



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.22412-2025(O&M)
Date of Decision: 16.03.2026**

Smt. Kamla

....Petitioner

vs.

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Sanchit Chaudhary, Advocate
for the petitioner

Mr. Akshit Pathania, AAG, Haryana

Mr. Aakash Singla, Advocate
for respondents No. 2 to 4

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 04.02.2025 and 27.06.2025 whereby respondents have rejected her claim for compensation/financial assistance under Mukhya Mantri Kishan Evam Khetihar Mazdoor Jiwan Suraksha Yojna, 2013 (for short '2013 Yojna').

2. The petitioner's husband namely Sh. Ram Kumar on 30.07.2024 attempted to close hole of the canal (mogha) at around 10:00 PM. Due to heavy water flow, he fell in the canal and drowned. The petitioner under 2013 Yojna applied for compensation. As per said Yojna, in case of death, dependents are entitled to financial assistance of



Rs.5,00,000/-. The Secretary, Market Committee, Siwani vide order dated 04.02.2025 dismissed her claim. She preferred an appeal before Secretary, Haryana State Agricultural Marketing Board. The appellate authority vide order dated 27.06.2025 rejected her claim. The findings recorded by appellate authority read as:-

“After carefully examining the documents presented and considering the facts and circumstances of the case, it comes out that the deceased died due to drowning while closing the hole of the canal (mogha). Moreover, as per the report of SDO, Irrigation & Water Resources Department, Siwani dated 27.06.2025 submitted by the Market Committee, Siwani, the closing/opening the hole of the canal (mogha) is executed by the designated officials i.e. Beldar. Hence, it was not the job of the deceased to close the hole of the canal (mogha). Thus, the appellant failed to substantiate his version that the deceased was engaged in agricultural operation at the time of the incident. Further, the scheme provides special assistance to the victims of accidents whose claims are specifically covered under Clause 3(a) to 3(i) of the The Mukhvantri Kisan Evam Khetihar Majdoor Jiwan Suraksha Yoina - 2013 and the instant case. of the claimant does not fall under any of the claims and the scope of the Yojna. As a sequel of I am of the above discussion and in view of the facts and circumstances, considered view that the claimant is not entitled to claim under the policy and therefore, the impugned order of Secretary-cum-E.O. Market Committee, Siwani is upheld and accordingly, the claim of the claimant is rejected.”



3. Learned counsel for the respondent does not dispute the fact that deceased did not commit suicide, however, submits that it was not his duty to go to canal and try to close hole of the same. He unnecessarily went to canal and attempted to close hole of the canal which resulted in his death. His case does not fall in any of the Clauses of Para 3 of 2013 Yojna.

4. Heard the arguments and perused the record.

5. The State has introduced 2013 Yojna with intent to extend financial assistance on account of death of a farmer in any accident. The object of the claim is to provide special assistance to the victims of accident occurred during agricultural operations in the fields, villages, market yards and while going or coming from such places within the State of Haryana. Para 3 of the 2013 Yojna encompasses incidents which are covered by said Yojna. Para 3 of the 2013 Yojna is reproduced as below:-

“3. This Scheme shall cover the following incidents:-

(a) *Death or disablement of any farmers or labourer due to an accident occurred while working on the Agricultural Machinery, Implements, Tools Equipments, Appliances arising out of the above said implements in the Sate of Haryana.*

(b) *Death or disablement of any farmer or labourer due to an accident occurred while digging well, installing Tubewell or operating Cane Crusher, Kohloo, Chaf Cutter, Thresher etc;*

(c) *Death or disablement of any farmer or labourer due to poisonous gas while digging or operating well, installing or operating tubewell;*

(d) *Cases upto 31 December, 2013 shall be governed by the old scheme;*



(e) Death or disablement of any farmer or labourer due to electric current while carrying on any such agricultural operation;

(f) Death or disablement of any farmer or labourer to an accident with any animal, animal cart, truck or any other vehicle while carrying any agricultural produce within the State of Haryana;

(g) Death or disablement of any farmer or labourer while applying any insecticides, pesticides, weedicides, electric shock, fire hazards during the agricultural operations/pursuits within the State of Haryana;

(h) Death or disablement of any farmer or labourer due to an accident while landing, sifting or weighing agricultural produce in Market Yards;

(i) Death due to snake bite or other poisonous creatures during agricultural operations.”

6. From the perusal of 2013 Yojna especially Para 3 thereof, it is evident that it is a beneficial piece of legislation. It cannot be strictly interpreted. It needs to be interpreted liberally. Family members of the victim are entitled to financial assistance even where death has taken place while carrying away agricultural produce within the State of Haryana. Benefit is also available in case death takes place while landing, sifting or weighing agricultural produce in the market yards. 2013 Yojna has considered multiple situations where death may occur. The situations contemplated in 2013 Yojna cannot be strictly interpreted. The benefit should be given to petitioner because farmer had died while attempting to close hole of the canal. It was 10.00 p.m. when he was in his fields and



there was heavy flow of water which compelled him to close hole of the canal.

7. The respondent is claiming that it was responsibility of the Irrigation Officer. At 10.00 p.m. the farmer could not be expected to call officials of Irrigation Department. He, as per his wisdom, found it appropriate to close hole of the canal at his own. His case is covered by 2013 Yojna. The authorities have adopted technical approach which is contrary to intent and purposes of the 2013 Yojna.

8. In the wake of above discussion and findings, the impugned orders are hereby set aside and the petition is allowed. The respondent is directed to pay compensation to petitioner as per 2013 Yojna.

9. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

16.03.2026
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:	Yes	