advocate as  
amicus curiae  
Mr.Joydeep Mazumdar, Advocate as  
amicus curiae with Mr.Rohit dutta,  
Ms.Priyata Chakraborty, Advocates

versus

COMMISSIONER UNDER  
EMPLOYEES COMPENSATION ACT & ORS. .... Respondents  
Through: Mr.Kirtiman Singh, CGSC with  
Mr.Waize Ali Noor, Mr.Prateek  
Dhanda, Ms.Shruti Dutt, Advocates

CORAM:  
HON'BLE MR. JUSTICE J.R. MIDHA

ORDER  
05.07.2019

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