

GOVERNMENT OF INDIA
MINISTRY OF RAILWAY
(RAILWAY BOARD)

No.2010/TC-III/27/17/SER

New Delhi, dated 18.2.11

The General Manager (Claims)
All Indian Railways

**Sub: Payment of ex-gratia to the victims of train accidents/
Untoward incidents.**

**Ref: S.E. Rly's letter No.Accdt.75/2102/Jnaneswari/Dispute case/
2010 dated 3.8.2010 (copy enclosed).**

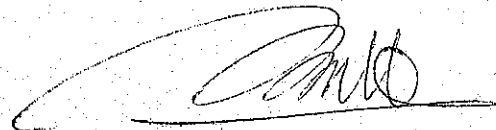
South Eastern Railway have sought clarification whether ex-gratia/compensation may be paid to the families of dead and injured passengers whose names are not available either in waiting list ticket or in confirmed passengers list or to the passengers having waiting list under e-ticketing system.

2. The matter has been examined in consultation with Legal Adviser and Finance Directorate of Board's office.

3. It has been decided that ex-gratia/compensation will be payable to any person involved in a train accident or untoward incident as defined in Sections 124/124-A of the Railways Act, 1989, if it is verified from available evidence that the victim was travelling in the train.

4. Please acknowledge receipt of letter.

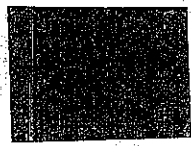
DA: As above.



(Ms. S.R. Sett)
Director Traffic Commercial (Claims)
Railway Board



FOR
RV
12/8



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दक्षिण पूर्व रेलवे / SOUTH EASTERN RAILWAY

मुख्य वाणिज्य प्रबंधक, का दफतर /Office of the CCM
14, स्ट्रैंड रोड (१०वां तल) /14, Strand Road [10 th Floor]
कोलकाता Kolkata -- 700.001

No.Accdt.75/2102/Jhaneswari/Dispute case/2010.

Dated : 3/8/2010.

To
The Director (Claims),
Railway Board,
New Delhi.

Sub : Clarification regarding payment of ex-gratia/
Compensation to the passengers who got injured but
their names are not available in the Waiting List or
in confirmed passengers list as well as for wait listed
passengers under e-ticketing system.

This Railway, while processing the cases for payment of ex-gratia
to the injured passengers involved in Jhaneswari express accident is facing problem
due to non-availability of clear cut instructions from Railway Board. The existing
instruction for the death of a passenger communicated vide Board's no. 96/TC-
III/85/7 dtd. 22.5.96 read as follows :

FIA

11.1.97

" In the event of train accident resulting in the death of a
passengers traveling by the train, compensation should be paid irrespective of
whether bonafide authority to travel has been produced or not".

But no such instruction exists for payment of ex-gratia/
compensation regarding passengers got injured but their names are not available in
the waiting list ticket or in confirmed passengers list, as well as passengers having
waiting list ticket under e-ticketing system.

Considering above, Board are requested to send their clarification
at the earliest.

This may be treated as extremely urgent.

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12/08/10

रेल मंत्रालय (रेल बोर्ड) (Railway Board)
- 6 AUG 2010
के.रे.सं./C.R. No.....
अनुभाग बायरी सं. Section Dy. No.....
वर्गीकरण/Classification.....

(K.S.Sahoo) 3.8.2010
Chief Commr. Manager (Claims)