

**ARUNACHAL PRADESH STATE ELECTRICITY REGULATORY COMMISSION  
ITANAGAR**

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**DRAFT NOTIFICATION**

**The \_\_\_\_\_, 2024**

**APSERC(Compensation to victims of Electrical Accidents) Regulations,2025**

No. APSERC/Notification/\_\_\_\_\_: In exercise of the powers conferred on it by sub-Section (2) of Section 181 read with Section 57,58 & 59 of the Electricity Act, 2003 (Act No. 36 of 2003) (hereinafter referred to as ‘the Act’), and all other powers enabling it in this behalf, the Arunachal Pradesh State Electricity Regulatory Commission hereby makes the following regulations.,

**CHAPTER - 1: PRELIMINARY**

**1. Short title and Commencement:**

- (1) These Regulations shall be called the **Arunachal Pradesh State Electricity Regulatory Commission (Compensation to victims of Electrical Accidents) Regulations, 2025**
- (2) These Regulations shall extend to the whole of the State of Arunachal Pradesh.
- (3) These Regulations shall be applicable to all existing Generation Companies including captive power plants as well as transmission and distribution Licensee in the respective areas in the state of Arunachal Pradesh.
- (4) These Regulations shall come into force from the date of its publication in the official Gazette of Arunachal Pradesh unless amended, extended or repealed by the Commission:

**2. Definitions:**

In these regulations, unless the context otherwise requires, -

- (1) **“Authority”** means Central Electricity Authority referred to in Section 70 of the Act;
- (2) **“Beneficiary”** means person affected by electrical accident or dependant of deceased person of such accident.
- (3) **“Commission”** means the Arunachal Pradesh State Electricity Regulatory Commission.

- (4) **“Dependants”** means persons who are entitled to succeed to the estate of the deceased as per the personal law by which the deceased was governed.
- (5) **“Electrical Accident”** means an undesired event caused by electrical current resulting to injury or burn or fatality to person(s), animal(s), bird(s).
- (6) **“Grievous hurt”** means grievous hurt as defined in section 320 of the Indian Penal Code, Central Act XLV of 1860.
- (7) **“Generating Companies”** means to power generation companies operating within the state of Arunachal Pradesh, including Captive Power Plants located in the state of Arunachal Pradesh.
- (8) **“Hurt”** means hurt as defined in section 319 of the Indian Penal Code, Central Act XLV of 1860.
- (9) **“Licensee”** means a person who has been granted a Licence under section 14 of the Electricity Act 2003 including a deemed license under the said provision.

**2.1** Words and expressions used and not defined in these Regulations but defined in Electricity Act 2003 or APERC - Standards of Performance for the Distribution Licensee Regulations, 2024 or Regulations framed by the Central Electricity Authority under section 73(c) and section 177(2) (b) of the Electricity Act 2003 relating to safety and electric supply made thereunder, shall have the meanings respectively assigned to them therein.

## **CHAPTER 2-STANDARDS OF PERFORMANCE**

### **3. Safety Standards:**

- (1) The installations, construction, maintenance, operation, or usage of works by Licensees or Generating Companies, shall be carried out in a manner that ensures the safety of the public—including individuals involved in generation, transmission, distribution, or trading of electricity—as well as animals and birds, by preventing the risk of electric shock or any injury arising from the generation, transmission, distribution, or use of electricity
- (2) The Licensees or Generating Companies or any person connected to the electricity system shall comply with all the mandatory safety requirements and take all necessary measures to protect human beings, animals, birds and property from injury or damage by reason of contact with, or the proximity of, or by reason of the defective or dangerous

condition of any appliance or apparatus used in generation, transmission, distribution, supply or use of electricity.

- (3) The Licensees or Generating Companies shall strictly comply with the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010 as amended from time to time and any requirements that may be specified by the Central Electricity Authority under Section 53(a) and (b), Section 73(c) and Section 177(2) of the Electricity Act, 2003 relating to safety and electric supply.

#### **4. Liability for Compensation**

- (1) The Licensees or Generating Companies failing to meet the standard of performance specified in Regulation 3 above shall be liable to pay compensation as specified in these Regulations to the person affected for loss of human or animal/bird life or injury to human or animals/birds in consequence of an electrical accident.
- (2) Whether or not there has been any wrongful act, omission, rashness, neglect or default on the part of the licensee and generating companies as the case may be as would entitle the person affected to maintain a civil action for recovery of any damages or compensation or maintain a prosecution for invoking criminal liability in respect thereof, the licensee and generating companies as the case may be shall, notwithstanding anything contained in any other law in force, be liable to pay compensation to such extent as specified in these Regulations, if an electrical accident occurs, resulting in loss of human or animal life or injury to human beings or animals unless the electrical accident primarily was not due to the failure of the licensee generating companies as the case may be to meet the standards of performance but was a direct or proximate result of intervention of some other extraneous reason or cause.

Provided that if the loss of human life is due to suicide or homicide or the injury to a human being is due to an attempt to commit suicide or homicide, the licensee, generating companies as the case may be shall not be liable to pay any compensation for the same under these Regulations.

- (3) The compensation once determined shall be paid within the time limit specified in these Regulations to the victim/beneficiary by the Licensees or generating company

including CPPs as the case may be. The amount of compensation may be recovered from the concerned employees of the licensees or generating company including CPPs if found responsible for occurrence of the accident through departmental enquiry.

### **Chapter 3-COMPENSATION**

#### **5. Quantum of Compensation:**

- (1) The Compensation payable for loss of human life as result of an electrical accident shall be Rupees Twenty-Five Lakhs per person.
- (2) A sum of Rupees Ten lakhs per person in case of more than 60% disability and Rupees Five Lakhs per person in case of disability between 40% and 60% shall be paid as compensation for electrical accidents. The amount of compensation will be payable on the certificate with regard to percentage disability granted by civil surgeon of the respective area
- (3) A sum of Rupees Fifty Thousand per person requiring hospitalization for more than a week and Rupees Twenty-Five Thousand per person requiring hospitalization for less than a week shall be paid subject to production of Govt Hospital/Hospital approved under CGHS bills duly certified by concerned hospitals.
- (4) The compensation payable for loss of animal/bird life as a result of an electrical accident shall be payable at the following rates:
  - i. Milch Animals:
    - a) Rs.50000/Buffalo/Cow/Yak/Mithun etc.
    - b) Rs.10000 /Sheep/Goat/Pig etc.
  - ii. Draught Animals
    - a) Rs 35000/ Camel/Horse/Bullock etc
    - b) Rs.25000/Calf/Donkey/Pony/Mule etc

The assistance may be restricted for actual loss of economically productive animals and shall be subject to a ceiling of 3 large milch animal or 30 small milch animals or 3 large draught animals or 6 small draught animals per household irrespective of whether a household has lost a larger number of animals. (The loss is to be certified by the Competent Authority designated by the State Government).

- c) Poultry: Poultry @Rs.100 per bird subject to a ceiling of assistance of Rs.10000/- per beneficiary household.

#### **6. Assessment of Compensation:**

The quantum of compensation payable in respect of death or injury to a human being or an animal shall be arrived at by the licensee/generating company including CPP as specified in the guidelines to be framed by the licensee. The licensee shall frame guidelines within three months from the date of publication of these Regulations in the official gazette.

#### **7. Other rights and remedies unaffected**

The right of any person to claim compensation as above shall not affect the right of any such person to recover the compensation payable under any other law for the time being in force. Provided that the amount paid as compensation under these Regulations shall be duly deducted from such compensation payable under any other law so as to avoid double payment by Licensee/Generating Company/CPPs.

#### **8. Contracts or Schemes Unaffected**

The right of any person to otherwise claim compensation under any contract or scheme, providing for payment of compensation for death or personal injury or damage to property or any sum payable under any policy of insurance shall remain unaffected by payment of compensation made under these Regulations.

#### **9. Periodical revision of the quantum of compensation**

The Commission may in consultation with the Licensees, Generating Companies and the State Government and for reasons to be recorded in writing enhance the limits of compensation specified in Regulation 5 above at any time by an order.

### **Chapter 4: PROCEDURE**

#### **10. Display of information**

For intimation of an electrical accident, telephone numbers, fax numbers and addresses of Chief Electrical Inspector or Electrical Inspectors, District Magistrate and Police Station shall be displayed at the website of the licensee/generating company, electricity bills revenue collection centre/mobile application and in any other location as may be decided by the Licensee/Generating Company/CPP.

### **11. Occurrence report of an Electrical Accident**

In addition to an independent intimation of accident the Junior Electrical Engineer/Assistant Electrical Engineer/Executive Engineer or their equivalent engineer of the licensee/generating company including CPPs concerned shall send a report under proper receipt through a special messenger to the Chief Electrical Inspector of the concerned area and to the Chief Engineer of the Licensee/Head of the Generating Company including CPPs concerned forthwith on the occurrence of an electrical accident in the form set out in Annexure-I to these Regulations so as to reach the said Electrical Inspector/ Chief Engineer of the Licensee/Head of the Generating Company including CPPs within twenty four hours of the electrical accident. In case of any reporting is made through any other mode/media etc. to the Electrical Inspector, then the said incident should be treated as a reported case for enquiry.

### **12. Enquiry Report**

The Electrical Inspector shall within 15 days from the receipt of a report of an electrical accident submit a detailed report through proper channel to the concerned authority of the licensee/Generating Company including CPPs after conducting a detailed enquiry of the said accident.

### **13. Verification and final order**

The concerned authority of the Licensee/Generating Company including CPPs may thereupon pass final orders in accordance to clause 5 above determining the quantum of compensation payable and the persons entitled to the same, namely the dependents of the deceased person or the injured person or the owner of the animal/bird as the case may be. Provided that the concerned authority of the licensee/Generating company including CPPs for evaluation of various disabilities and procedure for certification of disabilities should follow the State Government Guidelines on such matters.

Such verification, assessment and passing of final orders on any compensation payable and the person to whom it is payable shall be completed within 15 days from the date of receipt of report from the Electrical Inspector.

The enquiry report shall be accompanied with the following reports/documents as under:

- a) Occurrence Report.
- b) Police Report.
- c) Post Mortem Report (in case of death).
- d) Death Certificate (in case of death).

- e) Age proof certificate of the victim.

#### **14. Communication of the final order**

The Licensee/Generating Company/CPP shall communicate the order passed by it on any claim for compensation arising out of an electrical accident to the beneficiary and the person entitled within 7 days of passing of any such order in any one or more of the following modes as under:

- a) Through email to designated email id
- b) Registered post with acknowledgement due.
- c) By hand delivery through messenger.
- d) In any other manner considered appropriate

The order shall also be hosted in the official website of the Licensee/Generating Company/CPP and a copy of such order shall also be forwarded to the Commission.

#### **15. Payment of Compensation**

The compensation shall be paid to the persons entitled to the same within 30 days from the date of the aforesaid order.

#### **16. Dispute Resolution Procedure**

If the claimant or person entitled is aggrieved with regard to entitlement of compensation or quantum of compensation in accordance with the Regulations or non redressal of his grievance, he may file an application before the Consumer Grievance Forum in accordance with APSERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2015 and its amendments.

Notwithstanding the above the aggrieved person may approach a civil court.

#### **17. Presumption**

If an electrical accident occurs that causes death or injury to a person or animal, it will be assumed when determining whether a licensee or generating company (including Captive Power Plants) is liable to pay compensation, that the accident likely happened due to the licensee's failure to meet the safety standards outlined in Regulation 3. The responsibility to prove otherwise that safety standards were actually met will lie with the licensee or generating company including CPPs.

### **18. Consequence to non-compliance**

Contravention of any of the provisions of these Regulations and non-compliance with the orders or directions of the Commission under these Regulations shall be deemed to be non-compliance and contravention within the meaning of section 142 and 146 of Electricity Act 2003.

### **19. Information to the Commission**

The licensee or generating company (including Captive Power Plants) shall submit to the Commission by 15th of every succeeding month, the details of the electrical accidents occurring within their respective jurisdictions and action taken thereon in accordance with these Regulations.

### **20. Assistance to dependents and victims**

The licensee or generating company (including Captive Power Plants) concerned shall ensure extending all possible assistance and help to the dependents of a deceased human being or the victims of the electrical accident to the extent possible to get over the consequences of an electrical accident, more particularly, medical treatment and physical rehabilitation.

## **CHAPTER-5 MISCELLANEOUS**

### **21. Residuary Provisions:**

- (1) The provisions of these Regulations shall be in addition to and not in derogation of the provisions of any other law or rules or regulations or scheme or contract for the time being in force.
- (2) Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may be necessary for meeting the ends of justice or to prevent the abuse of the process of the Commission.
- (3) Nothing in these Regulations shall bar the Commission from adopting a procedure which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing deems it necessary or expedient.
- (4) Nothing in these Regulations shall, expressly or impliedly, bar the Commission to deal with any matter or exercise any power under the Electricity Act. 2003 for which no Regulations



have been framed, and the Commission may deal with such matters, powers and functions in a manner it deems fit.

- (5) Subject to the provisions of the Electricity Act, 2003 and these Regulations, the Commission may, from time to time, issue orders and issue directions in regard to the implementation of these Regulations and procedure to be followed on various matters which the Commission has been empowered by these Regulations to specify or direct.
- (6) The Commission may, at any time add, modify, delete or amend any provision of these Regulations subject to the provision of the Electricity Act, 2003.
- (7) If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do anything not being inconsistent with the provisions of the Electricity Act, 2003, which appears to it to be necessary or expedient for the purpose of removing the difficulties
- (8) The Commission shall have the power, for reasons to be recorded in writing and with notice to the affected parties, to dispense with the requirements of any of the clauses in these Regulations in a specific case or cases subject to such terms and conditions as may be specified.

(By the Order of the Commission)

Secretary(i/c)

Arunachal Pradesh State Electricity Regulatory Commission

**ANNEXURE I**

**OCCURRENCE REPORT**

1. Date & Time of accident:
2. Place of accident:
3. Designation of the Officer-in-charge of the Generating Company or the Licensee in whose jurisdiction the accident occurred:
4. Nature & Details of the accident:
5. Details of Victim(s) (Fatal/Non-Fatal):

(a) Human

Sl. No	Name	Fathers Name	Sex of the victim	Full Postal Address	Approximate Age	Fatal/Non -fatal

(b) Animal

Sl. No	Description of Animal(s)	Number(s)	Name of Owner(s)	Full Postal Address of Owner	Fatal/Non - fatal

6. Detailed causes leading to the accident: (Use a separate sheet and attach it to this form, if needed):
7. Details of the persons who witnessed the accident: (Name, designation, address etc.):
8. Action Taken:
9. Any other information:

Signature

Name & Designation

**Claim form for Payment of Compensation**

1. Date & Time of accident:

2. Place of accident:

3. Details of the accident:

4. Details of the deceased or Injured person(s):

Name (s):

Age:

Sex:

Address:

Occupation:

5. Details of the dead or injured animal(s) Description:

Age:

Value:

6. In case of non-fatal accidents, details of temporary/permanent/total/partial disabilities suffered, if any: (Enclose a certificate issued by the relevant Medical Board or any competent Authority)

7. Details of the dependents:

8. Whether or not an FIR is registered by the Police:

Signature of the claimant(s)

Name of the claimant(s) Relationship with the deceased/injured/animal

**To be enclosed to the extent they can be reasonably secured apart from any other information which the claimant(s) feel relevant:**

**Enclosures:**

**For Humans: -**

1. Proof of identity of the claimant
2. A copy of the FIR
3. A copy of the post mortem report, if conducted
4. A copy of the inquest report/panchanama, if conducted
5. A copy of the Death certificate or wound certificate, if issued.
6. A copy of any photo of the deceased or injured person (after the accident), if available
7. Evidence of relationship with the deceased
8. Evidence of expenses of hospitalization and treatment.

**For Animals:**

1. Proof of identity of the claimant
2. A copy of the FIR, if registered.
3. A copy of the post mortem report, if conducted
4. A copy of the inquest report/ panchanama, if conducted
5. A copy of the Death certificate or wound certificate, if issued
6. A copy of any photo of the deceased or injured animal (after the accident), if available.
7. Evidence of ownership and value of the animal(s).