

### 1. How is the Railway sector regulated in India?

The Indian Railway is the second-largest rail network in the globe and the largest in Asia. It belongs to the government. Every day, approximately 11,000 trains are operated by Indian Railways, 7,000 of which are passenger trains. A total of 13 million people use trains every day. Indian Railways is a significant milestone for the Indian economy, so understanding what to expect as a customer of the railway is essential. The idea of consumerism emerged as a result of the railway's repeated failure to provide quality service to its customers despite the fact that it is a significant service provider.

### 2. What are the grounds for complaint available?

- Loss of Personal luggage of the Passenger
- Cleanness and water facilities
- an act with negligence such as over-speeding unnecessarily, compartments with squalor, lack of proper maintenance etc.
- Extreme delay in Arrival and departure
- Malpractices by railway in allotting berths
- Failure to display warnings/alert sign-boards at the site of renovation work
- Deficiency on service:

Services at platform- enquiry, waiting room, canteen, announcement misinformation board, water and other amenities.

Services in Train- seat, berth, bedsheets at night, safety measures, toilets, presence of TTE and police.

### 3. When would complaints not be accepted?

There are various situations which might cause the complaint to be rejected. These include situations where the consumer is unable to file an appeal against an order within a period of three months, where the complaint is based on a frivolous cause of action, where the complaint falls outside the jurisdiction of the authority approached, and when the complaint has been filed under wrong sections of the act, and other such situations. This requires careful reading of all acts and regulations.

4. What are the modes or methods of complaint available?

*Complaint Redressal Mechanism:*

(i) First the consumer must approach the Divisional Railway Manager (DRM), of the concerned zone (the station where the grievance happened), a written grievance has to be made. Wait for 30 days for the response.

- Central railway- [https://dir.railnet.gov.in/wiki/cr\\_dmd](https://dir.railnet.gov.in/wiki/cr_dmd)
- Eastern railway- [https://dir.railnet.gov.in/wiki/er\\_dmd](https://dir.railnet.gov.in/wiki/er_dmd)
- East central railway- [https://dir.railnet.gov.in/wiki/ecr\\_dmd](https://dir.railnet.gov.in/wiki/ecr_dmd)
- East coast railway- [https://dir.railnet.gov.in/wiki/ecor\\_dmd](https://dir.railnet.gov.in/wiki/ecor_dmd)
- North central railway- [https://dir.railnet.gov.in/wiki/ncr\\_dmd](https://dir.railnet.gov.in/wiki/ncr_dmd)
- Northern Railway- [https://dir.railnet.gov.in/wiki/northern\\_railway\\_dmd](https://dir.railnet.gov.in/wiki/northern_railway_dmd)
- North eastern railways- [https://dir.railnet.gov.in/wiki/ner\\_dmd](https://dir.railnet.gov.in/wiki/ner_dmd)
- North frontier railway- [https://dir.railnet.gov.in/wiki/northeast\\_frontire\\_railway\\_dmd](https://dir.railnet.gov.in/wiki/northeast_frontire_railway_dmd)
- North western railways- [https://dir.railnet.gov.in/wiki/nwr\\_dmd](https://dir.railnet.gov.in/wiki/nwr_dmd)
- Southern railway- [https://dir.railnet.gov.in/wiki/sr\\_dmd](https://dir.railnet.gov.in/wiki/sr_dmd)
- South central railway- [https://dir.railnet.gov.in/wiki/south\\_central-railway\\_dmd](https://dir.railnet.gov.in/wiki/south_central-railway_dmd)
- South eastern railway- [https://dir.railnet.gov.in/wiki/south\\_eastern\\_railway\\_dmd](https://dir.railnet.gov.in/wiki/south_eastern_railway_dmd)
- South east central railway- [https://dir.railnet.gov.in/wiki/secr\\_dmd](https://dir.railnet.gov.in/wiki/secr_dmd)
- South western railways- [https://dir.railnet.gov.in/wiki/swr\\_dmd](https://dir.railnet.gov.in/wiki/swr_dmd)
- Western railways- [https://dir.railnet.gov.in/wiki/wr\\_dmd](https://dir.railnet.gov.in/wiki/wr_dmd)
- West central railways- [https://dir.railnet.gov.in/wiki/west\\_central\\_railway\\_dmd](https://dir.railnet.gov.in/wiki/west_central_railway_dmd)
- List of twitter handles:  
<https://indianrailways.gov.in/List%20of%20twitter%20handles%20of%20GM%20DRM.pdf>

(ii) *After 30 days, if no response has been received he can register the grievance at-*  
<https://railmadad.indianrailways.gov.in>

One can also download the RailMadad App to file complaints. Passengers can also send the complaint SMS to 139- type MADAD space type the complaint and can send. Complaints can be registered through the **helpline no. 139** and following are the options available for this number:

- Press 1 for security and medical emergency, which connects to a customer care executive.
- Press 2 for general railway enquiry, and in the sub-menu, all the information regarding arrival or departure of the train, PNR status, system ticket cancellation, ticket booking, accommodation, ticket price, wake up alarm facility, meal booking, destination alert, wheelchair booking can be obtained.
- Press 4 for general complaints.
- Press 5 for vigilance related complaints.
- Press 6 for Parcel and Goods related queries.
- Press 7 for IRCTC operated trains queries.
- Press 9 for the status of complaints.
- Press \* (asterisk) symbol for talking to a call centre executive.

(iii) *The consumer may also approach the Railway Claims Tribunal for any complaint.*

Benches established- [http://www.rct.indianrail.gov.in/index1.jsp?filename=rct\\_jurisdiction.html](http://www.rct.indianrail.gov.in/index1.jsp?filename=rct_jurisdiction.html)

Jurisdiction:

(a) Relating to the responsibility of the railway administrations as carriers under Chapter-VII of the Railways Act in respect of claims for- (i) Compensation for loss, destruction, damage, deterioration or non-delivery of animals or goods entrusted to a railway administration for carriage by railway; (ii) Compensation payable under section 82A of the Railways Act or the rules made thereunder; and

(b) In respect of the claims for refund of fares 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.

(c) The accident claims which have been made against the railway under section 124.

Please read the railways claims tribunals act for detailed understanding of the tribunal.

***(iv) Approaching any other appropriate judicial or quasi-judicial body:***

The complainant is free to take the service provider to a court or any other suitable venue (judicial or quasi-judicial). The proceedings in consumer commissions are not mired by the niceties of procedure, allowing the complainant to file a complaint for himself. As a consumer, the aggrieved party can take the service provider to the appropriate consumer commission, based

on the pecuniary and territorial jurisdiction. The jurisdictions of the various consumer commissions are as follows-

*a) District Commission:* The aggrieved consumer can reach out to the District Commission under section 34 of the CPA, 2019, which provides that the district commission shall entertain matters where the value of the goods or services paid as consideration does not exceed more than one crore rupees.

*b) State Commission:* In cases where the value of the goods or services paid as consideration is more than one crore, but less than 10 crores, the consumer can approach the State Commission. Moreover, in cases of unfair contracts, the State Commission has original jurisdiction and the consumer can be directly approached. An appeal against the order of the District Commission can also be made under section 47 of the CPA, 2019.

*c) National Commission:* The National Commission can entertain matters where the value of goods or services paid as consideration exceeds 10 crores. Section 58 also provides that complaints against unfair contracts can be entertained by NCDRC when the amount of value paid exceeds 10 crores. The NCDRC also has appellate jurisdiction against the orders of any State Commission and Central Authority.

Moreover, it must also be kept in mind that section 100 of the CPA, 2019 provides that the remedy under CPA is in addition and not in derogation of other available remedies.

As per Sections 13 and 15, the Railway Claims Tribunal Act, 1987 does not take away the jurisdiction of the consumer courts to decide the question of deficiency of service.

#### ***(v) Central Consumer Protection Authority***

If the commission finds violations of rights of consumers or in notice of trade practices which is unfair it can inquire or cause an inquiry, either on receipt of complaint or suo moto or as directed by Central Government. If the commission finds, after preliminary inquiry, of an existence of a prima facie case of consumer rights violation or it is in notice of any unfair trade practice or any wrong or inaccurate advertisement which is prejudicial to public interest or to the interests of the consumers, it can order an investigation by the District Collector or by Director General.

The consumer can complain to the District Collector of the respective district for investigation and subsequent proceedings by the CCPA. He/she/they can also submit a complaint via email, at [com-ccpa@nic.in](mailto:com-ccpa@nic.in).

5. What are the regulatory bodies in this sector?

Ministry of Railways- Railway Board- <https://indianrailways.gov.in/railwayboard/>

6. What are the rules, Acts, and Guidelines that govern this sector?

- Indian railways Act, 1989:  
[https://legislative.gov.in/sites/default/files/A1989-24\\_0.pdf](https://legislative.gov.in/sites/default/files/A1989-24_0.pdf)
- Railway Claims Tribunal Act, 1987:  
[https://indianrailways.gov.in/railwayboard/uploads/directorate/traffic\\_comm/RCT%20ACT%201987.pdf](https://indianrailways.gov.in/railwayboard/uploads/directorate/traffic_comm/RCT%20ACT%201987.pdf)

7. What are the landmark judgements in this sector?

1. Union of India V. Nathmal Hansaria

The state commission is absolutely correct in identifying the victim as a consumer because NCDRC has drawn a clear distinction between a railway accident and an accidental death and remarked that the victim's death comes under the latter situation.

2. Deputy Chief Commercial Manager, Eastern Railways & Anr. V. Dr. K. K. Sharma & Ors.

The consumer forum ruled that the Consumer Protection Act gives consumers an alternative remedy, and that the existence of remedies under Sections 13 and 15 of the Railway Claims Tribunal Act, 1987, did not confer jurisdiction over the matter of service inadequacy on the consumer courts.

3. Union of India Vs Ashok Shankar Sarkale and Ors

The Bombay High Court ruled that consumer forums lack the authority to examine claims or deficiency in service complaints that have arisen as a result of an "untoward incident."

4. Sumati Devi M. Dhanwatay Vs Union of India (UOI) and Ors

The Supreme Court held that not providing adequate securities to the passengers also amounts to deficiency in service.

5. Union of India v. M. Adair Kalam H

The National Consumer Disputes Redressal Commission ruled that because such claims would fall under the Railway Claims Tribunals Act, it lacked the authority to hear complaints of loss, destruction, damage, or non-delivery of goods by railroad due to a failure in service.

8. What is the format of the complaint to be made under this sector?

<https://cdrc.gujarat.gov.in/images/pdf/1-CC-Eng.pdf> - DCDRC format.

<https://cdrc.gujarat.gov.in/images/pdf/1-CC-Eng.pdf> - SCDRC format.

<https://ncdrc.nic.in/cc.html> - NCDRC format.

9. What are the important links and resources?

INGRAM- <https://consumerhelpline.gov.in/faq-details.php?fid=Railways>

10. What is an E ticket in railways?

E- Ticket stands for Electronic Tickets. It is a paperless and online- only ticket. There is no need to take a printout of it before travelling. While travelling, passengers have to just show ID Proof along with the ticket saved online.

11. What is a PNR?

PNR - Passenger Name Record is a unique number that recognizes your booking. It is a travel record of an individual or a group of Individuals, maintained in CRS (Central Reservation System) database.

Note:- Indian Railways has a 10-digit numerical PNR number.

The PNR number is enough to travel in railways. If your ticket is confirmed and you know your seat number and PNR number you can travel without a ticket, but with a valid ID proof. You have to approach the TC and then show your valid ID proof.

12. What is TATKAL Booking and how is it done?

TATKAL booking is meant for immediate travel plans. TATKAL booking opens one day in advance for every train at 10 am for AC (Air-conditioned Class) and at 11 Am for Non-Ac.

- You can book TATKAL e-ticket online.
- Every train and class has a defined tatkal quota and it varies from station to station.
- Many of the trains does not have Tatkal category. You have to select the Tatkal check box in the 'Plan my travel' page along with other details for booking tatkal ticket.

13. Any special precaution to be taken while providing details during Ticket Booking?

- Passengers have to be careful about the details provided while booking train tickets.
- Your personal information is publicly pasted on rail coaches after chart preparation.
- The only way to protect you from fraudulent transactions is to avoid quoting PAN details for identity proof. Do not mention your PAN card as ID proof while booking train tickets.
- Six passengers can be booked in a single ticket.

14. What is the major rule for boarding the train?

The Ministry of Railways has issued specific rules for boarding trains. They are as follows:  
Partially Waitlisted Ticket holders are allowed to board the train along with fully confirmed and RAC passengers.

15. Can consumers travel in a train without a counter ticket if booked from the counter?

No, consumers cannot travel without an original counter ticket, because if the ticket has been booked through the counter then it is mandatory to carry the original ticket otherwise you will be fined as without a ticket.

16. Do we need a hard copy of the train ticket?

Instead of carrying a printout or hard copy of your Indian Railways train ticket, IRCTC now sends you SMS-based tickets that can be shown to the Travelling Ticket Examiner (TTE). In order to book tickets online, the passenger can simply log on to the official website of IRCTC by using his/her name and password.

A photocopy of a railway ticket can be accepted in any form of paper copy or digital copy if you are carrying valid photo ID proof of the passenger mentioned in the ticket. This is only valid for reserved tickets for Class Sleeper, CC and AC. For unreserved, photocopy does not work.

17. How can a consumer check Train Time Table Online?

You can check IRCTC Train Time Table or the Train Schedule and Train Timings of any Indian Railways Train at [https://indianrailways.info/train\\_time\\_table/](https://indianrailways.info/train_time_table/) this is one of the fastest ways to get correct information and find your train in real time.

All you need to do is enter the Train Number or Train Name in the box above to get the updated schedule of the train. · You can find Train Name or number by just entering the first 3 letters / digits and it will show you a list from which you can select the train. · Train Time Table can also be checked at every station where enquiry counters are available for this purpose.

18. What if the railway counter ticket is lost/misplaced?

No Refund is permissible against lost/misplaced tickets. Duplicate ticket can be issued only in case of lost/torn/mutilated, confirmed or RAC tickets. The passenger can travel on the accommodation reserved for him as per extant Railway rules.



To re-print your ticket, log on to the IRCTC e-ticketing website [www.irctc.co.in](http://www.irctc.co.in) by providing the correct username and password. · Go to 'My Transactions' and click on the 'Booked Ticket History' link on the main menu bar. · All the booked tickets will be displayed.

19. A Consumer booked the ticket through IRCTC, and cancelled the ticket, so will he get the refund from IRCTC or Railways?

The Refund will be processed through IRCTC.

20. Where should the grievance redressal or complaint be filed?

If the consumer booked the ticket from a different zone and the issue/grievance took place in a different zone, then, the grievance should be forwarded to the zone, where the problem/issue took place. For cases such as misbehaviour of TC or any other railway staff, grievances should be registered at the next station of the train where the incident took place.

If the consumer wants to move to a higher authority, she may register her grievance with the:

- Tier-1: Divisional Railway Manager, of the concerned zone (the station where the grievance happened), a written grievance has to be made. Wait for 30 days for the response.
- Tier-2: After 30 days, if no response has been received he can register the grievance at- <https://railmadad.indianrailways.gov.in>
- Tier-3: If the consumer is not satisfied with the response, he may move to the District Consumer Commission, following the procedure prescribed