

ACCIDENT COMPENSETION

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.2001/TC(RCT)/3-5

New Delhi, dated 19.08.2002

The General Managers (Claims)
All Indian Railways
KRCL, New Mumbai
Metro Railway, Kolkata.

Sub: Grant of compensation for death/injury of rail passengers in Train accidents/untoward incidents under Section 124/124-A of the Railways Act, 1989.

As per rule 8 of the Railway Claims Tribunal (Procedure) Amendment Rule, 2002, an application for compensation payable under section 124 of 124A of the Railways Act, 1989 may be filed before the Bench having territorial jurisdiction over the place from which the passenger obtains or purchases his pass or ticket or where the accident or untoward incident occurs or where the place of destination station lies or where the claimant normally resides.

It may thus be observed that the claimant has a choice to file the application at any one of the four places mentioned in the said rule according to his/her convenience.

However, a case has come to the notice of this Ministry, where the claimant had filed a case under Sec. 124 of the Act in two different benches of the Railway Claims Tribunal, and had been defended by two different Railways. Both the benches decreed the case. In one case. The payment was made and in other case the Railway was about to make the payment, which was averted by the Board, as both the cases happened to be under watch by this Ministry.

In order to avoid misuse of the provisions of Rule 8, the railways should adopt the following procedure for defending the claims of train accident/untoward incidents before the Tribunal:-

1. If a case under Section 124 or 124-A of the Railways Act, 1989 has been registered at a bench other than the bench under whose territorial jurisdiction the accident or untoward incident has taken place, it is to be checked whether the claimant has made the railway having jurisdiction over the site of accident/untoward incident a party as a respondent or not. If not, the railway receiving the notice of the application will call for record from the railway where the accident/untoward incident has happened. In this way the concerned railway will take notice that a case has been filed in the bench

- other than the bench which has the territorial jurisdiction over the site of accident/untoward incident.
2. The concerned railway i.e. the railway having jurisdiction over the place of accident/untoward incident should keep a record of all cases pertaining to same victim, filed in different benches of RCT and to ensure that only one case is contested. All other cases should be got dismissed by filing Written Statements that an application in respect of the same person has already been filed in other bench.
 3. When an award is pronounced by any bench of the Tribunal, the payment may be arranged by the defending railway under intimation to the other railways under whose jurisdiction, the railway accident/untoward incident has occurred.
 4. If in a claim application, the Railway Administration required to be arrayed as a respondent under Section 109 of the Railway Act, has not been impleaded as a party, an application may be filed for return of claim application by the Railway Administration.

Please ensure compliance of the above instructions and acknowledge receipt of the letter.

Sd/-
(Rajni Hasija)
Jt. Director, Traffic Comml.(Claims)
Railway Board.

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

R.B.No.91/92

No.E(G)82 LL2-2(A)

New Delhi, dated 4th June, 92.

ORDER

S.O._____In exercise of the powers conferred by rule 1 of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908) and in supersession of the notification of the Government of India in the Ministry of Railways (Railway Board) number GSR 198, dated the 21st February, 1983, except as respects things done or omitted to be done before such supersession, the Central Government hereby appoints

- i) the officers mentioned in the Schedule annexed hereto as persons by whom plaints and written statements in suits in any court of civil jurisdiction by or against the Central Government in respect of the Railway Administration shall be signed;
- ii) those of the officers referred to in clause (i) who are acquainted with the facts of the case, as persons by whom such plaints and written statements shall be verified.

SCHEDULE

(41) Deputy Chief Commercial Superintendent.

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.96/TC-III/80/2

New Delhi, dated 31.12.97

The General Managers(Claims),
All Indian Railways.

Sub: Powers for settling claims for compensation.

Ref:- Board's letter Nos.96/TC-III/80/2 dated 15.5.96 and 9.8.96.

Attention is invited to Board's letters referred to above wherein the powers of Chief Claims Officer to settle accident compensation claims were enhanced to Rs.2 lakhs in each case excluding the court fee and other expenses granted by the court.

It has now been decided that the powers of the Chief Claims Officer may be enhanced to Rs.4 lakhs in each case excluding the court fee and other expenses granted by the court for settlement of accident compensation claims.

These instructions would come into force with immediate effect.

This issues with concurrence of the Finance Directorate of the Ministry of Railways.

Please acknowledge receipt of this letter.

Hindi version will follow.

Sd/-
(H.C.Punia)
Executive Director (P.G.)
Railway Board.

No.96/TC-III/80/2

New Delhi, dated 31.12.97

Copy to:

- i) FA&CAOs, All Zonal Railway,
- ii) Chief Auditors, All Zonal Railways.
- iii) DAI (Rlys) with 36 spares.

Sd/-
For Financial Commissioner,
Railway Board

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.96/TC-III/85/7

New Delhi, dated 11.11.97

The General Managers(Claims),
All Zonal Railways.

Sub: Accident compensation claims.

Ref:- This Ministry's letter of even number dt. 22.5.96 and XXR/Telex
dt.30.5.96.

The Group on Railway Safety nominated by Prime Minister's office in its report has recommended as under:-

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

Reports received from Zonal Railways have revealed that different benches of Railway Claims Tribunal are passing decrees without production of railway ticket/pass by the claimant based on other circumstantial evidences.

In order to ensure that genuine accident claims, where railway ticket/pass could not be produced, are settled expeditiously without causing undue harassment to the affected persons or their kith and kin, Board desire that in all cases of accidents involving loss of human lives, photographs must be taken of the dead bodies and witnessed as far as possible. This documentation can be used in dealing with the cases of compensation claims under consideration of RCTs.

Please ensure strict compliance of the above instruction and acknowledge receipt of this letter.

Hindi version will follow.

Sd/-
(U.K.Singh)
Director Traffic Comml. (Cl.)
Railway Board.

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.96/TC-III/86/1

New Delhi, dated 14.3.96

The General Managers(Accounts),
All Indian Railways.

Sub: Expeditious settlement of accident compensation claims.

It has been reported to this Ministry that there had been delays in issue and despatch of cheques after the amount for accident compensation claim has been sanctioned by the competent authority. It is, therefore, desired that in such cases every effort should be made to curtail avoidable delays to the maximum extent so as to ensure that cheques are issued and despatched within a period of 15 days after the decretal amount for claim has been sanctioned.

Please acknowledge receipt of letter.

Sd/-
(Suman Kumar)
Director Finance (CCA)
Railway Board.

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.93/TC-III/121/17/Policy

New Delhi, dated 29.12.94

The General Managers(Claims),
All Zonal Railways.

'PROCEDURE ORDER'

Sub: Accident compensation claims - Accounts vetting.

Attention is invited to this Ministry's letter of even number dated 2.2.94 wherein it has been advised that prior finance concurrence in respect of payment of decreed amount in accident compensation claim settlement cases upto the value of Rs.75,000/- is not required.

The Ministry of Railways have now decided that prior finance concurrence in respect of the accident compensation claims cases should be dispensed with, w.e.f. 1.1.1995.

It may, however, be ensured that authenticity of the claims is established through necessary mechanism in both commercial and bill passing sections of Accounts department. For this purpose the following steps will be taken by each Railway.

- i) As soon as a decree on accident compensation is received the entitlement of the claimant in whose favour the decree has been passed may be verified.
- ii) It may also be verified that the amount decreed by the Railway Claims Tribunal is not more than the amount claimed by the claimant.
- iii) In case of decrees pertaining to railway employees, it may be ensured that the claimant has not got any claim under the provisions of Workmen Compensation Act simultaneously.
- iv) The Chief Claims Officer, should submit a monthly report to the concerned Accounts Officer giving the details of the number of cases settled which have been forwarded to the Insurance Company for reimbursement and amount of money paid by them for post check with reference to the decree given by the Railway Claims Tribunal.

This issues with the concurrence of the Finance Directorate of the Ministry of Railways.

Please acknowledge receipt of letter.

Sd/-
(N.R.Sagar)
Joint Director Tfc Comml.(Cl.)
Railway Board.

No.93/TC-III/121/17/Policy

New Delhi, dated 29.12.94

Copy forwarded to for information and necessary action:

- I) FA&CAOs, All Zonal Railway,
- II) DAI (Rlys) with 36 spares.
- III) Chief Auditors, All Zonal Railways.

Sd/-
For Financial Commissioner,
Railway Board

**Government of India
Ministry of Railways
(Railway Board)**

No.2002/TC-III/28/3

New Delhi. Dated 12-06-02

The General Managers,
All Zonal Railways.

OSDs, New Railway Zones.

Sub:- Relief to persons involved in train accidents, untoward
Incidents or manned level crossing gate accidents -
Ex-gratia payment to victims.

Liability of the Railways for grant of ex-gratia relief to the persons involved in train accidents or untoward incidents as defined under Sections 124 and 124-A of the Railways Act, 1989 or in the case of level crossing gate accidents have been advised through various policy letters issued from this directorate. It is desired that the latest consolidated instructions on this issue, reiterated below, should be made available to the concerned officers in the Divisions, besides every Commercial Controller, Divisional Safety Officer & Chief Controllers of each division on your Railway:-

**I. Amount of ex-gratia for train accidents/
untoward incidents**

Authority

The amount paid as ex-gratia relief payable to the dependents of dead or injured passengers involved in train accidents or untoward incidents as defined under Sections 124 and 124-A should be as under:-

- | | | |
|---|---------------|---|
| (i) In case of death | :Rs. 15,000/- | Letter No. 93/TC-III/
122/1/Ex-gratia
dated 26-04-1996. |
| (ii) In case of grievous injury
(Irrespective of the period
of hospitalisation) | :Rs. 5,000/- | Letter No.93/TC-III/
122/1/ex-gratia dated
26-04-1996. |

(iii) In case of simple injuries :Rs. 500/-

Letter No.93/TC-III/
122/1/ex-gratia dated
21-08-1995.

The amount paid as ex-gratia for train accidents/untoward incidents is not to be taken into account at the time of formal claims for compensation.

II. Amount of ex-gratia for manned level crossing gate accidents

Authority

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 accidents will be as under:-

(i) In case of death :Rs. 6,000/-

Letter No. 93/TC-III/
122/1/ex-gratia dated
18-11-99.

(ii) In case of grievous injury :Rs. 2,500/-

(iii) In case of simple injury : Nil

Such payments will be counted towards the amount of compensation payable, if action is tenable against the Railways under the Law of Torts and an award in actually granted by a Court of Law.

III. Ex-gratia for trespassers, persons electrocuted by OHE and road users at unmanned level crossing

Authority

No ex-gratia payment would be admissible to the trespassers, persons electrocuted by OHE and road users at unmanned level crossings.

Letter No. 93/TC-III/122/1/ex-gratia/ dated 21-08-1995.

IV. Ex-gratia payment for railway servants killed or injured by a moving train while performing their duty

Authority

Ex-gratia payment 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.

Letter No. 93/TC-III/122/1/ex-gratia/ dated 21-8-1995.

**V. Manner of arranging ex-gratia to the victims
Authority**

Payment should be sanctioned / arranged/ preferably on the spot by a senior scale or higher officer nominated by the General Manager after making such enquiries as can be reasonable made on the spot after the immediate needs by way of medical attendance etc. to injured persons are attended to.

**Letter No. 93/TC-III/122/1/ex-gratia/
dated 21-08-1995.**

Receipt of letter may be acknowledged and action taken in the matter advised within 15 days.

A copy each of the letters referred to above are enclosed herewith for your ready reference.

Hindi version will follow.

Sd/-
(Rajni Hasija)
Jt. Director, Traffic
Comml.(CL),
Railway Board.

Note :

(a) The instructions at I (i) & (ii) above were issued with the approval of the Associate Finance of Board's Office and were reiterated vide Board's letter No.93/TC-III/122/1/Ex-gratia dt.14-7-1997.

(b) The instructions at I (iii)& III to V above were issued with the approval of the Associate Finance of Board's Office and were reiterated vide Board's letter No.93/TC-III/122/1/Ex-gratia dt.14-7-1997.

(c) The amount of ex-gratia to be paid for manned level crossing gate accidents as contained in Board's letter No. 93/TC-III/122/1/Ex-gratia dated 21-8-95, reiterated vide Board's letter No. 93/TC-III/122/1/Ex-gratia dated 14-7-97 have been superseded vide Board's letter No. 93/TC-III/122/1/Ex-gratia dated 18-11-99 with the approval of Associate Finance of Board's Office.

**Government of India
Ministry of Railways
(Railway Board)**

Claims Circular No.12

No.99/TC-III/80/79/Policy

New Delhi. Dated 31-08-99

The General Managers(Claims),
All Zonal Railways.
Officers on Special Duty,
East Coast Railway, Bhubaneshwar,
East Central Railway, Hajipur,
North Central Railway, Allahabad,
North Western Railway, Jaipur,
South Western Railway, Bangalore,
West Central Railway, Jabalpur.

Sub: Expeditious settlement of accident claim cases.

The Ministry of Railways is deeply concerned about the delays in settlement of compensation claim cases arising out of casualties in train accidents. Delay in the payment of compensation to the victims of rail accidents or their survivors have the effect of compounding the agony of death by denial of timely relief as also of tarnishing the Railways image in the public eye.

While Board have from time to time been exhorting the Railways to do everything possible at their level to cut down these delays and many more steps are required to be taken to hasten relief to the victims.

Board desire that the following measures be taken by the concerned Zonal Railway immediately after the accident:

- a) Setting up an Accident Cell at the concerned RCT, under a JA Grade Officer ably assisted by requisite number of Law Assistants and inspectorial/support staff.
- b) Liaison with the State Government for providing free legal-aid to the prospective claimants.
- c) Distributing sample forms to prospective claimants at the various hospitals and the accident site to enable the injured/next of kin of dead passengers to prefer their claims with ease. Inspectorial staff well-versed in the rules should assist the claimants fill the forms, if necessary. Requisite information regarding RCT location, limitation condition, jurisdiction,

transfer claims etc, may be explained to assist the claimants file their claims correctly.

- d) A similar legal-aid cell can be set up in the office of the CCO also.
- e) Adequate assistance be provided through provision of communication facilities e.g., phone/fax/E.mail at the accident site to enable stranded, injured passengers reach-out to their families.
- f) Completion of enquiries regarding potential claimants from the lists of the injured and dead, payment of ex-gratia, reservation chart, etc., already available with the Railways.
- g) Sample claim forms may also be got printed in the leading local dailies for the information of the prospective claimants.
- h) Creating a website giving information of the dead and injured passengers would assist in dealing with queries about the accident.
- i) Preparing of written statements and supporting documents, in advance, so that the reply of the Railway is given immediately after the application has been filed. No delays to take place on this account.
- j) After the decree has been passed, a copy of the judgement be obtained immediately and the cheque prepared without any delay. The CCO and FA&CAO may like to monitor this personally.

Please acknowledge receipt of the communication.

Sd./-
(Padmakshi Raheja)
Executive Director (P.G.)
Railway Board

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.2002/TC-III/28/3

New Delhi, dated 08 -10-2002

The General Managers
All Zonal Railways
OSDs, New Railway Zones.

**Sub: Payment of ex-gratia to the victims of
train accident/untoward incidents.**

Ministry of Railways vide letter of even number dated 12-6-02 have reiterated that payment of ex-gratia to the victims of train accident/untoward incidents should be sanctioned/arranged/preferably on the spot by a senior scale or higher officer nominated by the General manager after making such enquiries as can be reasonable made on the spot after the immediate needs by way of medical attendance etc. to injured persons are attended to..

However in the case of major accidents on the spot payment of ex-gratia is normally not possible and the railway where the accident has happened has to coordinate with other zonal railways so that expeditious payment of ex-gratia may be made to the victims.

As ex-gratia payment is made at different places by different railways, there is every possibility of duplicate/double payment as the main railway may not be having the day to day position of ex-gratia payment. In this regard, your kind attention is also invited towards JPO issued during Sarai Banjara train accident by Northern Railway. A team of officers was also nominated by the then CCM for arranging the payment of ex-gratia in different directions according to the addresses available on the record to avoid duplicate/double payment.

It has therefore been decided that in case of major train accidents where more than one railway is making ex-gratia payments, the following procedure should be adopted:-

- (i) Normally, the payment of ex-gratia should be made at the site of accident/hospital by concerned Division directly. If this system is not adopted, there is every possibility of duplicate/double payment

as day to day position of the payment of ex-gratia is not available at every place.

- (ii) The railway, where the accident has happened should coordinate with other Zonal Railways about the ex-gratia payments to be made by the railway. One officer should be deputed for each railways for this purpose.
- (iii) The railways which are making payments should send daily position about ex-gratia paid to the concerned railway by FAX/E-mail.
- (iv) Payment will be made to the next of kin of those killed. Identification of the next of kin of the killed persons will be based on the such enquiries as can be reasonably made on the spot.
- (v) The ex-gratia amount will be handed over by Commercial inspector to the certified next of kin in the presence of two independent witnesses under proper acknowledgement with complete addresses.
- (vi) Those injured who have been already discharged from hospital will be paid at their respective residences by the railway under whose jurisdiction the residence of the injured falls & with intimation to the coordinating railway.

Please ensure compliance and acknowledge receipt of communication.

Sd/-
(Rajni Hasija)
Jt. Director, Traffic Comml.(CL)
Railway Board.

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. 2000/TC-III/83/2

New Delhi, dated 25-07-2002

The General Manager (Claims),
All Indian Railways.

Sub: Payment of Interim Relief to victims of Railway Accidents/Untoward incidents under Section 126 of the Railways Act, 1989.

Ref: This Ministry letter No. 98/TC-III/80/26/MOS(R) dated 15-2-1999.

A lot of complaints are being received in this Ministry that there have been inordinate delays in payment of claims in regard to train accidents/untoward incidents by the Railways. It is, however, observed that the delay in settlement of such claims normally results because of inordinate delays in judgement by Railway Claims Tribunal due to vacancies of Members, non-attendance by the applicants or their counsel, adjournments sought by the applicant, non availability of heirship title with the claimants etc. The sufferings of the victims can be ameliorated to a great extent if the Railways liberally exercise the powers available under Section 126 of the Railways Act, 1989 and grant interim relief to the victims as prescribed in the letter referred to above.

2. Railway Ministry, therefore, desire that interim relief under Section 126 of the Railways Act, 1989 should be granted by the Railways as prescribed under their letter No. 98/TC-III/80/26/MOS(R) dated 15-2-99. Wide publicity should be given by the Railways about the provision of grant of interim relief, procedure for getting the same and what minimum and the maximum interim relief can be granted to the claimants in cases of injuries and death/permanent disability in train accident/untoward incidents. The Railways should put out advertisements in leading newspapers (both vernacular as well as in English) giving the sample proforma for getting interim relief. A specimen proforma for grant of interim relief under Section 126 of the Railways Act, 1989, is enclosed as annexure 'A'. This proforma should be handed over to the dependants of dead and injured passengers alongwith the form for filing the claim in the Railway Claims Tribunal at the accident site or Hospital.
3. The interim relief after due verification should also be paid to the claimants, whose cases are pending in different benches of Railway Claims Tribunal, in case applications for such requests are received from the claimants.
4. Step-wise action to be taken by the claimants for getting interim relief under Section 126 of the Railways Act, 1989 is at Annexure 'B', which should also be circulated to the claimants.

5. A Special Cell be created against the existing staff headed by Dy. CCM/Claims in the Railways for exclusively dealing with requests of grant of interim relief so that the target period of 15 days for settlement of such requests could be complied with by the Railways.
2. M/s United India Insurance Co. has also agreed to reimburse within 15 days the interim relief granted by the railways on furnishing the following documents:-
 - (i) Certified true copy of the application.
 - (ii) Certified true copies of all documents (including railway ticket, post mortem report, F.I.R., death certificate, medical report. In case of injury etc.) on the basis of which decision to pay interim relief to the claimant was taken.
 - (iii) Details of payment made by the Railways.
7. The above details should immediately be sent to the Insurance Co., after interim relief has been sanctioned and paid.
8. The feedback on sending of proforma of interim relief to the claimants and disposal of requests for interim relief be sent alongwith the claim PCDO to MT as per the prescribed proforma, at Annexures C & D.
9. The payment of interim relief be made within 15 days, as directed in the above referred letter.
10. Please ensure compliance and acknowledge receipt of letter.

(Kranti Kumar)
Dy. Director, Traffic Comml.-III,
Railway Board.

- Copy to: (I) CCMs, CCOs, All Indian Railways.
(II) ED/Safety, Railway Board.
(III) Director (I&P), Railway Board.
(IV) The Sr. Divisional Manager, United India Insurance Co., Himalaya House, Kasturba Gandhi Marg, New Delhi with reference to his letter No. AM/V/524/2001 dated 20-12-2001.

ANNEXURE - A

Specimen Proforma for grant of interim relief to the claimant under section 126 of the Railways Act, 1989.

I, _____ son/daughter/wife/widow
of _____ Residing at _____ having
been injured in railway accident hereby apply for the grant of interim
relief for the injury sustained.

I, _____ son/daughter/wife/widow
of _____ Residing at _____ hereby
apply as dependant for the grant of interim relief on account of the
death/injury sustained by Shri/Smt./Kumari _____
son/daughter/wife/widow of Smt. _____ who died/was injured
in the railway accident referred to hereunder:

I understand that the interim relief so granted will be finally
adjusted with the final award to be made by Railway Claims Tribunal in
this case.

Necessary particulars in respect of the deceased/injured in the
accident are given below:

1. Name & father's name of the person injured/dead (husband's name
in case of married woman or widow).
2. Full address of the person injured/
dead _____.
3. Age of the person injured/dead _____.
4. Occupation of the person injured/dead _____
5. Name and address of the employer of the deceased, if
any _____.

6. Brief particulars of the accident indicating the date & place of accident and the name of the train involved _____.
 7. Class of travel, & ticket/pass number, to the extent known _____.
 8. Documentary proof of bonafide of the victim/deceased person as passenger of the train on the day of accident/untoward incident, if available.
 9. Journey from _____ to _____.
 10. Nature of injuries sustained alongwith medical certificate _____.
 11. Name & address of Medical Officer practitioner, if any, who attended on the injured/dead and period of treatment _____.
 12. Disability for work, if any caused _____.
 13. Name and permanent address of the applicant _____.
 14. Local address of the applicant, if any _____
 15. Relationship with the deceased/injured _____.
 16. Amount of interim relief claimed _____.
 17. Bench of RCT where claim has been filed alongwith O.A.No. & date.
 18. Proof of dependency, if the interim relief is sought by the dependant of the injured/dead passenger.
 19. Any other information or documentary evidence that may be necessary or helpful in the disposal of the claim for interim relief _____.
 20. Mention the documents, if any, filed alongwith application.
- I, _____ solemnly declare that _____ .

The particulars given above are true and correct to the best of my knowledge and belief.

Signature or Left thumb
Impression of the Applicant.

Dated _____
Place _____

Name of witness and his
address in case left thumb
impression is put by applicant.

To,
The Chief Claims Officer,
_____ Railway,
_____.

Annexure-B

Step-wise action to be taken by the claimants for getting interim relief under Section 126 of the Railways Act, 1989

1. Obtain post mortem report in case of death.
2. Obtain a copy of FIR in case of death/injury.
3. Obtain medical report indicating the details of injuries sustained by the passengers.
4. Get the death certificate from the District Administration in case of death of a passenger.
5. Heirship title, in case of death.
6. Documentary proof of bonafide of the victim/deceased as passenger of the train on the date of accident/unto ward incident, if available otherwise indicate class of travel, ticket/pass No., to the extent known.
7. File the claim in the bench of RCT having jurisdiction over the site of train accident/unto ward incident.
8. Fill the form for interim relief and attach copies (1 to 7) of these documents & submit the same to the Chief Claims Officer of the railway under whose jurisdiction the accident has taken place. The address and telephone no. of CCO are (a)
(b)
9. If you are not sanctioned interim relief within 15 days from the date of submission of request from the CCO's office, please contact Dy. CCM (Claims) of the railway for this purpose.

Annexure-C

Statement showing the details of pending claims under Section 124/124-A & sending of proforma of interim relief to the claimants

1		2				3				4					
Opening Balance of pending claims in RCT on...		Cases received during the month				Total				No. of cases in which the proforma for grant of interim relief sent to the claimants during the month					
Cases filed under section 124	Cases under Section 124-A	Cases filed under section 124	Cases under Section 124-A	Cases filed under section 124	Cases under Section 124-A	Cases filed under section 124	Cases under Section 124-A	Cases filed under section 124	Cases under Section 124-A	Cases filed under section 124	Cases under Section 124-A	Cases filed under section 124	Cases under Section 124-A		
Death	Injury	Death	Injury	Death	Injury	Death	Injury	Death	Injury	Death	Injury	Death	Injury	Death	Injury

5			
Closing Balance			
Cases filed under section 124	Cases under Section 124-A		
Death	Injury	Death	Injury

Annexure-D

Statement showing the disposal of requests of interim relief

1		2				3				4					
Opening Balance of pending requests of interim relief received by the railway		No. of requests received during the month				Total				No. of requests in which payment made during the month					
Cases filed under Section 124	Cases under Section 124-A	Cases filed under Section 124	Cases under Section 124-A	Cases filed under Section 124	Cases under Section 124-A	Cases filed under Section 124	Cases under Section 124-A	Cases filed under Section 124	Cases under Section 124-A	Cases filed under Section 124	Cases under Section 124-A	Cases filed under Section 124	Cases under Section 124-A		
Death	Injury	Death	Injury	Death	Injury	Death	Injury	Death	Injury	Death	Injury	Death	Injury	Death	Injury

5		6				7			
Amount paid		No. of requests which were turned down				No. of requests pending			
Cases filed under Section 124	Cases under Section 124-A	Cases filed under Section 124	Cases under Section 124-A	Cases filed under Section 124	Cases under Section 124-A	Cases filed under Section 124	Cases under Section 124-A	Cases filed under Section 124	Cases under Section 124-A
Death	Injury	Death	Injury	Death	Injury	Death	Injury	Death	Injury

**Government of India
Ministry of Railways
(Railway Board)**

N0.93/TC-III/122/1/Ex-gratia

New Delhi. Dated 5-2-96

The General Manager (Claim),
Western Railway,
Bombay.

Sub:- Claims compensation - Relief to persons involved in train accidents
or untoward incidents-Ex-gratia payment to victims.

Ref:- Your letter No.C.54/0/Vol.IX dated 15.12.95.

In your letter referred to above, you have sought clarification whether a passenger falling from a train should be paid ex-gratia. It is clarified that travelling on the foot-board or roof is prohibited under Section 156 of the Railways Act, 1989.

It is further informed that the reasons for accidental falling of a passenger from a train can also be other than his travelling on roof or foot-board. While paying ex-gratia, in such cases, it may be ensured that such payments are in accordance with different provisions of the Act as well as the instructions issued by the Board on the subject.

Sd/-
(N.R.Sagar)
Jt. Director, Traffic Comml (CI)
Railway Board

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

TELEMAX/POST COPY
ISSUED ON 8.12.1995

CHIEF COMMERCIAL MANAGERS,
M.C.MEENA, CENTRAL RAILWAY, BOMBAY
BHASKAR CHAUDHURI, EASTERN RAILWAY, CALCUTTA
N.N.VASUDEV, NORTHERN RAILWAY, NEW DELHI
SUDERSHAN SETH NE RAILWAY, GORAKHPUR
B.P.BHARGAVA,NF RAILWAY/GUWAHATI
B.L. VERMA, SOUTHERN RAILWAY, MADRAS
JAMNA SINGH, SC RAILWAY, SECUNDERABAD
R,M,DASS, SE RAILWAY, CALCUTTA
R,K, THOOPAL, WESTERN RAILWAY, MUMBAI.

(*BY SPECIAL MESSENGER)

NO.95/TC-III/76/2 (.) REFER BOARD'S TELEMAX OF EVEN NUMBER DATED
10.5.1995 REGARDING TIME LIMIT FOR FILING WRITTEN STATEMENT IN
RAILWAY CLAIMS TRIBUNAL(.) BOARD FURTHER DESIRE THAT AS
HUMAN MISERY IS INVOLVED IN ACCIDENT COMPENSATION CLAIMS
CASES, WRITTEN STATEMENT IN SUCH CASES MUST BE FILED WITHIN
30 DAYS IN RCT (.) THESE INSTRUCTIONS MUST BE COMPLIED WITH
STRICTLY (.) ACKNOWLEDGE RECEIPT (.)

PUNIA/RAILWAYS

(N.R.SAGAR)
JT. DIRECTOR TFC. COMML.(CL.)
RAILWAY BOARD