

MAHARSHI DAYANAND UNIVERSITY ROHTAK

Copy of extract of Reso. No. 6 of the Executive Council's meeting
held on 13/9/2017

6. Adoption of policy regarding payment of ex-gratia Lump-sum compensation to the families of polling personnel who die or sustain injuries during the course of discharge of election duties i.e. Panchayat Raj Institutions/Urban Local Bodies

Considered and adopt the policy regarding payment of ex-gratia Lump-sum compensation to the families of polling personnel who die or sustain injuries during the course of discharge of election duties i.e. Panchayat Raj Institutions/Urban Local Bodies issued vide No. No. 20/04/2016-2 Pol. Dated 8th June, 2017 (Annexure A/6 pages 89-91, already circulated).

RESOLVED THAT THE POLICY OF THE STATE GOVT. AS ABOVE BE ADOPTED.

[ACTION BY A.R. (ESTT.-NT)]

ESTABLISHMENT BRANCH (Estt. N.T)

Endst. No. EN-4/16/M-156(IV)11028-11177

dated: 20.09.2017

Copy of the above, alongwith the above mentioned policy are forwarded to the following for information and necessary action.

1. All HOD(s)/Branch Officer, Maharshi Dayanand University, Rohtak with the request to get it noted from all the staff members working under their supervision.
2. Director, UILMS, Gurugram.
3. Finance Officer, Maharshi Dayanand University, Rohtak.
4. Incharge (Legal Cell), M.D. University, Rohtak.
5. OSD to Vice-Chancellor/ Registrar and P.A. to C.O.E. (for kind information of the Vice-Chancellor/ Registrar/ Controller of Examination), Maharshi Dayanand University, Rohtak.
6. Deputy Registrar (Estt. Teaching), Maharshi Dayanand University, Rohtak.
7. All Dealing Assistant (Estt. NT), M.D. University, Rohtak.

Encl: as above.


**Superintendent(Estt.)
for Registrar**

17-153

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20/04/2016-2Pol.
Government of Haryana
Chief Secretary's Office
Political & Parliamentary Affairs Department
Dated, Chandigarh the 8th June, 2017

To

1. The State Election Commission, Haryana, Panchkula.
2. The Divisional Commissioners at Ambala, Gurugram, Karnal, Hisar, Faridabad & Rohtak.
3. All the Heads of Departments of Haryana.
4. Registrar, Punjab & Haryana High Court, Chandigarh.
5. All the Deputy Commissioners-cum-District Election Officer (P&M) in the State of Haryana.
6. All the Sub-Divisional Officers (Civil) in the State of Haryana.
7. Registrars of the Universities in Haryana.

Subject:- Policy regarding payment of ex-gratia lump-sum compensation to the families of polling personnel who die or sustain injuries during the course of discharge of election duties i.e. Panchayat Raj Institutions/ Urban Local Bodies.

Sir,

I am directed to introduce the policy on the pattern of Government of India issued by Legislative Department, Ministry of Law & Justice vide their No. G.27031/3/2014-B&A dated 13.03.2015 regarding payment of an Ex-gratia lump-sum compensation to the families of polling personnel who die or sustain injuries during the course of discharge of election duties: It has been decided by the State Government that ex-gratia compensation may be granted/allowed to the such polling personnel/families of the deceased polling personnel during election duty for Panchayat Raj Institutions and Urban Local Bodies elections at the following rates:-

- I. In case of death of polling personnel during the course of performance of election duties, his family may be allowed an ex-gratia compensation of ₹10.00 lakh.
- II. In case of death unfortunately caused due to any violent acts of extremists or anti-social elements like road mines bomb blasts, armed attacks, etc. the amount of compensation may be ₹20.00lakh;
- III. In the case of permanent incapacitation, due to an injury sustained during the course of election duty and ex-gratia compensation of ₹5.00 lakh may be allowed to the injured personnel;
- IV. In the case of permanent incapacitation caused due to any violent acts of extremists or anti-social elements like road mines, bomb blasts, armed attacks, etc. the amount of compensation may be ₹10.00 lakh.

2. In this connection, it is further stated that the cases relating to allowing of an ex-gratia compensation in death cases are to be regulated as per above. If the families of the State Government employees are getting an additional amount of lump-sum ex-gratia compensation, including Chief Minister's Relief Fund and Prime Minister's Relief Fund etc., then there will be no ceiling for grant of ex-gratia lump-sum compensation. Similarly, for persons deployed for Election Duty i.e. security personnel, private persons like drivers, cleaners, contractual or outsourced staff shall also be covered under this policy. This is based on Election Commission of India instructions dated 25.04.2014. In such case, there shall be no cap, whatsoever, on their amount of compensation from various sources (Chief Minister Relief Fund, Prime Minister Relief Fund, etc).

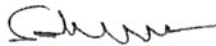
3. 'Polling personnel' means the officers/officials appointed by the competent authority under relevant rules for the conduct of the elections of Panchayat and Municipal Institutions.

4. The cases of the grant of such ex-gratia compensation will have to be referred to the Government (Political Branch at Secretariat Level) for seeking approval of the competent authority i.e. Chief Secretary to Government Haryana. Thus, it would be in fitness of things to suggest that while recommending cases for payment of ex-gratia compensation, the Deputy Commissioner and District Electoral Officer (Panchayats/ Municipal) should, first and foremost, ensure that the death/injury has been caused during the performance of bonafide official duty relating to the conduct of elections. The recommendations should be duly supported by medical reports and other relevant documents, viz, FIR filed etc. In this connection, it may be pertinent to state that it shall be the responsibility of the Deputy Commissioner and District Electoral Officer (Panchayats/ Municipal) in the first instance to satisfy himself of the fitness of each case, individually, for being recommended for grant of ex-gratia compensation in terms of this order. In case a Government servant had died/sustained injuries, in such circumstances where relevant documents, namely, medical report/FIR could not be secured, the nexus and causal connection with Government service would need to be adequately established in determining the entitlement to the ex-gratia lump-sum payment. In deciding such issues, all evidence (both direct and circumstantial) should be taken into account and provided to his department for further consideration of such matters.

5. It is also clarified that it would be reasonable to consider a person on election duty as soon as he/she leaves his/her residence /office to report for any election related duty including training and until he/she reaches back to his /her residence /office after performing of election related duty. If any mishap takes place during this period, it should be treated as having occurred on election duty subject to condition that there should be a causal connection between occurrence of death/injury and the election duty.

6. It is also clarified that Ex-gratia policy will not be applicable during the process of preparation of electoral rolls/verification etc.

7. The expenditure in this regard will be met out under the Major Head "H.Q. 2015-Election -101-Election Commission 02 Charges for conduct of Election for Panchayats (79) Ex-gratia HQ-99(Plan)" of the State Election Commission.


(Satish Sharma)

Deputy Secretary to Government, Haryana,
Political and Parliamentary Affairs Department.

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