

भारत सरकार GOVERNMENT OF INDIA
रेल मंत्रालय MINISTRY OF RAILWAYS
(रेलवे बोर्ड RAILWAY BOARD)

Rail Bhawan, New Delhi - 110 001

No. 2011/TC-III/27/29/Ex-Gratia

Dated: 07.05.2013

The General Manager (Claims)
All Indian Railways

Sub : Payment of enhanced ex-gratia and enhancement of ex-gratia relief in case of passengers who are hospitalized for more than one month as a result of train accidents/untoward incidents.

Please refer to this Ministry's letter No. 2006/TC-III/27/2 dated 20.12.2006, wherein instructions regarding rates of ex-gratia relief in case of grievously injured passengers in Train Accidents or Untoward Incidents, as defined under Section 123, read with Section 124/124-A, of the Railways Act, 1989, who are hospitalized were issued to the railways.

2. In partial modification of the above mentioned instructions, it has now been decided by the Board that the revised rate and conditions for payment ex-gratia relief in case of grievously injured passengers who are hospitalized in case of Train Accidents and Untoward Incidents, as defined under Section 123, read with Section 124/124-A, of the Railways Act, 1989, will be as follows :

In case of Train Accident	In case of Untoward Incident
Rs. 25,000/- lump sum for hospitalization upto 30 days to take care of initial expenses.	Rs. 5,000/- upto 30 days of hospitalization.
Thereafter Rs. 300/- per day be released at the end of every 10 day period or discharge, whichever is earlier.	Rs. 1000/- per week or part thereof the period for indoor treatment upto further six months of hospitalization.
	Rs. 500/- per week or part thereof the period for indoor treatment upto further five months of hospitalization.
The maximum period for which ex-gratia is payable to the grievously injured passenger will be 12 months.	

3. Other terms and conditions will remain the same as in Board's letter dated 20.12.2006, which are as under :

- (i) This ex-gratia relief will be exclusively for passengers who are grievously injured in train accidents or untoward incidents as defined under Section 123, read with Section 124/124-A, of the Railways Act, 1989.

-2/-

- (ii) The period for treatment as indoor patient for more than 30 days would need to be certified by a Railway Doctor for the purpose of further ex-gratia payment upto the period of remaining 11 months. In case where the injured is taking treatment in other than Railway hospital, the treatment has to be certified by Railway Doctor.
- (iii) Sr. Divisional Medical Officers shall also keep track of such injured person taking treatment in other than Railway hospitals. Sr. DCM/DCM shall keep coordination with Sr. DMO for the purpose and arrange payment of ex-gratia as per the prescribed schedule mentioned in the table in Para-2 above at the doorstep of injured person. Every care shall be taken by Sr. DCM/DCM to avoid any inconvenience to injured person in such cases.

4. This will be in supersession of the amount of ex-gratia for grievous injury in case of Train Accidents/Untoward Incidents specified in Railway Board's letter No. 2011/TC-III/27/29/Ex-gratia dated 26.7.2012.

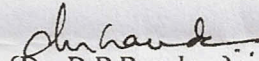
5. It has also been decided by the Board that in case of enhanced ex-gratia announced by the Minister of Railways as a special case under his/her discretionary powers, the amount equivalent to the normal rate of ex-gratia (*as per the extant instructions vide Board's letter of even No. dated 26.7.2012*) for death/injury of passenger in train accidents/untoward incidents and to the road users who meet with an accident due to Railway's prima facie liability at Manned Level Crossing Gate Accident be paid in cash and the remaining portion of the enhanced ex-gratia be paid by account payee cheque. The position is tabulated as under :

	In case of	Normal rate of ex-gratia (as per extant instructions)	Amount of ex-gratia to be paid by cash / cheque in case of enhanced ex-gratia announced by the Hon'ble Minister of Railways	
			By CASH	By CHEQUE
1.	<u>In case of Train Accident (Sec-124 of the Act)</u>			
i)	In case of death	Rs. 50,000/-	Rs. 50,000/-	Announced amount of ex-gratia minus Rs. 50,000/-
ii)	In case of grievous injury	Rs. 25,000/-	Rs. 25,000/-	Announced amount of ex-gratia minus Rs. 25,000/-
iii)	In case of simple injury	Rs. 5000/-	Rs. 5000/-	Announced amount of ex-gratia minus Rs. 5,000/-
2.	<u>In case of Untoward Incident (Sec-124A of the Act)</u>			
i)	In case of death	Rs. 15,000/-	Rs. 15,000/-	Announced amount of ex-gratia minus Rs. 15,000/-
ii)	In case of grievous injury	Rs. 5,000/-	Rs. 5,000/-	Announced amount of ex-gratia minus Rs. 5,000/-
iii)	In case of simple injury	Rs. 500/-	Rs. 500/-	Announced amount of ex-gratia minus Rs. 500/-
3.	<u>In case of Accident at Manned Level Crossing (due to Railway's prima facie liability)</u>			
i)	In case of death	Rs. 50,000/-	Rs. 50,000/-	Announced amount of ex-gratia minus Rs. 50,000/-
ii)	In case of grievous injury	Rs. 25,000/-	Rs. 25,000/-	Announced amount of ex-gratia minus Rs. 25,000/-
iii)	In case of simple injury	Rs. 5000/-	Rs. 5000/-	Announced amount of ex-gratia minus Rs. 5,000/-

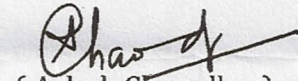
6. There is no change in other terms and conditions regarding payment of ex-gratia contained in Board's letter of even number dated 26.7.2012.

7. This issues with the concurrence of the Finance and Health Directorate of this Ministry.

Please acknowledge receipt of this letter.


(Dr. D.P. Pande)

Executive Director Health (Planning)
Railway Board


(Ashok Chowdhry)

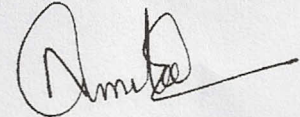
Executive Director (Public Grievances)
Railway Board

No. 2011/TC-III/27/29/Ex-Gratia

Dated : 07.05.2013

Copy to :

1. FA & CAO, All Indian Railways
2. The DAI (Railways), New Delhi (with 36 spares)



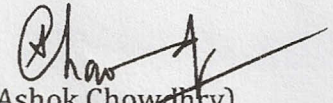
for Financial Commissioner, Railways

No. 2011/TC-III/27/29/Ex-Gratia

Dated : 07.05.2013

Copy to :

1. Chief Commercial Managers, All Indian Railways
2. The Chief Medical Officers, All Indian Railways
3. Chief Security Commissioners, All Indian Railways
4. Chief Claims Officers, All Indian Railways
5. Konkan Railway Corporation, New Delhi


(Ashok Chowdhry)

Executive Director (Public Grievances)
Railway Board

Copy to :

1. ED(PG)/MR for kind information of M.R.
2. PS/MSR(A) for kind information of MSR(A)
3. PS/MSR(K) for kind information of MSR(K)
4. PSOs/Sr.PPSs to CRB, FC, MT, ME, MM, ML & MS for kind information of CRB and the respective Board Members
5. Secretary, Railway Board
6. AM(Comm), Railway Board
7. Adviser (Safety), Railway Board
8. All AMs, Advisers and EDs of Board's Office.