

# The Railway Claims Tribunal (Procedure) Rules, 1989

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### Rule

### THE-RAILWAY-CLAIMS-TRIBUNAL-PROCEDURE-RULES-1989 of 1989

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The Railway Claims Tribunal (Procedure) Rules, 1989 Published vide Notification G.S.R. 842(E), dated 19.9.1989, published in the Gazette of India, Extraordinary, Part 2, Section 3(i), dated 19.9.1989 Last Updated 14th January, 2020 [21/934] G.S.R. 842(E). - In exercise of the powers conferred by clauses (c), (e), (f) and (g) of sub-section (2) of section 30 of the Railway Claims Tribunal Act, 1987 (54 of 1987), the Central Government hereby makes the following rules, namely: -{|-| Brought into force on 8-11-1989 vide S.O. 784(E), dated 5-10-1989.{|}

### 1. Short title and commencement.

(1) These rules may be called The Railway Claims Tribunal (Procedure) Rules, 1989. (2) They shall come into force on the "appointed day" within the meaning of clause (b) of section (2) of the Act.

### 2. Definitions.

- In these rules, unless the context otherwise requires, -(a) "Act" means the Railway Claims Tribunal Act, 1987 (54 of 1987); (b) "accident" means an accident of the nature [described] [ Substituted by G.S.R. 700(E), dated 26-11-1991 (w.e.f. 26-11-1991).] in section 82-A of the [Indian Railways Act, 1890 (9 of 1890)] [ Now see the Railways Act, 1989 (24 of 1989).]; (c) "applicant" means a person making an application to the Tribunal under section 16 of the Act; (d) "Form" means a form appended to these rules; (e) "legal practitioner" shall have the meaning assigned to it under clause (i) of section 2 of the Advocates Act, 1961 (25 of 1961); (f) "legal representative" means a person who in law represents the estate of deceased; (g) "Registrar" means the person who is for the time being dis-charging the functions of the Registrar of the Tribunal and includes an Additional and Assistant Registrar; (h) "Registry" means the Registry of any Bench of the Tribunal; (i) "Schedule" means a schedule to these rules; (j) "Section" means a section of the Act; (k) "transferred application" means a

suit, claim or other legal proceeding which has been transferred to the Tribunal under section 24 of the Act;(l)"Tribunal" means the Railway Claims Tribunal established under section 3 of the Act;(m)Words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in that Act.

### **3. Territorial jurisdiction of Benches.**

- [(1) The number of Benches, the Headquarter of and the territorial jurisdiction of a Bench shall be as specified in Schedule I and Schedule I(A).] [ Substituted by G.S.R. 167(E), dated 29-2-2000 (w.e.f. 29-2-2000).](2)If an application is received by a Bench which does not have territorial jurisdiction to deal with the matter, the Registrar of the Bench shall return the application to the applicant.(3)Notwithstanding anything contained in sub-rule (2) the applicant may apply to the Chairman and the Chairman may thereupon for reasons to be recorded in writing direct a Bench other than the Bench before which an application has been filed to hear such application and issue such orders as may be necessary for the transfer of the application.

### **4. [ Language of the Claims Tribunal. [Substituted by G.S.R. 509(E), dated 15-6-1994 (w.e.f. 15-6-1994). ]**

(1)The pleadings before the Claims Tribunal may, at the option of the respective parties, be either in English or in Hindi.(2)All orders and judgments of the Claims Tribunal may, at the option of the Claims Tribunal, be either in Hindi or in English.]

### **5. Procedure for filing applications.**

(1)An application to the Tribunal shall be presented in Form I or Form II or Form III, as the case may be, either by the applicant in person or by an agent or by his duly authorized legal practitioner [in the office of the Registrar or the Additional Registrar, or the Assistant Registrar, as the case may be] [ Substituted by G.S.R. 787(E), dated 2-12-2002, for " to the Registrar" (w.e.f. 2-12-2002).](2)[ An application referred to sub-rule (1) may also be sent by registered post or electronic mail to the office of the Registrar or the Additional Registrar or the Assistant Registrar, as the case may be, of the Bench concerned] [Substituted by Notification No. G.S.R. 575(E), dated 16.8.2019 (w.e.f. 19.9.1989).](2A)[ An application sent by post or electronic mail under sub-rule (2) shall be deemed to have been received on the day when the application is received by the Registrar, Additional Registrar or the Assistant Registrar, as the case may be] [Substituted by Notification No. G.S.R. 575(E), dated 16.8.2019 (w.e.f. 19.9.1989).](3)The application under sub-rule (1) or sub-rule (2) shall be presented in triplicate.(3A)[ The application sent by email by the applicant shall also make available hardcopies of the application along with originals or duly certified true copies of originals of enclosures relied by the applicant by registered post to the Registrar, Additional Registrar or the Assistant Registrar] [Inserted by Notification No. G.S.R. 575(E), dated 16.8.2019 (w.e.f. 19.9.1989).](4)Where the number of respondents is more than one, as many extra copies of the application as there are respondents, together with unused file size envelopes, bearing the full address of such respondents, shall be furnished by the applicant.(5)The applicant may attach to and

present with his application a receipt slip in [Form IV] [ Substituted by G.S.R. 700(E), dated 26-11-1991 (w.e.f. 26-11-1991).] which shall be signed by the Registrar of the office receiving the application on behalf of the Registrar in acknowledgement.(6)Every application including any miscellaneous application, shall be typed legibly in double space on one side on thick paper of good quality.

## **6. Application fees for cases other than compensation for death or injury to passengers.**

(1)Every application made under sub-section (1) of section 16 for seeking relief in respect of matters, other than claim of compensation for death or injuries to passengers, shall be accompanied by a fee as specified in Schedule II.(2)The amount of the fee as referred to in sub-rule (1) shall be payable by crossed demand draft on a nationalized bank drawn in favor of the Registrar of the concerned Bench or remitted through a crossed Indian Postal Order and drawn in favor of the Registrar of the concerned Bench.

## **7. Documents to accompany the application.**

(1)Every application for compensation in respect of loss, destruction, damage, deterioration or non-delivery of animals or goods or in respect of refund of fare or freight shall be accompanied by the following documents, namely:-(a)copy of the railway receipt/parcel way bill/luggage ticket;(b)original sale invoice (Bijak), if any;(c)copy of order or letter, if any, of the railway administration deciding the claim of the party;(d)copy of the original certificate issued by the railway ad-ministration regarding loss, deterioration or damage to the goods, at the time of granting open delivery or assessment delivery;(e)[ copy of notice under section 106 of the Railways Act, 1989 (24 of 1989);] [ Substituted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002).](f)copies of any other relevant document in possession of the applicant.(2)[ The documents referred to in sub-rule (1) may be attested by a legal practitioner or by a Gazetted Officer of the Central Government or a State Government.(3)An application filed under sub-rule (1) of rule 5 by a legal practitioner shall be accompanied by a vakalatnama and that by an agent shall be accompanied by a document authorizing him to act as such.(4)When any document accompanying an application or reply appears to be defaced, torn, or in any way damaged or otherwise its condition or appearance requires special notice, a mention regarding its condition and appearance shall be made by the party producing the same in the index of such application or reply, as the case may be, and the same shall be verified by the Registrar.] [ Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002).]

## **8. [ Place of filing application for compensation in accident or untoward incident claim. [Substituted by Notification No. G.S.R. 21(E), dated 10.1.2020 (w.e.f. 19.9.1989).]**

- An application for compensation payable under section 124 or 124-A of the Railways Act, 1989 (24 of 1989) may be filed before the Bench having territorial jurisdiction over the place where the accident or untoward incident occurs or where the claimant normally resides.]

## **9. Place of filing application for compensation for loss, damage, destruction, deterioration or non-delivery of goods or animals.**

- An application for compensation referred to in sub-clause (i) of clause (a) of sub-section (1) of section 13 of the Act may be filed before the Bench having territorial jurisdiction over the place where-(a)the goods or animals were delivered for carriage; or(b)where the destination station lies; or(c)the loss, destruction, damage or deterioration of goods or animals occurred.

## **10. Place of filing application for refund of fare and freight.**

- An application in respect of a claim for refund of fare or freight referred to in clause (b) of sub-section (1) of section 13 of the Act may be filed before the Bench having territorial jurisdiction over the place at which such fare or [freight was paid or the place] [ Substituted by G.S.R. 700(E), dated 26-11-1991 (w.e.f. 26-11-1991).] where the destination station lies.

### **10A. [ [ Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002).]**

Every application made under rule 9 or 10 shall be accompanied with a fee of ten rupees for each respondent for the service or execution of process.]

## **11. Scrutiny of applications.**

(1)The Registrar, or the officer authorized by him, shall endorse on every application, the date on which it is presented or received through post under [rule 5] [ Substituted by G.S.R. 513(E), dated 9-7-2001 (w.e.f. 9-7-2001).] and sign the endorsement.(2)If, on scrutiny, the application is found to be in order, it shall be registered and given a serial number.(3)[ If on scrutiny an application is found defective and defect noticed is formal in nature, the Registrar may allow the applicant to rectify the same in his presence, and if the defect is not formal in nature, the Registrar may allow the applicant to rectify defect in a week's time, which may be extended in appropriate cases on the written request of the applicant.] [Substituted by G.S.R. 513(E), dated 9-7-2001 (w.e.f. 9-7-2001).](4)If the applicant fails to rectify the defect within the time allowed under sub-rule (3), the Registrar may, by order and for reasons to be recorded in writing, decline to register the application and inform the applicant accordingly.(5)An appeal against the order passed under sub-rule (4) may be preferred by the person aggrieved within fifteen days from the date of such order to any Member and such appeal shall be dealt with and disposed of in Chamber by the Member whose decision thereon shall be final.[11-A. Maintenance of Cash Register. [Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002).](1)All payments received by way of Indian Postal Orders or demand drafts or in cash by the Registrar shall be entered immediately by the Registration Clerk on their receipt side in a Cash Register maintained in Form VI.(2)On every last working day of the week, the payments received during the week by way of Indian Postal Orders or demand drafts shall be transmitted by the Registration Clerk to the official in charge of the Cash Section, who after scrutiny and verification shall acknowledge the receipt of all moneys in the Cash Register.(3)The payments received in cash shall be transmitted by the Registration Clerk to the official in charge of the Cash

Section on each day, who after verification shall acknowledge the receipt of all moneys in the Cash Register.(4)The official in charge of the Cash Section shall deposit all payments received by way of Indian Postal Order or demand draft or cash in the Bank account of the Tribunal.]

## **12. Notice to opposite party.**

(1)The Tribunal shall issue [notice in Form VII] [ Substituted by G.S.R. 787(E), dated 2-12-2002, for " notice" (w.e.f. 2-12-2002).] to the respondent to show cause against the application on a date of hearing to be specified therein. Such [notice in Form VII ] [Substituted by G.S.R. 787(E), dated 2-12-2002, for " notice" (w.e.f. 2-12-2002). ]shall be accompanied by a copy of the application.(2)If the respondent does not appear on the date specified in the [notice in Form VII] [Substituted by G.S.R. 787(E), dated 2-12-2002, for " notice" (w.e.f. 2-12-2002). ] or appears and admits the claim, the Claims Tribunal shall forthwith proceed to dispose of the application.(3)If the respondent contests the claim it may file a reply along with copies of such documents on which it relies on or before the date of hearing and such reply and copies of documents shall form part of the record.

## **13. Service of notices and processes issued by the Tribunal.**

(1)Any notice or process to be issued by the Tribunal may be served in any one of the following modes as may be directed by the Bench :(a)by hand delivery through a process server;(b)by registered post with acknowledgment due;(c)service by the party himself.(2)Where a notice issued by the Tribunal is served by the party himself by "hand delivery" he shall file with the Registry the acknowledgment, together with an affidavit of service.(3)Notwithstanding anything contained in sub-rule (1), the Tribunal may, taking into account the number of respondents and their places of residence or work and other circumstances, direct that notice of the application shall be served upon the respondents in any other manner, including any manner of substituted service, as it appears to the Tribunal just and convenient.(4)[ A notice or process may also be served on the legal practitioner representing the applicant or the respondent, as the case may be, in any proceeding or on any person authorized to accept a notice or a process, and such service on the legal practitioner or on the authorized person shall be deemed to be proper service.(5)Where the Tribunal directs a service under sub-rule (3), such amount of charges, as may be determined by the Tribunal from time to time, but not exceeding the actual charges incurred in effecting the service, shall be deposited in the Tribunal.] [ Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002).]

## **14. Filing of affidavit.**

(1)The Tribunal may direct the parties to give evidence, if any, by affidavit.(2)Notwithstanding anything contained in sub-rule (1), where the Tribunal considers it necessary for just decision of the case, it may order cross-examination of any deponent.(3)[ Every affidavit to be filed before the Tribunal shall be in Form VIII.] [Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002). ]

## **15. Filing of reply and other documents by the respondents.**

(1) Each respondent may file his reply to the application and copies of the documents on or before the date of hearing. (2) In reply filed under sub-rule (1), the respondent shall specifically admit, deny or explain the facts stated by the applicant in his application and state such additional facts as may be found necessary in his reply [ \* \* \* ] [ The words " alongwith affidavit" omitted by G.S.R. 438(E), dated 21-4-1992 (w.e.f. 28-4-1992). ]. (3) [ When the respondent admits the facts stated in the application, the Tribunal may make order in this regard. ] [ Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002). ] [ 15-A. Filing of rejoinder. [ Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002). ] - The applicant intending to file rejoinder to the written reply filed by the respondent may do so with the permission of the Tribunal.

### **15.**

-B. Admission and denial of documents.- The Tribunal may, before framing issues ascertain from parties or their authorized representatives whether they admit or deny documents accompanying the application or reply, if any, and shall record such admission and denial.

### **15.**

-C. Marking of documents.- The documents filed by the applicant shall be marked as 'A' series and the documents filed by the respondent shall be marked as 'R' series and the Tribunal exhibits shall be marked as 'C' series.]

## **16. Summary dismissal of application.**

- The Tribunal may, after considering the application summarily, dismiss the application, if for reasons to be recorded, the Tribunal is of opinion that there are not [sufficient grounds] [ Substituted by G.S.R 700(E), dated 26-11-1991 (w.e.f. 26-11-1991). ] for proceeding therewith.

## **17. Hearing of applications.**

- The Tribunal shall notify to the parties the date and place of hearing of the application in such manner as the Chairman may, by general or special order, direct. [17-A. Oath to the witness. [ Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002). ] - The Court Master or the Commissioner, as the case may be, shall administer the following oath to a witness: - "I do swear in the name of God that what I shall state shall be truth and nothing but the truth". ]

## **18. Action on application for applicant's default.**

(1) Where on the date fixed for hearing of the application or on any other date to which such hearing may be adjourned, the applicant does not appear when the application is called for hearing, the Tribunal may, in its discretion, either dismiss the application for default or hear and decide it on

merit.(2)Where an application has been dismissed for default and the applicant files an application within thirty days from the date of dismissal and satisfies the Tribunal that there was sufficient cause for his non-appearance when the application was called for hearing, the Tribunal shall make an order setting aside the order dismissing the application and restore the same :Provided, however, where the case was disposed of on merits the decision shall not be re-opened except by way of review.

## **19. Ex parte hearing and disposal of applications.**

(1)Where on the date fixed for hearing the application or on any other date to which such hearing may be adjourned, the applicant appears and the respondent does not appear when the application is called for hearing, the Tribunal may, in its discretion adjourn the hearing or hear and decide the application ex parte.(2)Where an application has been heard ex parte against a respondent or respondents, such respondent or respondents may apply to the Tribunal for an order to set it aside and if such respondent or respondents satisfy the Tribunal that the notice was not duly served, or that he or they were prevented by any sufficient cause from appearing when the application was called for hearing, the Tribunal may make an order setting aside the ex parte hearing as against him or them upon such terms as it thinks fit, and shall appoint a day for proceeding with the application:Provided that where the ex parte hearing of the application is of such nature that it cannot be set aside as against one respondent only, it may be set aside as against all or any of the other respondents also.

## **20. Procedure and powers of Tribunal.**

- The Tribunal shall have, for the purposes of discharging its functions under this Act, the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908), while trying a suit, in respect of the following matters, namely:-(a)summoning and enforcing the attendance of any person and examining him on oath;(b)requiring the discovery and production of documents;(c)receiving evidence on affidavits;(d)subject to the provisions of sections 123 and 124 of the Indian Evidence Act, 1872 (1 of 1872), requisitioning any public record or document or copy of such record or document from any office;(e)issuing commissions for the examination of witness or documents;(f)reviewing its decisions;(g)dismissing an application for default or ex parte;(h)setting aside any order of dismissal of any application for default or any order passed by it ex parte.

## **21. Framing and determination of issues.**

(1)After considering the reply, the Tribunal shall ascertain upon what material propositions of fact or of law the parties are at variance and shall thereupon proceed to frame and record the issues upon which the right decision of the case appears to it to depend.(2)In recording the issues, the Tribunal shall distinguish between those issues which in its opinion concern points of facts and those which concern points of law.(3)After framing the issues, the Tribunal shall proceed to record evidence thereon which each party may desire to produce.

## **22. [ Summoning of witnesses and method of recording evidence. [ Substituted by G.S.R. 384(E), dated 22-10-2003 (w.r.e.f. 9-7-2001).]**

(1) If an application is presented by any party to the proceedings for summoning of witness, the Tribunal shall issue summons for the appearance of such witness with recording the reasons for doing so, unless it considers that his appearance is not necessary for the just decision of the case. (2) The Tribunal shall make a brief memorandum of the substance of the evidence of every witness as the examination of the witness proceeds and such memorandum shall form part of the record: Provided that if the Tribunal is prevented from making such memorandum, it shall record the reasons of its inability to do so and shall cause such memorandum to be made in writing from its dictation and shall sign the same, and such memorandum shall form part of the record. (3) [ Where summons are issued by the Tribunal under sub-rule (1) to any witness to give evidence or to produce any document, the person so summoned shall be entitled to such traveling and daily allowance, sufficient to defray the traveling and other expenses, as may be determined by the Registrar. ] [ Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002). ] [ 22-A. Documents not to form part of records. [ Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002). ] - Unless duly permitted by the Tribunal, the following documents shall not form part of the records of the case - (a) written statement filed after the expiry of time granted for the purpose; (b) rejoinder filed without leave of the Tribunal or after the expiry of time granted; (c) additional pleading filed without leave of the Tribunal or filed after expiry of time granted; and (d) documents not tendered into evidence. ]

## **23. Power to issue commission.**

- Any Bench of the Tribunal may issue a commission for the examination on interrogatories or otherwise of any person [ \* \* \* ] [ The words " who is resident within the territorial jurisdiction of such Bench of the Tribunal and " omitted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002). ] who is unable to attend the Tribunal for any justifiable reason.

## **24. Procedure in connected cases.**

(1) Where two or more applications pending before a Tribunal arise out of the same facts and any issue involved is common to two or more such applications, such applications may, so far as the evidence bearing on such issue is concerned, be heard simultaneously. (2) Where action is taken under sub-rule (1), the evidence bearing on the common issue or issues shall be recorded on the record of one application the Tribunal shall certify under its hand on the records of any such other application, the extent to which evidence so recorded applies to such other case and the fact that the parties to such other case had the opportunity of being present, and, if they were present for cross-examining the witnesses.

## **25. Calendar of transferred cases.**

- Each Bench shall draw up a calendar for the hearing of transferred cases in such manner as the Chairman may, by general or special order direct and, hear and decide the cases according to the



calendar.

## **26. Substitution of legal representatives.**

(1) In the case of death of a party during the pendency of the proceedings before Tribunal, the legal representatives of the deceased party may apply within ninety days of the date of such death for being brought on record. (2) Where no application is received from the legal representatives within the period specified in sub-rule (1), the proceedings shall abate: Provided that for good and sufficient reasons shown, the Tribunal may allow substitution of the legal representatives of the deceased.

## **27. Assessors.**

(1) In any enquiry into a claim, the Tribunal may call in the aid of assessors, not exceeding two in number, who possess any technical or special knowledge with respect to any matter before the Tribunal for the purpose of assisting the Tribunal. (2) An assessor shall perform such functions as the Tribunal may direct. (3) The remuneration, if any, to be paid to an assessor shall in every case be determined by the Tribunal and be paid by it.

## **28. Adjournment of hearing.**

- If the Tribunal finds that an application cannot be disposed of at one hearing it shall record the reasons which necessitate the adjournment and also inform the parties present of the date of adjourned hearing: [Provided that no such adjournment shall be granted more than three times to a party during the proceedings before the Tribunal: Provided further that all the documents shall be filed by the parties along with pleadings and no adjournment shall be granted for filing documents at a later stage, except in circumstances which are beyond the control of the concerned party.] [Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002).]

## **29. Costs.**

- The Claims Tribunal may, in its discretion, pass such orders in respect of costs incidental to any proceedings before it, as it may deem fit.

## **30. Decision of the Tribunal.**

- The Tribunal shall decide every application as expeditiously as possible on perusal of documents, affidavits and other evidence, if any, and after hearing such oral arguments as may be advanced.

## **31. Order to be passed and signed.**

- [(1) The Tribunal, after hearing the applicant and respondent, shall pass an order either at once, or as soon as thereafter, as may be practicable, but not later than twenty-one days from the date of conclusion of the arguments; and where it is unable so to do, it shall record its reasons for such

inability.] [ Substituted by G.S.R. 173(E), dated 16-3-2005 (w.e.f. 16-3-2005).](2)An order made by the Tribunal shall be executable by the Tribunal as a decree of a Civil Court and the provisions of the Code of Civil Procedure, 1908 (5 of 1908), so far as may be, shall apply as they apply in respect of decree of a Civil Court.(3)Every order of the Tribunal shall be in writing and shall be signed by the Member or Members constituting the Bench, which pronounced the order.[31-A. Execution of order. [ Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002).]- An order of the Tribunal may be executed by the Bench which pass it if the respondent is within the territorial jurisdiction of the said Bench or by any other Bench or Court to which it is sent for execution, when the respondent is having his office within the territorial jurisdiction of such Bench or Court, as the case may be.

### **31.**

-B. Application for execution.- For execution the holder of an order shall make an application to the Tribunal in Form IX.

### **31.**

-C. Issue of process of execution.(1)On receipt of an application under rule 31-B, the Tribunal shall issue a process for execution of its order in Form X.(2)The Tribunal shall consider objection, if any, raised by the respondent and make such order as it may deem fit and shall issue attachment or recovery warrant in Form XI and XII, as the case may be.]

### **32. Review of decision.**

(1)Any person considering himself aggrieved by any order of the Tribunal from which no appeal is allowed [or from which appeal is allowed, but has not been preferred] [Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002). ] and who on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a review of the order made against him, may apply for review of a final order not being an interlocutory order, to the Tribunal.(2)[ Where it appears to the Tribunal that there is no sufficient ground for a review, it shall reject the application and its reasons for so doing] [ Substituted by G.S.R. 173(E), dated 16-3-2005 (w.e.f. 16-3-2005).](3)Where the Tribunal is of the opinion that the application for review should be granted, it shall grant the same:Provided that no such application shall be granted without previous notice to the opposite party to enable him to appear and be heard in support of the order, a review of which is applied for.

### **33. Publication of orders.**

- Any order of the Tribunal deemed by it to be fit for publication in any authoritative report or other media may be released for such publication on such terms and conditions as the Chairman or Vice-Chairman or Member concerned may specify by general or special order.

### **34. Certified copy of the order and inspection of record.**

(1) If the applicant or the respondent to any proceeding requires a copy of any order passed by the Tribunal, the same shall be supplied to him on payment of rupees ten per order [in the normal course of time within seven working days from the receipt of an application for the said purpose and on payment of rupees twenty on urgent basis within three working days from the receipt of an application for the said purpose] [ Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002).]. (2) The parties to any case or their Counsel may be allowed to inspect the record of the case on making an application in writing to the Registrar and payment of rupees ten per inspection. (3) [ Notwithstanding anything contained in sub-rule (1), in compensation cases relating to accident and untoward incidents, one copy of the order made by the Tribunal shall be sent within three working days by the Registrar to both the parties free of cost with an endorsement thereon "Free copy". ] [ Added by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002). ]

### **35. Orders or directions by the Tribunal.**

- The Tribunal may pass such orders or give such directions as may be necessary or expedient to give effect to its orders or to prevent abuse of its process or to secure the end of justice.

### **36. Registration of legal practitioner's clerks.**

(1) No clerk employed by a legal practitioner shall act as such before the Tribunal or be permitted to have access to the records and obtain copies of the orders of a Bench of the Tribunal in which the legal practitioner ordinarily practices, unless his name is entered in the Register of Clerks maintained by the said Bench. Such clerk shall be known as a "Registered Clerk". (2) A legal practitioner desirous of registering his clerk shall make an application to the Registrar in Form V. On such application being allowed by the Registrar, his name shall be entered in the Register of Clerks. (3) [ An Identity Card shall be issued in Form XIII to a Registered Clerk of the legal practitioner on payment of a fee of rupees fifteen by way of Indian Postal Order or demand draft drawn in favor of the Registrar. ] [ Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002). ]

### **37. Powers, functions and duties of the Registrar.**

(1) The Registrar shall have the custody of the records of the Tribunal and shall exercise such other functions as are assigned to him under these rules or from time to time by the Chairman or the Vice-Chairman or the Member. (2) Without prejudice to the foregoing sub-rule (1), the Registrar shall have the following powers and duties, subject to the general or special order of the Chairman, Vice-Chairman or Member, namely:-(i) to receive all applications and other documents including transferred applications under sub-rule (3) of rule 3; (ii) to decide all questions arising out of the scrutiny of the applications before they are registered in accordance with rule 11; (iii) to require any application presented to the Tribunal to be amended for compliance with any provision of the Act or the rules; (iv) subject to the direction of the respective Benches, to fix the date of hearings and to issue notices therefor; (v) to direct any formal amendment of records; (vi) to order grant of copies of

documents to parties to the proceedings;(vii)to grant leave to inspect the records of the Tribunal;(viii)to dispose of all matters relating to the service of notices or other processes, applications for the issue of fresh notices and for extending the time for filing such applications and to grant time not exceeding [thirty] [ Substituted by G.S.R. 787(E), dated 2-12-2002, for the figure " 15" (w.e.f. 2-12-2002).] days for filing a reply or rejoinder, if any, and to place the matter before the Bench for appropriate orders after the expiry of the aforesaid period;(ix)to requisition or transfer of any records of such suit, claim or other legal proceeding as are transferred to the claims Tribunal from any Court, Claims Commissioner or other authority under clause (a)of sub-section (2) of section 24 of the Act;(x)to receive and dispose of applications for substitution, except where the substitution would involve setting aside an order of abatement;(xi)to receive and dispose of applications by parties for return of documents;(xii)[ to supply to the Central Government the information in Form XIV; [ Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002).](xiii)to dismiss the application for default in case the applicant or his legal practitioner does not appear before him on the date fixed for hearing of the case;(xiv)to dismiss the application in case the applicant fails to serve the opposite party with the notice; and(xv)to restore the application, if he is satisfied that there are sufficient reasons for non-appearance or for not serving the opposite party.](3)The [official seal shall] [ Substituted by G.S.R. 700(E), dated 26-11-1991 (w.e.f. 26-11-1991).] be kept in the custody of the Registrar.(4)Subject to any general or special direction by the Chairman, the seal of the Tribunal shall not be affixed to any order, summons or other process save under the authority in writing of the Registrar.(5)The seal of the Tribunal shall not be affixed to any certified copy issued by the Tribunal save under the authority in writing of the Registrar.(6)The Registrar of each Bench shall make out, every month a brief summary of the important decisions given by that Bench during the previous month and send it to the Registrar of the Principal Bench who shall after suitable editing, circulate it to all the Benches of the Tribunal in the country and to all Chief Claims Officers of Zonal Railways for their information.

### **38. Working hours of the Tribunal.**

- Except on Saturdays, Sundays and other public holidays, the office of the Tribunal shall, subject to any order made by the Chairman, remain open from 9-30 a.m. to 6-00 p.m.

### **39. Sitting hours of the Tribunal.**

- The sitting hours of the Tribunal shall ordinarily be from 10-30 a.m. to 1-30 p.m. and 2-30 p.m. to 4-30 p.m. subject to any general or special order made by the Chairman or by Vice-Chairman or Member concerned with the prior approval of the Chair-man.

### **40. Seal and emblem.**

- The official seal and the emblem of the Tribunal shall be such as the Central Government may specify.

#### **41.**

[\* \* \*] [ Rule 41 omitted by G.S.R. 719(E), dated 15-10-1999 (w.e.f. 26-10-1999).]

#### **42. [ Headquarters of the Tribunal. [ Substituted by G.S.R. 167(E), dated 29-2-2000 (w.e.f. 29-2-2000).]**

(1)The Tribunal shall have its Headquarters at Delhi and have four administrative zones with their Headquarters as mentioned in Schedule I and Schedule I(A) to sub-rule (1) of rule 3.(2)The presiding officers and administrative head of administrative zones shall exercise such administrative powers as delegated by Chairman and will act under directions, control and supervision of Chairman.]

#### **43. Preservation of record.**

- All necessary documents and records relating to applications dealt with by the Tribunal shall be kept in a record room and shall be preserved for a period of three years after the passing of the final order.

#### **44. Inherent powers of the Tribunal.**

- Nothing in these rules shall be deemed to limit or otherwise affect the inherent powers of the Tribunal to make such orders as may be necessary for the ends of justice or to prevent abuse of the process of the Tribunal.

#### **45. [ Monthly progress report of Tribunal. [Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002).]**

- The Tribunal shall furnish every month to the Central Government in Form XIV, the information with regard to institution, disposal and pendency of claims cases, accident cases and other information relating to the functioning of the Tribunal and its Benches.]

#### **46. Maintenance of order sheets.**

- The Registrar shall attach to every application an order sheet in duplicate in Form XV.

#### **47. Maintenance of Court Diary.**

- The Court Master shall maintain a Court Diary in Form XVI for recording the proceedings of the Tribunal for each working day with respect to all applications listed in the daily cause list.

#### **48. Preparation and publication of daily cause list.**

- The Court Master shall on each working day prepare for the next working day, the cause list in Form XVII and fix a copy of the same on the Notice Board of the Tribunal.

#### **49. Retention, preservation and destruction of records.**

(1)The Record Keeper shall be responsible for the records consigned to the Record Room. He shall scrutinize the records received by him within three days and prepare an index.(2)If on scrutiny, any deficiency is found in the records, the Record Keeper shall return the records back to the concerned Branch or Section.(3)On the expiry of the period for preservation of the records prescribed under rule 43, the Registrar shall weed out the record.FORM I[See rule 5 of the Railway Claims Tribunal (Procedure) Rules, 1989]Application Under Section 16 Of The Act In Respect Of Claims For Compensation For Loss, Destruction, Damage, Deterioration Or Non-Delivery Of Animals Or Goods

#### **Part I – Title of the case :**

#### **Part II – {**

| - | Sl.No. | Description of documents attached | Page No. | - | 1. | Application | - | 2. | - | 3. | - | 4. | - | 5. | - | 6. | } .....Signature of the ApplicantFor use in Tribunal's OfficeDate of filing  
.....ORDate of Receipt by post .....Registration No  
.....Signature for Registrar

#### **Part III – In The Railway Claims Tribunal**

.....BENCH  
BETWEEN  
A.B. ....Applicant  
AND  
C.D. ....Respondent

#### **1. Particulars of the applicant:**

Name and address:

#### **2. Particulars of the respondent/respondents**

#### **3. Value of claim and details of application fee-**

(i)Value of claim(ii)Details of application fee

**4. (i) Name and address of the Bank on which the draft is drawn;**

(ii) Demand Draft No. and the Branch at which payable OR (i) Number of Indian Postal Order(s) (ii) Name of issuing Post Office (iii) Date of issue of Postal Order(s) (iv) Post Office at which payable

**5. Full booking particulars of the consignment -**

Date of booking	Railway [receipt or parcel way bill] [Substituted by G.S.R. 700(E), dated 26-11-1991 (w.e.f. 26-11-1991)]	Station		Description of consignment	Value of consignment	Any other particulars
		From	To			
1	2	3	4	5	6	

**6. Date on which notice served on the Railway Administration under Section 78-B of [Indian Railways Act, 1890] [Now see the Railway Act, 1989 (24 of 1989)]**

(Attach proof)

**7. (i) Facts of the case :**

(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible, a separate issue, fact or otherwise). (ii) (a) Nature of relief sought; and (b) Grounds of relief.

**8. Matters not previously filed or pending with any other Court.**

(State whether the applicant had previously filed any claim, writ petition or suit regarding the matter in respect of which the present application has been made). In case the applicant had previously filed any claim, application, writ petition or suit, indicate the stage at which it is pending, and if decided, attach a certified copy of the order.

**9. Jurisdiction of the Bench (indicate the facts on the basis of which the Bench to which application is made, has the jurisdiction).**

**10. List of enclosures :**

- 1.
- 2.

- 3.
- 4.
- 5.
- 6.

VERIFICATION.....(Name of the applicant) S/o, D/o, W/o..... age..... resident of..... do hereby verify that the contents of paragraphs..... to..... are true to my personal knowledge, and paragraphs..... to..... are believed to be true to the best of my knowledge or the legal advice given to me, and that I have not suppressed any material fact.....Signature of the ApplicantFull address :Date.....Place.....To,The Registrar,Railway Claims Tribunal,.....FORM II[See rule 5 of the Railway Claims Tribunal (Procedure) Rules, 1989]Application Under Section 16 Of The Act In Respect Of Claims For Compensation Arising Out Of Accident To A Train

## Part I – Title of the case:

## Part II – Index

Sl.No. Description of documents attached Page No.

- 1.
- 2.
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- 4.
- 5.
- 6.

.....Signature of the ApplicantFor use in Tribunal's OfficeDate of filing .....ORDate of Receipt by post .....Registration No .....Signature for Registrar[PART III] [Substituted by Notification No. G.S.R. 941(E), dated 19.12.2019 (w.e.f. 19.9.1989).] Proforma For Application For Compensation UnderThe Railway Claims Tribunal ActBefore The Railway Claims Tribunal At .....O.A...../.....

1.AB, etc .....Applicant(s)

Union of India byGeneral Manager, (Zone), (Place) Vs.

.....Respondent(s)

Application For Compensation For Death/injuries In Accident/untoward IncidentI. Personal details of the applicant(s):

### 1. Name(s) of the applicant(s) with father's/husband's name and residence:

.....

.....



**2. Name, father's name and age of the person injured/dead (husband's name in the case of married woman or widow):**

.....

**3. Full address 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. In case of death, was the victim married: Yes ( ) No ( )**

(Tick what is appropriate; leave as blank which is not applicable or score off the same)(i)(a)If yes, name of the spouse: .....Name(s) of child(ren) irrespective of the marital status:

.....

all the above named persons been impleaded in the application? Yes ( ) No ( )(c)If no, why? :

.....

the deceased in relationship of the nature of marriage with anyone? Yes ( ) No ( )(e)If yes, the name of the person: .....(f)If there is/are child(ren) through the relationship, his/her/their name(s):

.....

parent(s) is/are alive? Yes ( ) No ( ). Is/are she/he/they dependant(s)? Yes ( ) No ( )(h)If yes, name(s) of the surviving parent(s):

.....

the event of the pre-decease of parent(s) date(s) of death: .....(ii)(a)If not married,Name(s) of surviving parent(s):

.....

there minor brother(s) who is/are dependant(s) on deceased? Yes ( ) No ( )If yes, his/their name(s):

.....

there unmarried sister(s)? Yes ( ) No ( )If yes, her/their name(s):

.....

## 7. Documents filed to prove the identity and relationship for deceased victim:

(i)(a) Aadhaar of applicant(s) with number(s) and address(es) of applicant(s):

.....(b) If Aadhaar is not filed for any of the applicants, is there any other proof of identity? Yes ( ) No ( ) If yes, describe the document(s) other than the type of document mentioned in (ii) or (iii) below and the name of the issuing authority:

ID card for major applicant(s):

card: .....(a) The issuing authority and the year of issue:

..... of member(s) of the family:

..... If no proof of identity is filed for any of the applicants, the application will be summarily rejected.

## 8. Did the injured victim/deceased have mobile telephone? Yes ( ) No ( )

(a) If yes, the phone number and name of the operator:

..... the victim make a phone call to any relative/friend at/or/during travel or just before the accident/untoward incident? Yes ( ) No ( ) (c) If yes, the name of the person to whom the call was made with phone number: ..... II. Travel details of the injured victim or deceased:

## 1. (a) Was she/he a passenger ( ) a visitor at the platform ( ) or Railway staff ( )

(b) If she/he was a passenger or visitor at the platform, ticket/railway pass details, Ticket No: Date: dd/mm/yyyy Time of issue: 00/00 hours (c) The intervening stations as mentioned, if any, in the ticket:

.....(d) the alleged site of the incident falls within the route described above: Yes ( ) No ( ) (e) If railway pass, the pass no.: ..... valid from: dd/mm/yyyy to dd/mm/yyyy (f) If railway staff, designation and proof: ..... (g) If she/he was a passenger, was the ticket handed over or recovered by the police? Yes ( ) No ( ) (h) Was a seizure memo prepared? Yes ( ) No ( ) (i) If yes, time of preparation, the article seized and the names of persons who have signed in the memo as witness thereof:

..... no, state if any other object handed over to police or recovered from the victim: Purse/wallet ( ) Diary ( ) Employee ID ( ) Aadhaar ( ) Election ID ( ) Credit/debit card(s) of Bank(s) ( ) Cash ( )

Amount: Rs. Bag(s) ( ) (k) Any other object(s):

**2. Do you know the details of the journey that the victim was undertaking, viz. the station of origin and destination station? Yes ( ) No ( ).**

(a) If yes, give the details with station of origin to destination station for the victim:

.....  
you know the name of the train and train number in which the victim travelled or attempt to travel?

Yes ( ) No ( ) (c) If yes, give the details of the train:

..... (d) If no, have you collected details from the GRP/RPF or Station Superintendent? Yes ( ) No ( ) (e) If no information was collected, furnish details of the names of trains (to the extent possible) that may have passed in the direction where the victim was found in a range of 2 hours before and after the time when incident is suspected to have happened:

**3. (a) Was/were there a known co-passenger(s) with the victim of accident/untoward incident?**

Yes ( ) No ( ) (b) If yes, name(s) of co-passenger(s) and nature of relationship through blood or friendship in social circle or at work:

**4. (a) Was there an eyewitness to the victim's travel? Yes ( ) No ( )**

(b) If yes, name(s) of the person(s):

.....  
she/he given any statement to the police at the time of inquest or at any other time during police investigation:

.....  
Details of accident/untoward incident:

**1. If accident,**

(a) Nature of accident: Derailment ( ) Collision between trains ( ) Collision between train and any other motor vehicle ( ) or any other non-motor vehicle ( ) (b) In case of derailment, the station at or near the place where the accident took place:

..... (c) If collision between train, the trains that were involved in the accident and the place at or near where the place the accident took place:

.....  
collision with any other vehicle or contrivance carrying passengers or goods, was it at manned ( ) or

unmanned ( ) crossing at or near the place where the accident took

place:.....

the name published as among list of victims? Yes ( ) No ( ) (f) If yes, was any ex-gratia payment

made? Yes ( ) No ( ) (g) If yes, the amount paid and the person to whom paid with relationship:

.....(h) Document

filed: (i) Copy of statutory report of accident: ( ) (ii) Newspaper report: ( ) (iii) Voucher for payment of

ex-gratia, if any: ( ) (iv) Any other information or documentary evidence that may be necessary or

helpful in the disposal of the claim:

.....

## 2. If untoward incident, tick one of the boxes applicable:

a. Terrorist attack ( ) b. Robbery/dacoity /violent attack ( ) c. Victim of incident of rioting, shoot-out or arson, by any person in or on any train carrying passengers, or in a waiting hall, cloak room or

reservation or booking office or on any platform or in any other place within the precincts of a

railway station ( ) d. Accidental fall from train ( ) e. Any other manner:

.....(a) If terrorist attack, details of the case with crime number:

.....

robbery/dacoity/violent attack, was any criminal case registered? Yes ( ) No ( ) If yes, give details of case number and the court where the case is/was being

prosecuted:.....

victim of rioting, shoot-out, arson, was any criminal case registered? Yes ( ) No ( ) (i) FIR (

( ) (ii) Newspaper report, if any ( ) (iii) Judgment, if any ( ) (d) Fall from the train: (i) While boarding the

train at the railway platform of the station of origin/mid-station ( ) (ii) While de-boarding the train at

platform/mid-station/destination station ( ) (iii) Accidental fall at mid-station when the train was in

motion ( ) (e) Was the train stopped at the place of fall? Yes ( ) No ( ) (f) If yes, it was after alarm chain

pull (ACP) ( ) or at the instance of the guard ( ) (g) If yes, it was by co-passenger ( ), some member of

public ( ), GRP/RPF ( ), Guard ( ) Loco pilot ( ) Railway staff ( )

## 3. (a) Is there an eye-witness to the incident? Yes ( ) No ( )

(b) If yes, his/her name was ..... and he was examined by the police

and statement recorded by GRP/RPF ( ) or by both ( ) or by none ( ) (c) Names of other

eye-witnesses, if any:

.....

filed: (i) Guard's diary/rough journal for ACP ( ) (ii) Loco-pilot's diary for ACP ( ) (iii) Entry in

untoward incident register ( ) (iv) Statement(s) of eye-witness(es) ( ) (v) Photograph of the injured

victim showing amputation, if any, or of the dead body taken at the site of accident ( ) (vi) Any other

information or documentary evidence that may be necessary or helpful in the disposal of the

claim:.....

.....

**4. Details of the loss of any luggage on account of the accident/untoward incident: .....**

.....  
Post-accident details:

**1. (a) Was the victim admitted at the hospital? Yes ( ) No ( )**

(b) If yes, the name of the person who accompanied the victim to the hospital at the time of admission:.....

of injuries sustained along with medical certificate and the name and address of the Medical Officer/Practitioner, if any, who attended on the injured/dead and period of the treatment:.....

is the time of admission, as entered in the MLR/Accident register at the hospital?.....(e) If the

victim is alive, what are the injuries and diagnosis at the time of discharge at the hospital?.....

for work, if any caused:

.....  
the victim had died, post-mortem was conducted: Yes ( ) No ( ) (h) What is the cause of death as entered in the post-mortem?

**2. (a) Was inquest conducted on the deceased? Yes ( ) No ( )**

(b) Was deceased victim identified at the time of inquest? Yes ( ) No ( ) (c) Was any of the near relatives of the deceased victim available at the time of inquest? Yes ( ) No ( ) (d) If yes, who informed the relative(s), police ( ) or state the source ..... (e) What were the belongings recorded as found at the time of inquest? Ticket ( ) Wallet/purse ( ) Aadhaar ( ) Election ID ( ) PAN card ( ) Credit/debit card ( ) Watch ( ) Bangle(s) ( ) Cash ( ) Cell phone ( ) (f) Any other articles:

.....  
the police submitted final report to the jurisdictional magistrate? Yes ( ) No ( ) (h) If yes, what is the conclusion of the police?

.....  
Limitation: (a) Is the application filed on time? Yes ( ) No ( ) (b) If no, state number of days or delay and the reason(s):

.....  
I, Shri/Smt./Km ....., undertake that I have not filed any claim application for this claims case in any other RCT Bench or Court. VII. Prayer in the application: Counsel for the applicants Applicants Verification of the applicant(s) I/we, the applicant(s) do hereby state that the averments made above are true to the best of my/our knowledge and belief and the documents submitted are true copies of the original as certified to be true by the competent authority. We further affirm that we have understood and are advised that any deliberate misinformation or

falsehood will result in actions being initiated for perjury. Date: Place: Signature or left thumb impression of the applicant Name and Full Address of the applicant FORM III [See rule 5 of the Railway Claims Tribunal (Procedure) Rules, 1989] Application Under Section 16 Of The Act In Respect Of Claims For Refund Of Freight Or Part Thereof Or For Refund Of Any Freight Paid In Respect Of Animals Or Goods Entrusted To A Railway Administration To Be Carried By Railway

## Part I – Title of the case:

## Part II – INDEX

Sl.No. Description of documents attached Page No.

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.....Signature of the Applicant For use in Tribunal's Office Date of filing

.....OR Date of Receipt by post .....Registration No

.....Signature for Registrar

## Part III – In The Railway Claims Tribunal

.....BENCH

BETWEEN

A.B. ....Applicant

AND

C.D. ....Respondent

### 1. Particulars of the applicant:

Name and address:

### 2. Particulars of the respondent/ respondents

### 3. Value of claim and details of application fee-

(i) Value of claim (ii) Details of application fee

#### 4. Particulars of Bank Draft/ Postal Order in respect of application fee:

(i) Name and address of the Bank on which the draft is drawn; (ii) Demand Draft No. and the Branch at which payable. OR (i) Number of Indian Postal Order(s) (ii) Name of issuing Post Office (iii) Date of issue of Postal Order(s) (iv) Post Office at which payable.

#### 5. Full particulars of payment of fare/freight-

(1) Claim for refund of freight

Date of booking	Railway Receipt or Parcel Way Bill	Station	Description of consignment
		From	To
1	2	3	4

Freight paid	Amount Refund of Claims	Money Receipt/Credit Note or other payment particulars
5	6	7

(2) Claim for refund of fare

Date of journey	Train No.	Class of travel	Class actually traveled
1	2	3	4

Ticket or Ticket Deposit Receipt/Excess Fare Ticket, etc., Guards or Conductors' Certificate	Fare paid Rs.	Refund Claimed Rs.
5	6	7

#### 6. Date on which notice served on Railway Administration under section 78-B of [Indian Railways Act, 1890] [Now see the Railway Act, 1989 (24 of 1989)] respect of claims for refund of freight-attach proof).

#### 7. (i) Facts of the case :

(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible, a separate issue, fact or otherwise). (ii) (a) Nature of relief sought; and (b) Grounds of relief.

#### 8. Matters not previously filed or pending with any other Court.

(State whether the applicant had previously filed any claim, writ petition or suit regarding the matter in respect of which the present application has been made). In case the applicant had previously filed any claim, application, writ petition or suit, indicate the stage at which it is pending,

and if decided, attach a certified copy of the order.

**9. Jurisdiction of the Bench (indicate the facts on the basis of which the Bench to which application is made, has the jurisdiction).**

**10. List of enclosures:**

- 1.
- 2.
- 3.
- 4.
- 5.

VERIFICATION I.....(Name of the applicant) S/o, D/o,  
W/o..... age .....resident of.....do hereby verify  
that the contents of paragraphs ..... to.....are true to my personal knowledge, and  
paragraphs ..... to.....are believed to be true to the best of my knowledge or the  
legal advice given to me, and that I have not suppressed any material fact.....Signature  
of the Applicant Full Address : Date .....Place .....To, The Registrar, Railway Claims  
Tribunal, ..... Bench.....FORM IV[See sub-rule (5) of rule 5 of the Railway  
Claims Tribunal (Procedure) Rules, 1989] Receipt Slip No .....Received an  
application filed before the .....Bench of the Railway Claims Tribunal on .....by  
Shri/Kumari/Smt.....For the Registrar of the.....Bench of the Railway Claims  
Tribunal Date.....Seal.....FORM V(See rule 36) Application For The Registration  
Of A Clerk

**1. Name of legal practitioner on whose behalf the clerk is to be registered.**

**2. Particulars of the clerk to be registered:**

(i) Full Name:.....

(in capital)

Attested passport size photograph  
to be pasted

(ii) Father's Name:.....

(iii) Age and Date of Birth:.....

(iv) Place of Birth: .....

(v) Nationality:.....

(vi) Educational Qualifications:.....

(vii) Particulars of previous employment, if  
any:.....

I.....(clerk abovenamed) do hereby affirm that the particulars relating to me given above  
are true.....Signature of Clerk



**3. Whether the legal practitioner has a clerk already registered in his employment and whether the clerk sought to be registered is in lieu of or in addition to the clerk already registered.**

**4. Whether the clerk sought to be registered or is already registered as a clerk of any other legal practitioner and if so, the name of such practitioner.**

I..... (legal practitioner) certify that the particulars given above are true to the best of my information and belief and that I am not aware of any fact which would render unsuitable the registration of the said .....(name) as a Clerk. Further, I enclose Postal Order for Rs. 5.00 being the cost of Identity Card along-with 2 passport size photographs of the applicant duly attested by me.....Signature of the Legal PractitionerFull

Address:Date.....To,The Registrar,Railway Claims

Tribunal,..... Bench,[FORM VI] [Inserted by G.S.R. 787(E), dated 2-12-2002 (w.e.f. 2-12-2002)](See rule 11-A)Form Of Cash Register

Sl.No.	Case number	Indian postal order or demand draft number	Amount of Indian postal order or demand draft	Amount received in cash	Date of receipt	Signature of Receipt Clerk	Date of remittance to Cash Section	Signature of Cash Section Official
1	2	3	4	5	6	7	8	9

FORM VII(See rule 12)Notice To The Opposite PartyO.A.

No.....Applicant(s)VersusUnion of India through General Manager.....Railway.....Respondent(s)To,.....

the above noted applicant has filed an application claiming compensation against you and the said application has been listed for hearing in this Tribunal on .....at 10.30 a.m.You are hereby summoned to appear in this Tribunal in person or through a legal practitioner duly authorized, who is able to answer all material questions relating to the application, and you are hereby further directed to file on that day a reply in your defense and to produce all documents in your possession or power upon which you base your defense.Take notice that, in default of your appearance on the day mentioned above, the application will be heard and determined in your absence.Given under my hand and seal of the Tribunal, this .....day of.....RegistrarFORM VIII(See rule 14)Form Of AffidavitBefore the Railway Claims Tribunal.....BenchOriginal Application No .....Title

.....Affidavit of  
.....son of/daughter of/wife of..... aged ..... years  
..... occupation ..... resident of.....I, the above named, do hereby solemnly affirm and declare as under:(State all relevant facts of first person in paragraphs numbered consecutively)Place .....Dated .....DeponentVERIFICATIONI  
.....(the above named) further declare that Para. No..... to .....are true

and correct to my personal knowledge and Para. No..... to .....are true and correct on the basis of information derived from available records and Para. No ..... to.....are believed to be true on the legal advice received from my legal practitioner. No part of it is false and nothing relevant has been concealed therein.Place .....Date

.....DeponentNotes.- 1. Affidavit shall be affirmed before a Judicial Officer, or a Magistrate, or Registrar, or Additional Registrar, or Assistant Registrar of the Tribunal, or a Notary, or Oath Commissioner or an Advocate.

## 2. The Attestor shall make an endorsement on the documents annexed in the affidavit under his signatures.

FORM IX(See rule 31-B)Application For Execution Of Order

### Part I – Title:

### Part II

Sl. No. Description of documents attached Page No.

1. Application

2.

3.

4.

.....Signature of ApplicantFor use in Registrar OfficeDate of filing

.....ORDate of Receipt by post .....Signature for

Registrar

### PART III

Before the Railway Claims Tribunal

.....Bench

Execution

applicationof.....

in

Original Application No .....

.....

.....

.....Applicant(s)

Versus

.....

.....

.....Respondent(s)

- 1. Particulars of applicant(s).**
- 2. Particulars of respondent(s).**
- 3. Date of pronouncement of order.**
- 4. Whether any appeal preferred against the order or not.**
- 5. Orders, if any passed in appeal.**
- 6. Payment/adjustment made, if any.**
- 7. Review application, if any, filed and result thereof.**
- 8. Previous execution, if any, filed.**
- 9. Amount and interest allowed by the Tribunal.**
- 10. Amount and interest due upon the order or other relief granted thereby.**
- 11. Costs, if any, awarded by order.**
- 12. Against which zonal railway administration to be executed.**
- 13. Mode in which the assistance of the Tribunal is required.**
- 14. List of enclosures.**

.....Applicant VERIFICATION I, ....., do hereby declare that the contents of paragraphs 1 to 14 of the application are true and correct to the best of my knowledge and belief. Signed at .....this.....day of.....Applicant FORM X (See rule 31-C) Notice To Respondent About The Date Fixed For Hearing In Execution Application

Execution

Application No.....

in

Original

Application No.....

.....

.....Applicant(s)

Versus

Union of India through General Manager

.....Railway .....Respondent(s)

To, .....Whereas the applicant mentioned above has made an application to this Tribunal for execution of orders passed in Original Application/Transferred Application No..... on the allegations that the said order has not been complied with so far. You are hereby directed to appear before the Tribunal either in person or through a legal practitioner duly appointed for the purpose on..... day of..... at ..... to show cause why execution should not be granted. Take notice that in default of your appearance on the date fixed the execution application will be heard and decided ex parte. Given under my hand and seal this..... day of..... Seal.....Registrar FORM XI (See rule 31-C) Warrant Of Attachment Of Movable Property In Execution Of Order Of The Tribunal

Execution

Application No.....

in

Original

Application No.....

.....Applicant(s)

Versus

Union of India through General Manager

.....Railway .....Respondent(s)

To, Bailiff of Court.....Whereas General Manager.....Railway.....was ordered by this Tribunal vide orders dated..... in O.A. No..... to pay to the applicant the sum of Rs. .... as detailed hereunder and whereas the said sum of Rs. ....has not been paid. Detail of awarded amount Principal.....Interest.....Costs.....Further interest.....Total.....These are to command you to attach the movable property of the said..... as set forth in the Schedule hereunto annexed and unless the said..... shall pay to you through cheque the said sum of Rs .....together with Rs..... the costs of this attachment, to hold the same until further orders from this Tribunal. You are further commanded to return this warrant on or before .....day of..... with an endorsement certifying the day on which and the manner in which it has been executed or why it has not been executed. Given under my hand and seal this .....day of.....Registrar FORM XII (See rule 31-C) Warrant To Recover Payment In

Execution Of An Order

Execution Application No .....in

Case No.....

Original Application No

.....

.....Applicant(s)

Versus

Union of India through General Manager

.....Railway .....Respondent(s)  
 To,.....Bank.....Whereas General Manager  
 .....Railway.....was ordered by this Tribunal vide orders dated  
 .....in Case No.....to pay to the applicant the sum of Rs .....as detailed  
 hereunder and whereas the said sum of Rs..... has not been paid.Detail of awarded  
 amountPrincipal .....Interest .....Costs  
 .....Costs of execution .....Further interest  
 .....Total .....You are hereby directed to seize the said account  
 of respondent maintained in your branch to the extent of Rs .....and further to remit  
 the said amount of Rs .....through cheque to this Tribunal to satisfy the orders.You  
 are further commanded to return this warrant on or before .....day of..... with an  
 endorsement certifying the day on which and manner in which it has been executed or why it has  
 not been executed.Given under my hand and seal this .....day  
 of.....RegistrarFORM XIII(See rule 36)Identity Card No.....

S/o/D/o/W/o

Shri.....Applicant

Photograph  
 of the  
 Applicant

Address .....has been registered as a clerk  
 of Shri..... legal practitioner

Address.....

Identity Card is valid

upto.....

Specimen signature of the Registered Clerk

Specimen signature of the legal practitioner

Seal of the Tribunal

Dated.....

.....  
 Registrar

FORM XIV(See rule 37)(PART I) Institution And Disposal Of Total Cases Of The Tribunal During  
 The Month Of.....

Bench Opening Balance Receipts

Original  
 Application

Transferred  
 Application

Total

Original  
 Application

Transferred  
 Application

Total

Disposal

Closing Balance

Original Application	Transferred Application	Total	Original Application	Transferred Application	Total
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(PART II) Institution And Disposal Of Railway Accident Cases For The Month.....

Bench Opening Balance    Receipts

Original Application	Transferred Application	Total	Original Application	Transferred Application	Total
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Disposal                      Closing Balance

Original Application	Transferred Application	Total	Original Application	Transferred Application	Total
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(PART III) Institution and disposal of untoward incidents cases for the month

Bench Opening Balance    Receipts

Original Application	Transferred Application	Total	Original Application	Transferred Application	Total
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Disposal                      Closing Balance

Original Application	Transferred Application	Total	Original Application	Transferred Application	Total
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FORM XV Order Sheet (See rule 46) Nature of  
application.....Number.....Year.....Versus.....

Date Proceedings of the Bench    Notes of Registrar

FORM XVI (See rule 47) Railway Claims Tribunal.....Bench

Sl.No.	Application number	Name of the parties	Name of applicant's legal practitioner	Name of respondent's legal practitioner	Purpose for hearing	Previous date of hearing	Next date of hearing	Remarks
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FORM XVII(See rule 48)Cause list of Railway Claims Tribunal..... Bench number..... of dated.....

Sl.No.	Application number	Name of the Applicant	Name of respondent	Applicant's legal practitioner	Respondent's legal practitioner	Purpose of hearing	Remarks
1	2	3	4	5	6	7	8

[Schedule I] [Substituted by Notification No. G.S.R. 646(E), dated 12.9.2019 (w.e.f. 19.9.1989).](See rule 3)

Sr. No.	Headquarters of the Bench of the Railway Claims Tribunal	Territorial jurisdiction of the Bench
(1)	(2)	(3)
1.	Ahmedabad	Gujarat, Union Territory of Diu.
2.	Allahabad	Banda, Bhadohi (Sant Ravidas Nagar), Chandauli, Chitrakoot, Fatehpur, Jalaun, Jaunpur, Jhansi, Kannauj, Kaushambi, Lalitpur, Mahoba, Mirzapur, Pratapgarh, Prayagraj (Allahabad), Sonbhadra (Robertsganj), Varanasi districts of Uttar Pradesh.
3.	Amaravati	Andhra Pradesh
4.	Bengaluru	Karnataka
5.	Bhopal	Madhya Pradesh and Chhattisgarh
6.	Bhubaneswar	Odisha
7.	Chandigarh	(i) Punjab, (ii) Haryana except the districts of Faridabad, Gurgaon, Jhajhar, Mewat, Panipat, Rewari, Rohtak, and Sonipat (iii) Himachal Pradesh, (iv) Union Territories of Chandigarh, Jammu and Kashmir and Ladkh.
8.	Chennai	Tamil Nadu and Union Territory of Puducherry
9.	Delhi (2 Benches)	(i) Union Territory of Delhi. (ii) Faridabad, Gurgaon, Jhajhar, Mewat, Panipat, Rewari, Rohtak and Sonipat districts of Haryana. (iii) Agra, Aligarh, Auriya, Badaun, Baghpat, Bareilly, Bijnore, Bulandshahr, Etah, Etawah, Farukhabad, Firozabad, Gautam Budh Nagar (Noida), Ghaziabad, Jyotiba Phule Nagar (Amroha), Kanshiram

Nagar(Kasganj), Maha Maya Nagar (Hathras), Mathura, Mainpuri, Meerut, Moradabad, Muzaffar Nagar, Pilibhit, Rampur, Saharanpur, Sambhal and Shamli districts of Uttar Pradesh. (iv) Uttarakhand. (v) Alwar district of Rajasthan.

10. Ernakulam Kerala and Union Territory of Lakshadweep.
11. Gorakhpur Ambedkar Nagar, Azamgarh, Baharaich, Ballia, Balrampur, Basti, Deoria, Faizabad, Gazipur, Gonda, Gorakhpur, Kushinagar, Maharajganj, Mau, Sant Kabir Nagar, Shravasti and Siddharthanagar districts of Uttar Pradesh.
12. Guwahati(2 Benches) Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura.
13. Jaipur Rajasthan (Except District Alwar).
14. Kolkata West Bengal, Union Territory of Andaman and Nicobar Islands.
15. Lucknow Amethi, Barabanki, Hamirpur, Hapur, Hardoi, Kanpur Dehat, Kanpur Nagar, Lakhimpur Kheri, Lucknow, Raebareilly, Shahjehanpur, Sitapur, Sultanpur and Unnao districts of Uttar Pradesh.
16. Mumbai(2 Benches) (i) Ahmednagar, Aurangabad, Beed, Dhule, Nandurbar, Kolhapur, Mumbai, Nasik, Palghar, Pune, Raigad, Ratnagiri, Satara, Sangli, Sindhudurg, Solapur and Thane districts of Maharashtra. (ii) Union Territories of Dadra, Daman and Nagar Haveli. (iii) Goa.
17. Nagpur All districts of Maharashtra except those included in Item (i) of column-3 at S.No.16.
18. Patna Bihar.
19. Ranchi Jharkhand.
20. Secunderabad Telangana.

[Schedule I(A)] [Substituted by Notification No. G.S.R. 646(E), dated 12.9.2019 (w.e.f. 19.9.1989).] (See sub-rule (1) of rule 3)

S.No.	Zone	Administrative Head	Headquarter	Benches
(1)	(2)	(3)	(4)	(5)
1.	East Zone	Vice-Chairman (Technical)	Kolkata	Bhubaneswar, Guwahati, Kolkata, Patna and Ranchi.
2.	North Zone	Vice-Chairman (Technical)	Allahabad	Allahabad, Chandigarh, Delhi, Gorakhpur and Lucknow.
3.	South Zone	Vice-Chairman (Judicial)	Secunderabad	Amaravati, Bengaluru, Chennai, Ernakulam and Secunderabad.
4.	West Zone	Vice-Chairman (Judicial)	Mumbai	Ahmedabad, Bhopal, Jaipur, Mumbai and Nagpur.

Note : Whenever the Chairman Railway Claims Tribunals happens to be from Technical side North Zonal Headquarter at Delhi shall be presided by Vice-Chairman (Judicial) and vice-versa. [SCHEDULE II] (See rule 6) Application Fee Every Application Under Sub-Section (1) Of Section 14 Of The Railway Claims Tribunal Act, 1987 Shall Be Accompanied By Fee In Respect Of



Filing Of Such Application At The Following Rates:

1	2	3
		Application fee payable
(i)	Where the value of claim exceeds rupee 1 but does not exceed rupees 100	Rupees 10.00
(ii)	Where the value of claim exceeds rupees 100 but does not exceed rupees 500	Rupees 10.00 plus 9 per cent on the amount exceeding rupees 100
(iii)	Where the value of claim exceeds rupees 500 but does not exceed rupees 1,000	Rupees 46 plus 8 per cent on the amount exceeding rupees 500
(iv)	Where the value of claim exceeds rupees 1,000 but does not exceed rupees 5,000	Rupees 86 plus 7 per cent on the amount exceeding rupees 1,000
(v)	Where the value of claim exceeds rupees 5,000 but does not exceed rupees 20,000	Rupees 366 plus 6 per cent on the amount exceeding rupees 5,000
(vi)	Where the value of claim exceeds rupees 20,000 but does not exceed rupees 30,000	Rupees 1,266 plus 5 per cent on the amount exceeding rupees 20,000
(vii)	Where the value of claim exceeds rupees 30,000 but does not exceed rupees 40,000	Rupees 1,766 plus 2 per cent on the amount exceeding rupees 30,000
(viii)	Where the value of claim exceeds rupees 40,000 but does not exceed rupees 50,000	Rupees 2,166 plus 3 per cent on the amount exceeding rupees 40,000
(ix)	Where the value of claim exceeds rupees 50,000	Rupees 2,466 plus 1 per cent on the amount exceeding rupees 50,000 upto rupees One Lakh
(x)	Where the value of claim exceeds rupees one lakh	Rupees 2,966 plus one half per cent on the amount exceeding one lakh]