

3. In case of Accident at Manned Level Crossing (due to Railway's prima facie liability)				
i)	In case of death	Rs.50,000/-	50,000/-	Announced amount of ex-gratia minus Rs.50,000/-
ii)	In case of grievous injury	Rs.25,000/-	25,000/-	Announced amount of ex-gratia minus Rs.25,000/-
iii)	In case of simple injury	Rs.5,000/-	5,000/-	Announced amount of ex-gratia minus Rs.5,000/-

- c) (i) Simple injuries in case of train accident: ₹5000/-
(ii) Simple injuries in case of untoward incident: ₹500/-
- d) No ex-gratia payment is admissible to trespassers, persons falling from train, persons electrocuted by OHE and Road users at UMLC.
- e) The amount of ex-gratia relief admissible to road users who met with an accident due to railways prima facie liability at manned Level Crossing Gate accident shall be as under:
- | | | |
|------------------------------|---|-----------|
| In case of Death | : | ₹50,000/- |
| In case of grievous injuries | : | ₹25,000/- |
| In case of simple injuries | : | ₹ 5,000/- |
- f) In case of road users who are injured at manned level crossings, such payments will be counted towards the amount of compensation payable, if action is tenable against the Railways under the law of Torts and award is actually granted by a Court of Law.
- g) Ex-gratia payments should also be made to railway servant killed or injured while on duty by a moving train. For example, Gangmen working on track, run over accidentally by a moving train.
- h) Payments should be sanctioned / arranged preferably on the spot by a Senior scale or higher scale Officer nominated by General Manager after making such enquiries as can be reasonably made on the spot after the immediate needs by way of medical attendance etc., to the injured person.
- i) These ex-gratia payments, except in the case of road users at manned level crossings, are not to be taken into account at the time of disposal of the formal claims for compensation.
- j) In the case of the relatives of the deceased, the Railway Administration may at junction stations, allow the use of waiting rooms and / or retiring rooms, if considered necessary without detriment to the convenience of other passengers, free of charge.
- k) Withdrawal of money from station earnings for making ex-gratia payments is permissible.
- i. Allocation of ex-gratia payments is G-1502—other Compensation, (Demand No.9)
 - ii. The amount required for making ex-gratia payments should be drawn on the authority of Station Pay Orders form No. Com. 480/B/A/Rev.55
- l) The following officers will have powers to grant ex-gratia monetary relief.

Designation	Area
DRM and Sr.DCM.	So far as their Divisions are concerned.

Provided that in an emergency the DRM may nominate a Senior Scale officer, who is on the spot on any occasion to make ex-gratia payment in any particular accident.

- m) Immediately after payments are made, the DRMs concerned will submit a full report of the payments made to the Divisional Accounts Officer concerned to whom each payee's acquaintance in original should be sent, sending copies to FA & CAO (Headquarters Expenditure Section) Secunderabad and Chief Commercial Manager (Claims Branch) Secunderabad giving full particulars of the accident, the names and addresses of the persons who were injured or killed, the amounts of ex-gratia payments made and the names and addresses of the payee's and their relationship to the deceased etc., and also certify that the payments have been made in deserving cases after satisfying himself that the person concerned was of limited means quoting the name and designation of the officer who made the ex-gratia payments.

802 Compensation for Death / Injury in Train Accident or Untoward incident: The Railway, are liable to pay compensation for death / injury of a passenger on train accident as defined under Section 124 of the Railway Act 1989. Similarly, the Railways are also liable to pay compensation for death / injury to a passenger and platform ticket holder in untoward incidents as defined under Section 124-A of the Act, such as terrorist acts violent attack, robbery, dacoity, rioting, shoot out or arson by any person in train or within the premises of a Railway Station or accidental falling of a passenger from train.

803 Compensation: Claims for compensation for death / injury of a passenger in train accident or the Railway Claims Tribunal having jurisdiction over the site of the accident decides untoward incident.

The Tribunal has 21 benches at 18 major cities in the Country viz.

Ahmedabad	Bangalore	Bhopal	Guwahati	Nagpur	Patna
Bhubaneshwar	Mumbai	Kolkata (3 benches)	Lucknow	Ghaziabad	Gorakhpur
Chandigarh	Ernakulam	Delhi (2 benches)	Secunderabad	Jaipur	Chennai

803.1 Scale of compensation: The amount of compensation in case of death and permanent disability is ₹8.00 lakhs. In case of Injuries, the minimum amount is ₹64, 000/- and the maximum is ₹7.20 lakhs.(Item No.1 of AS-4 Dt: 05.02.2018)

803.2 Who can Claim: An application for compensation under Section 124 or 124-A may be made to the Claims Tribunal:

- i. by the person who has sustained the injury or suffered any loss, or by any agent duly authorized by such person in this behalf, or
- ii. Where such person is a minor, by his guardian, or
- iii. where death has resulted from the accident / untoward incident, by any dependant of the deceased or where such a dependant is a minor, by his guardian.

Every application by a dependant for compensation under this Section shall be for the benefit of every other dependant.

803.3 Procedure for Filing Application: The Claimant or his agent or his duly authorized legal practitioner should present the application in Form II (specimen enclosed) in triplicate to the Registrar of the Tribunal having jurisdiction over the place of accident / untoward incident. The application can also be sent by registered post to the Registrar of the Bench concerned. Application is to be filed within one year from the date of the accident.(Item No.1 of AS-5 Dt:05.02.2018)

**SPECIMEN APPLICATION FORM BEFORE THE RAILWAY CLAIMS TRIBUNAL,
SECUNDERABAD BENCH, SOUTH LALLAGUDA, SECUNDERABAD - 500 017**

Application under Section 16 of the Railway Tribunal Act, 1987 read with Sections 124 and 125 of Railway Act, 1989 in respect of claims for compensation arising out of accident to a train:

PART – I

Original accident Application No.----- date -----

Between ----- Applicant/Applicants and General Manager, South Central Railway, Secunderabad.

RESPONDENT

PART - II

S.No.	Page No.	Description of documents attached
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1.
2.

Signature of the applicant

For the use in Tribunal's office

Date of filling or

Date of receipt by post

Registration No.

For Registrar

PART - III

To

The Railway Claims Tribunal,
Secunderabad Bench,
South Lallaguda,
Secunderabad-500 017

I, ----- Son/Daughter/Wife/Widow of ----- residing at -----
----- having been injured in Railway Accident, hereby apply for the grant of
compensation for the injury sustained.

I, -----Son/Daughter/Wife/Widow of -----
residing at ----- hereby apply as dependent for the grant of compensation
on account of the Death/Injury sustained by Shri/Kumari/Shrimati -----
who died/was injured in the Railway Accident referred to hereunder:

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

1. Name and father's name of the person injured/dead (husband's name in the 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 and place of accident and the
name of the train involved.
7. Class of travel, and ticket/pass number, to the extent known.
8. Nature of injuries sustained along with medical certificate.
9. Name and address of the medical officer/practitioner, if any who attended on the
injured/dead and period of treatment.
10. Disability for work, if any, caused:
11. Details of the loss of any luggage on account of the accident.
12. Has any claim been lodged with any other authority? If so, particulars thereof.
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 compensation claimed.
17. When the application is not made within one year of the occurrence of the
accident, the grounds thereof.
18. Any other information or documentary evidence that may be necessary or helpful
in the disposal of the claim.
19. Mention the documents, if any, filed along with application.

I, ----- solemnly declare that (a) the particulars given above are true
and correct to the best of my knowledge and (b) I have not claimed or obtained any
compensation in relation to the injured/dead which is the subject matter of the
application.

Signature/LTI of the applicant

Place:

Date:

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

VERIFICATION

I, ----- (Name of the applicant) S/o, Do/o, W/o ----- age----- do hereby verify that the contents of paragraph -----to ----- are true to my personal knowledge and paragraphs ----- to ----- are believed to be true to the best of my knowledge of the legal advice given to me and that I have not suppressed any material fact.

Signature of the applicant

Place:

Date:

Full address:

To

The Registrar,
Railway Claims Tribunal,
Secunderabad Bench,
South Lallaguda,
Secunderabad-500 017

(Form to be submitted to RCT in triplicate)

THE GAZETTE OF INDIA: SCHEDULE**(See Rule-3)****Amount of Compensation Payable in respect of Death and Injuries**

S. No.	Death/Nature of Injury	Amount (in rupees)
PART - I		
1.	Death.	8, 00, 000/-
PART - II		
1.	For loss of both hands or amputation at higher sites.	8, 00, 000/-
2.	For loss of hand and a foot.	8, 00, 000/-
3.	For double amputation through leg or thigh or amputation through leg or thigh on one side and loss of other foot.	8, 00, 000/-
4.	For loss of sight to such an extent as to render the claimant unable to perform any work for which eye sight is essential.	8, 00, 000/-
5.	For very severe facial disfigurement.	8, 00, 000/-
6.	For absolute deafness.	8, 00, 000/-
PART - III		
1.	For amputation through shoulder joint.	7, 20, 000/-
2.	For amputation below shoulder with stump less than 8" from tip of acromion.	6, 40, 000/-
3.	For amputation from 8" from tip of acromion to less than 4 ½" below tip of olecranon.	5, 60, 000/-
4.	For loss of a hand or the thumb and four fingers of one hand or amputation from 4½" below space tip of olecranon.	4, 80, 000/-
5.	For loss of thumb.	2, 40, 000/-
6.	For loss of thumb and its metacarpal bone.	3, 20, 000/-
7.	For loss of four fingers of one hand.	4, 00,000/-
8.	For loss of three fingers of one hand.	2, 40,000/-

AS No.05 dated 05.02.2018

S. No.	Death/Nature of Injury	Amount (in rupees)
PART – III		
9.	For loss of two fingers of one hand.	1, 60, 000/-
10.	For loss of terminal phalanx of thumb	1, 60, 000/-
11.	For amputation of both feet resulting in end bearing Stump.	7, 20, 000/-
12.	For amputation through both feet proximal to the metatarso-phalangeal joint.	6, 40, 000/-
13.	For loss of all toes of both feet through the 2 metatarso-phalangeal joint.	3, 20, 000/-
14.	For loss of all toes of both feet proximal to the proximal interphalangeal joint.	2, 40, 000/-
15.	For loss of all toes of both feet distal to the proximal interphalangeal joint.	1, 60, 000/-
16.	For amputation at hip.	7, 20, 000/-
17.	For amputation below hip with stump not exceeding 5" in length measured from tip of great trochanter but not beyond middle thigh.	6, 40, 000/-
18.	For amputation below hip with stump exceeding 5" in length measured from tip to great trochanter but not beyond middle thigh.	5, 60, 000/-
19.	For amputation below middle thigh to 3 ½ below Knee	4, 80, 000/-
20.	For amputation below knee with stump exceeding 3 ½ but not exceeding 5".	4, 00 ,000/-
21.	Fracture of spine with paraplegia.	4, 00, 000/-
22.	For Amputation below knee with stump with exceeding 5".	3, 20, 000/-
23.	For loss of one eye without complications the other being normal.	3, 20, 000/-
24.	For amputation of one foot resulting in end bearing.	2, 40, 000/-
25.	For amputation through one foot proximal to the metatarso-phalangeal joint.	2, 40, 000/-
26.	Fracture of spine without paraplegia.	2, 40, 000/-
27.	For loss of vision of one eye without complications of disfigurement of eyeball the other being normal.	2, 40, 000/-
28.	For loss of all toes of one foot through metatarso-phalangeal joint.	1, 60, 000/-
29.	Fracture of hip joint.	1, 60, 000/-
30.	Fracture of major bone femur tibia both limbs.	1, 60, 000/-
31.	Fracture of major bone humerus radius both limbs.	1, 20, 000/-
32.	Fracture of Pelvis not involving joint.	80, 000/-
33.	Fracture of major bone femur tibia on limb.	80, 000/-
34.	Fracture of major bone humerus radius ulna one Limb.	64, 000/-

AS No.05 dated 05.02.2018

Note: The Amount of existing Compensation Payable in respect of Death and Injuries has been doubled.