

## **Guidelines for Disposal of Claims emanating out of Additional Draft Exclusion List under Clause 4(3):**

### **Steps:**

1. The basic mechanism for disposal of 4(3) hearings, i.e. persons listed in additional draft exclusion list will be similar to disposal of earlier Claims, i.e. SOP for disposal of Claims and Vigorous Verification Instructions and Samples – 1 to 7 have to be followed by the DOs while disposing such 4(3) Claims.
2. The Receipt of Claim & Hearing will be carried out simultaneously. The DO will receive the Claim and also carry out the hearing.
3. The Claimant(s) will be issued a Manual Claim Receipt by the DOs at the NSKs where the Claimant will file their Claims. The format of the Manual Claim receipt is attached as **Annexure A**. You are requested to make adequate number of blank formats available to the DOs. For the purpose of handling receipt of claims, additional staff be provided to each DO.
4. The 4(3) cases will be disposed in the following mechanism by DOs and LRCRs:
  - a. For the exclusions identified during Pre - Hearing 4(3) by the LRCRs – The case will be disposed by the same LRCR who has identified them to be ineligible under 4(3). The LRCR might not be at the same venue and may be working as a DO at some other venue. So the public have been issued notices to appear at the location where the LRCR is working as DO and the case will be disposed by LRCR who is DO at that FTVC.
  - b. For the people identified during Hearing 4(3) by the DOs – The case will be disposed by the same DO who has found the person to be ineligible under 4(3) and the Claim and its disposal will happen at the same venue where the DO is located.
  - c. In some cases due to heavy load, additional DOs will be required. In such cases, additional DOs already identified to dispose the cases. The DO will have to be provided the correct DO folder.
  - d. It may be noted that at the time of 4(3) hearing, the folders having the following documents shall be required.
    - DO Hearing folder containing all the filled up templates and statement recoding etc. (in case of Category 2 during hearing 4(3) members).

- Application form folder containing all the documents along with speaking orders (in case of Category 1 PRE hearing 4(3) members).

In view of the above-mentioned hearing destinations and document requirements at the time of 4(3) hearings, the following folder movement protocols need to be followed.

- In case of Hearing destination in different districts: In this case, the required documents will be provided by Wipro to the hearing destinations by doing scanning at the source locations. DPS and CPS need to coordinate with respective Wipro District and Circle staff for the necessary scanning etc.
- In cases of Hearing destination in same district but different Circles: The mentioned documents need to be moved physically from source location to hearing destinations by maintaining proper log sheet etc. so that no folder etc. is lost.
- Hearing destination in same district, same circle but different venues: The mentioned documents need to be moved physically from source location to hearing destinations by maintaining proper log sheet etc. so that no folder etc. is lost.
- Hearing destination in same district, same circle, same venues: In this case no need to move the document folders, but need to identify all the cases and hearing date wise stack need to be maintained.

e. DO ID must compulsorily be mentioned in the Template.

5. Additional Vetting will have to be done for all 4(3) cases won't be done separately. However, no ALX lots will be generated from state. The following process has to be followed for CORReS entry and ALX vetting:

- a. Disposal of Case by DO
- b. Manual Vetting of Case by CRCR/ DRCR in the same Template
- c. Regular Templates to be used by the DOs
  - For LDC Case: LDC Template
  - For Non-LDC Case: Non-LDC Template
  - DV/DF/PFT Case: DV/DF/PFT Template

- d. CORReS entry for the cases disposed will be done only after the vetting done by CRCR/  
DRCR
  
- 6. The Claimants will be responsible for bringing their witnesses on their own during the hearing. This needs to be publicized locally. The LOI distributed to the Claimants already says that they need to bring all the Witnesses along with them during the hearing.
  
- 7. For Claimants submitting LDC, the Computerized Family Tree (CFT) won't be shared from the state office. The DO needs to dispose of the case based on cross-examining the witnesses present in the hearing as well as through cross-examination based on legacy image/ database available.
  
- 8. Similarly, for Non-LDC cases, the DOs need to dispose the case based on cross-examining the documents and witnesses present in the hearing.
  
- 9. The decisions of 4(3) hearings may have impact on decisions of Claims hearings. For example – If some witnesses (2.1/2.2) were rejected under 4(3) and the Claimants (1.1) using same LDC were found eligible while 2.1/ 2.1 witnesses were found ineligible/ wrong user of the LDC. If now the 2.1 user doesn't bring any new LDC and is now accepted for the same LDC it may mean the result of Claim mainly was incorrect. As such it may impact 1.1 Claimants earlier results as well. In such cases, a new Speaking Orders for earlier Claimants have to be written and the results of such Claimants have to be changed/ entered in CORReS Online.