

पावर ग्रिड कॉर्पोरेशन ऑफ इंडिया लिमिटेड
POWER GRID CORPORATION OF INDIA LIMITED
सूचना का अधिकार अधिनियम 2005 के अंतर्गत अपीलिय अधिकारी
APPELLATE AUTHORITY UNDER RTI ACT, 2005
SRTS-II, RHQ, Singanayakanahalli, Yelahanka Hobli, Bengaluru-560064

Ref:SRTS-II:RTI:F-1354:22-23/Appeal(2)

Dt:16.08.2022

Appeal No.PGCIL/A/E/22/00027 dated 01st July, 2022

Name of Appellant : Varghese Mathew, POWERGRID WR-1,
C/o.Manoj Kawle, MSEB Colony,
Brahmapuri, Maharashtra

Name of Public Authority : Power Grid Corporation of India Ltd
Southern Region Transmission System-II
Bengaluru – 560 064

Respondent : Shri K.V. Satyanarayana
Sr.General Manager &
Central Public Information Officer
POWERGRID, SR-II, Bangalore

ORDER

Grounds of Appeal:

Being dissatisfied by the information provided by the CPIO, POWERGRID, SR-II, Bangalore, vide his letter No.SR-II: RTI:F-1354:22-23 Dt: 02.06.2022 against the Request of the Appellant vide application dated 06.05.2022, the Appellant has filed this on the following grounds:-

The Appellant has stated that the CPIO Office has not furnished appropriate information w.r.t. Q.No.3,6,7,8 & 9.

It is observed that the CPIO has replied the queries as sought in the application and provided within the time limit stipulated in the RTI Act,2005.


Decision:

I have examined the matter and the information available against Query Nos.3,6,7 & 8 as per the available records is furnished below:

- a) Q.No.3 & 7 : enclosed as Annexure-I.
- b) Q.No.6: Information pertains to third party. Hence, not applicable.

- c) Point No.8: As per clause 8.0 of service rules, an employee in the service of the Corporation shall be liable to be transferred to any of its Project, Region, Office or any other place or location or job where he may be posted for any of the Corporation's work in any part of the country or abroad as may be required by the Competent Authority.
- d) Point No.9: Consideration of online application for transfer of employee is an administrative matter.

With this order, the Appeal stands disposed of.


16/8/22

Executive Director & Appellate Authority, SR-II

Distribution:

1. Varghese Mathew, POWERGRID/WR-1,
C/o.Manoj Kawle, MSEB Colony,
Brahmapuri, Maharashtra.
2. Central Public Information Officer,
POWERGRID, SR-II, Bangalore

तरुण बाजाज/TARUN BAJAJ
कार्यवाहक निदेशक (एडि-ई)/ Executive Director (SRTS-II)
पावरग्रिड, कोलकाता-ई इलेक्ट्रिक पुरवठा/POWERGRID, SRTS-II, RHQ
भारत सरकार का उद्योग/A Government of India Enterprise
सिगनायकाहल्ली/Siganayakanahalli,
वेलहन्का हॉबी, बेंगलूरु/ Velahanka Hobli, Bangalore-560 064



पावर ग्रिड कारपोरेशन ऑफ़ इंडिया लिमिटेड

एस.आर.टी.एस 2, क्षेत्रीय मुख्यालय बंगलुरु
(क्षेत्रीय सुरक्षा विभाग)

Ref:- SR-II/Safety/01112017

Date: 01/08/2018

Sub: Enquiry committee report on accident occurred on 1st Nov 2017 on Edamon-Kochi 400KV line

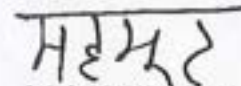
A senior level committee consisting of the following executives was formed based on the approved note F.No: SR2-SFTY-12-13/0003/2018/Safety-SR2-RHQ Grp1 dated 04/07/2018 to investigate the reported incident involving fatal accident in the construction of the subject line.

1. Sri A.P Gangadharan GM/AM, SRTS-II
2. Sri A.J Xavier, AGM/Engg
3. Sri Y.P Singh DGM(Safety-CC)
4. Sri Mohd Mahamood DGM/Safety
5. Sri Thanveer CM(HR)

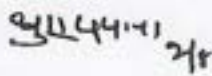
The committee visited the site on 12.07.2018 and conducted a detailed enquiry about the reported incident by third party. The committee collected information/statements from the staff of M/s KEC and POWERGRID who are involved in the construction of the subject line. The committee also collected reports from Police station, Kollam about the case.

The committee report along with all the relevant files are enclosed herewith for kind perusal of ED/SR-II.

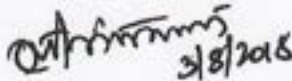
Submitted please.


Mohd Mahamood
(DGM Safety)

~~AGM(AM-SR2)~~



~~GM/AM(SR-II)~~



~~ED(SR-II)~~



ENQUIRY COMMITTEE REPORT ON ACCIDENT OCCURRED ON 01.11.2017 ON EDAMON-KOCHI 400KV D/C TR. LINE AT LOCATION 5/0.

1. Construction of Edamon-Kochi 400 KV D/C line was awarded to M/s KEC International Ltd vide contract ref no CC-CS/773-SR2/TW-3551/3/G3/CA-II/7176 dated 01.03.2017.
2. On 31/05/2018 an information regarding an incident of fatal accident of the subject line was received from third party. In order to ascertain veracity of the incident and a couple of other issues mentioned in the letter, the constituted committee recommended formation of senior level committee to conduct detailed investigation of the accident. Accordingly a committee consisting of the following executives was formed vide approved note F.No:SR2-SFTY-12-13/0003/2018/Safety-SR2-RHQ Grp1 dated 04/07/2018 to investigate the reported incident:
 - a) Sri A.P Gangadharan GM/AM, SRTS-II
 - b) Sri A.J Xavier, AGM/Engg
 - c) Sri Y.P Singh DGM(Safety-CC)
 - d) Sri Thanveer CM(HR-SR-II)
 - e) Sri Mohd Mahamood DGM/Safety

3. **Enquiry of the committee.**

- 3.1. The committee visited the work site at 05/0 tower location on 12.07.2018 where the accident was reported to had taken place. The committee also held discussions with M/s KEC officials/ employees and POWERGRID local officials and enquired about the accident. The following officials of both POWERGRID and M/sKEC were present in the discussions:

1. Shri. S. Rajesh Pillai Project Manager, M/s KEC
2. Shri. S. Jayaram, Asst. Manager Construction, M/s KEC
3. Shri. P. Sidhin, Safety officer M/s KEC.
4. Shri. Kartik Mahato, Site supervisor, M/s KEC.
5. Shri Mathew K. Abraham AGM CAO, POWERGRID
6. Shri Santosh V Sr. Asst. Engineer, POWERGRID

While the committee was discussing about the accident, Shri Santosh Kumar, Sr AE POWERGRID mentioned that he also received an information about the death of one fitter and written a letter(SR-II/PTA/TLC/Tech.F.No 222/2017/365 dated 01/11/17) to M/s KEC seeking the details so as to deal the case as per norms. M/s KEC replied to the letter on 3rd Nov 2017 confirming death but mentioned in the letter that the incident had taken place outside the construction area. Based on this reply that the death is outside of work area, site office did not pursue the matter further.

The committee taken the written statements of Shri Jayaram, Shri Sidhin and Shri Mahato of M/s KEC. Shri Jayaram stated that the death is due to fall from a coconut tree as per their enquiry. Copy of their statements is enclosed.

The committee also taken the statements of POWERGRID executives viz Shri M. Murali (CM/TLC), and Shri Santosh V. Their statements reveal that they tried to contact M/s KEC local management to get the details of accident till 5.00PM on 1st Nov 2017. Having not received any information for raising flash report to Regional office, they written a letter to M/s KEC vide SR-II/PTA/TLC/Tech.F.No 222/2017/365 dated 01/11/17. M/s KEC replied through a letter vide EU/A765/766/427 dated 3rd Nov 2017 stating that the accident was outside the construction area. Copy of their statements is enclosed.

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Enquiry

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The details of the deceased as per Adhaar card and Police Report:

1. Name : Shri Sekh Pintu
2. Father's name : Shri Sekh Manik
3. DOB : 06/08/1999
4. Address : Madhupur, Lalbathani; Malda; West Bengal
5. UID No : 9737 0203 7045
6. Marital status : Unmarried

- 3.2. The Committee downloaded the FIR dated 1st Nov 2017 lodged by SK SAHADUTT, a coworker of the gang, from the Government web site and was ratified from the Thenmala police station. As per the FIR, Shri. Sekh Pintu fell from the tower at 5/0 while shifting his position on the tower. Copy of FIR enclosed.
- 3.3. The Committee further collected the First Information Report submitted before the Hon'ble court of Sub Divisional Magistrate, Kollam along with Mahassar. The Mahassar was prepared by the Addl.Sub.Inspector of Thenmala Police Station Mr.M.Rajendran in presence of Shri. S.K.Sahadutt (who lodged the FIR), Shri.Kartik Mahatho (KEC Site supervisor) and Shri.Ejazul Hussain, fitter of KEC present at the site. Copy of the report is enclosed.
- 3.4. Committee collected the Post Mortem report also. As per the Post Mortem report the victim had his vertebral bones broken followed by collapse of lungs due to accumulation of blood fluid in thorax. Brain turned oedematous with multiple subarachnoid haemorrhage. Medical officer opined the cause of the death was due to injuries sustained to chest. Copy of PM is enclosed.
4. **Deployment of key persons of POWERGRID:**

Sl. No	Name	Emp. No	Designation	Works being done
1.	Sh.M.Murali	30211	CM	Resolving ROW issues at Loc.25/0 (Kollam) along Shri.M.G.Devakumar/JE.
2.	Sh.V.Santhosh	16630	Sr.AE	Office work
3.	Sh.M.G.Devakumar	10440	Jr.E	Assisting with CM/PTA for resolving ROW issues at Loc.25/0 (Kollam).
4.	Sh.PT.Pillai	20249	Jr.E	Stringing inspection & Notice issuance at Loc.16/0 - 17/0(Kollam).
5.	Sh.P.K.Vaidhyananthan	10933	Jr.E	Foundation work at Loc. 94/0 at Pathanamthitta section.
6.	Sh.Varghese Mathew	10532	Jr.E	Survey & notice issuance in Loc. 51/0 - 44/2 at Pathanamthitta section.
7.	Sh.K.M.Anoop	60085	Jr.E	Foundation works at Loc. 86/1 at Pathanamthitta section.

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5. **Deployment of Key persons of M/s.KEC International Limited:**

S.No	Name	Designation	Status of Deployment
1	Sri. Jayaram	Asst. Manager KEC	At the office of Internal Auditor
2	Sri. P. Sidhin	Safety Officer KEC	At 18/0 location of the line
3	Sri. Kartik Mahato.	Site Supervisor KEC	At 6/0 location of the line
4	Sri. Ejajul Hussain	Fitter (Fixed Tenure)	At site Top of tower 05/0
5	Sri SK Sahadut	Fitter(Fixed Tenure)	At Top level (Lodged FIR) 05/0
6	Sri SK Silhu	Fitter(Fixed Tenure)	At site 05/0
7	Sri Sekh Pintu	Gang Leader(FI)	At Middle level(Deseased) 05/0

6. **Determination of cause of accident:**

- When the committee visited the location 05/0, where the accident was reported to have taken place, it could not spot any sign of accident as such. It could be due to long time gap of more than 8 months since the accident took place on 01/11/2017. However, it is clear from the Muster roll and the statement of Shri Kartik Mahato that the deceased was on the duty on 1st Nov 2017.

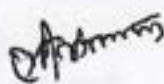
The working gang or any prime witness was not available on 12/07/2018 for interrogation by the committee. M/s KEC informed that the gang left for their native soon after completion of their scope of the work.

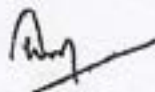
- All of whom the committee discussed were away from the accident site and they were unable to give the details of the accident. In the statement given by Shri Jayaram S, section in charge of M/s.KEC, it is mentioned that the death is due to falling from coconut tree as per their separate enquiry. No information furnished in support of this statement. The committee could not gather any conclusive information from the statements of KEC staff and POWERGRID employees.
- During the visit of the location 05/0 the committee found that the location is surrounded by rubber plantation and a few coconut trees grown within the boundary of a private house as can be seen in the photographs taken at the location.
- There was no eye witness available during the enquiry of the committee and the statements from the staff of M/s.KEC and POWERGRID are not conclusive.
- However, based on the FIR and Police Inquest/Mahasas statements of eye witnesses, the committee opines that the death of the victim is due to fall from the tower.

7. **Fixation of responsibility.**

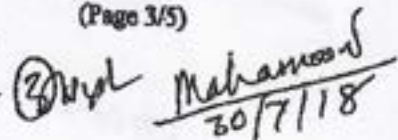
Though M/s KEC claims that Tool box talk/ PEP talk was given before the work started there is no proof/ record supporting the statement. As per FIR the victim fallen from the tower while unbuckling the safety belt. It clearly indicates that safety harness was provided by M/s KEC, and allowed the victim to climb the tower after wearing the harness to take care of the safety aspects. From the available facts it is evident that PPEs were given by M/s KEC.

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M/s KEC ensured their vehicle for transportation of casualty to medical facility in case of accident. Safety harness is provided to the workers. M/s KEC rendered all administrative and logistic support to the victim after accident and promptly deposited statutory work man compensation in Kollam commissionerate. In the backdrop of these supporting efforts provided to the victim by M/s KEC, the committee could not establish any negligence on part of KEC in this case.

8. Estimation of extent of loss.

As there was no equipment damage in the entire process the loss to POWERGRID is nil. However, the muster roll indicate that remaining workers continued to work till 8th Nov 2017 and subsequently left the project.

9. Any other relevant aspects and recommendations.

- 9.1. AGM (Edamon-Kochi) shall pursue with M/s. KEC and ensure that the payments, as per relevant contractual clauses such as statutory and obligatory dues, including the compensation in line with the Workmen compensation act, shall be made to the aggrieved legal heirs of the deceased Sri. Sekh Pintu immediately. It appears from the submitted records that statutory compensation deposited with ECC, Kollam. There is no proof that the victim heirs received the compensation. Receipt of this amount by legal heirs should be ensured.
- 9.2. Since the deceased heirs from economically poor background the committee recommends that the victim's heirs are further compensated in line with modified GCC clause 18.3.3.24, for payment of Rs:15.00 Lakhs to POWERGRID. This amount shall be passed on by POWERGRID to legal heirs of the deceased.
- 9.3. AGM(Edamon-Kochi), shall ensure that the above amount is deposited by the Agency with POWERGRID at the earliest or the amount is deducted from the running bills and inform to RHQ (HR), POWERGRID, Bangalore, for further action.
- 9.4. Any legal claim / statutory notice to POWERGRID at a later date due to the above incident, M/s KEC shall be responsible to settle the same.
- 9.5. In case of non-fulfillment of any statutory payments by M/s. KEC, the same shall be deducted by POWERGRID from RA bills of Agency and shall deposit with the concerned authorities. Regional HR, POWERGRID, Bangalore shall be the nodal Dept. for payment of all legal benefits including the statutory Workmen compensation as well as additional compensation to the deceased family and the laborer who was involved in fatal accident and all efforts shall be made to make the payment at the earliest.
- 9.6. Regional HR, POWERGRID, Bangalore shall periodically review and guide the Construction In-charges in fulfilling all statutory requirements such as obtaining Contract Labour License & Registration under Building and Other Construction Workers(BOCW) Act, 1995 from the appropriate Labour Department, viz Central Labour Department and ensure all labour statutory compliances, including renewal of the Licences are met by the agency.

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Enclosures:

- a. Statements from Asst Manager Construction, Site Supervisor, Safety officers of M/s KEC.
- b. Copy of FIR, Post mortem report, A letter from Kollam PS
- c. Copy of the site Photographs.
- d. Copy of the Workmen Compensation deposited with ECC Kollam.
- e. Muster Roll
- f. Correspondence between POWERGRID and M/s KEC on the subject issue
- g. Appointment order of Sekh Pintu given by M/s KEC
- h. Mahazar and Inquest reports

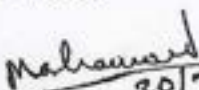
The report is submitted for perusal and approval of competent authority please.


(A.P. Gangatharan)
GM, AM (SR-II)


(A.J. Xavier)
AGM (Eagg-) SR-II


(M. Thanveer)
CM/HR/SR-II


(Y.P. Singh)
DGM Safety, CC-II


(Mohd. Mahmood)
DGM, Safety
20/7/18