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21/11 ✓ GM/Proj-IV

भारत सरकार GOVERNMENT OF INDIA  
रेल मंत्रालय MINISTRY OF RAILWAYS  
(रेलवे बोर्ड RAILWAY BOARD)

Claims Circular No. 02/2014

Rail Bhawan, New Delhi – 110 001

No. 2014/TC-III/1/2/IRCT(C)/Ch.IV

Dated : 07.11.2014

The General Manager (Claims)  
All Indian Railways

**Sub : Revision in Para-403 of Chapter IV of Indian Railways Code for Traffic (Commercial) Department.**

Consequent to revision of rate of ex-gratia vide Board's letter No. 2011/TC-III/27/29/Ex-Gratia dated 26.7.2012 and 7.5.2013 (copy enclosed), Para-403 of Chapter IV of Indian Railways Code for Traffic (Commercial) Department needs to be revised. Accordingly, Para-403 of the same has been revised.

A copy of Advance Correction Slip (ACS) No. 22 in respect of Para-403 of Chapter IV of Indian Railways Code for Traffic (Commercial) Department is enclosed herewith for information and guidance.

Receipt of this letter may please be acknowledged.

DA : As above.



( O. P. Gupta )  
Dy. Director Traffic Commercial-III  
Railway Board

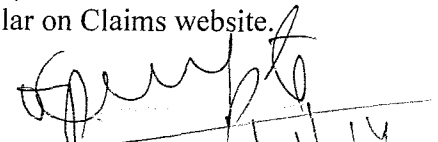
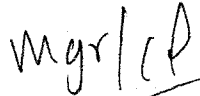
No. 2014/TC-III/1/2/IRCT(C)/Ch.IV

Dated : 07.11.2014

Copy for information and necessary action to :

1. Chief Commercial Managers, All Indian Railways
2. Chief Claims Officers, All Indian Railways
3. Accounts-III Branch of Railway Board for making necessary amendment.
4. All Branches of Traffic Commercial Directorate of Railway Board.
- ✓ 5. GM/Project-IV, CRIS, New Delhi for uploading the circular on Claims website.

DA : As above.



( O. P. Gupta )  
Dy. Director Traffic Commercial-III  
Railway Board

Sub : **Revision in Para-403 of Chapter IV of Indian Railways Code for Traffic (Commercial) Department.**

Consequent to revision of rate of ex-gratia vide Board's letter No. 2011/TC-III/27/29/Ex-Gratia dated 26.7.2012 and 7.5.2013 (copy enclosed), Para-403 of Chapter IV of Indian Railways Code for Traffic (Commercial) Department should be substituted as under :-

**"403.** (1) The amount of Ex-gratia relief payable to the dependents of dead or injured passengers involved in '**Train Accidents**' as defined under Section 124 should be as under :-

- (a) In case of death : Rs. 50,000/-.
- (b) In case of : (i) Rs. 25,000/- *lump sum for hospitalization* upto 30 days to take care of initial expenses.

(ii) Thereafter Rs. 300/- per day be released at the end of every 10 day period or discharge, whichever is earlier

*(The maximum period for which ex-gratia is payable to the grievously injured passenger will be 12 months).*

- (c) In case of simple : Rs. 5000/-.  
injury

(2) The amount of Ex-gratia relief payable to the dependents of dead or injured passengers in '**Untoward Incident**' as defined under section 124-A should be as under :

- (a) In case of death : Rs. 15,000/-.
- (b) In case of : (i) Rs. 5,000/- *lump sum for hospitalization* upto 30 days to take care of initial expenses.

(ii) Thereafter Rs. 1000/- per week or part thereof the period for indoor treatment upto further six months of hospitalization.

(iii) Rs. 500/- per week or part thereof the period for indoor treatment upto further five months of hospitalization.

*(The maximum period for which ex-gratia is payable to the grievously injured passenger will be 12 months).*

- (c) In case of simple : Rs. 500/-.  
injury

(3) The amount of ex-gratia relief admissible to road users who meet with an accident due to Railway's prima facie negligence at manned level crossings would be as under:

- (i) in case of death : Rs. 50,000/-.
- (ii) in case of grievous injuries : Rs. 25,000/- Lump sum  
*(Irrespective of the period of hospitalisation)*
- (iii) in case of simple injuries : Rs. 5,000/-.

**The terms & conditions for payment of ex-gratia relief :-**

- (i) No ex-gratia payment would be admissible to the trespassers, persons electrocuted by OHE and road users at unmanned level crossings.
- (ii) The amount of ex-gratia relief admissible to road users who meet with an accident due to Railway's prima facie liability at Manned Level Crossing Gate will be counted towards the amount of compensation payable, if action is tenable against the Railways under the Law of Torts and an award is actually granted by a Court of Law.
- (iii) Ex-gratia payments should also be made to railway servants killed or injured by a moving train while performing their duty, for example, gangman working on track run over accidentally by a moving train.
- (iv) Payments should be sanctioned/arranged preferably on the spot by a Senior Scale Officer nominated by the General Manager after making such enquiries as can be reasonably made on the spot after the immediate needs by way of medical attendance etc. to injured persons are attended to.
- (v) These ex-gratia payments, except in case of road users at manned level crossings, are not to be taken into account at the time of formal claims for compensation.
- (vi) This ex-gratia relief in case of hospitalization will be exclusively for passengers who are grievously injured in train accidents or untoward incidents as defined under Section 123, read with Section 124/124-A, of the Railways Act, 1989.
- (vii) The period for treatment as indoor patient for more than 30 days would need to be certified by a Railway Doctor for the purpose of further ex-gratia payment upto the period of remaining 11 months. In case where the injured is taking treatment in other than Railway hospital, the treatment has to be certified by Railway Doctor.
- (viii) Sr. Divisional Medical Officers shall also keep track of such injured person taking treatment in other than Railway hospitals. Sr. DCM/DCM shall keep coordination with Sr. DMO for the purpose and arrange payment of ex-gratia as per the prescribed schedule mentioned in the table in Para-2 above at the doorstep of injured person. Every care shall be taken by Sr. DCM/DCM to avoid any inconvenience to injured person in such cases."

(Authority:- Railway Board Letter No. 2014/TC-III/1/2/IRCT(C)/Ch.IV dated 07.11.2014  
ACS No. 22)