

DISCLAIMER

This booklet is only a guide to understand the principles of railway commercial rules in respect of coaching working.

This guide is not meant for substituting

Tariff Books, Manuals and Circulars.

The trainees must refer to Tariffs, Manuals and Circulars issued and updated from time-to-time for day-to-day working.

CUSTOMER

The customer is the most important person in our premises

Customers are not depending on us. We are depending on them

Customers are not an interruption to our work. They are the purpose of it

We are not doing them a favour by serving them

They are doing us a favour by giving an opportunity to do so

Customers are not outsiders to our business. They are part of it

-- Mahatma Gandhi

ZONAL RAILWAY TRAINING INSTITUTE



ADVANCE COMMERCIAL

UNRESERVED TICKETING SYSTEM (UTS)

Particulars on UTS ticket:

1. *From and to* stations
2. Route
3. Class of accommodation
4. UTS number
5. Date of journey
6. Distance and fare
7. Date and time of issue and machine number / counter number
8. Cash / Voucher
9. Ticket type
10. 8 – digit pre printed number and a 4- digit machine printed ticket number
11. 4/5 – digit random number
12. Travel authority and concessional code, if any
13. Alpha code of progressive totals of transactions made.

Specifications for pre-printed paper computerized passenger-ticketing system:

1. UTS paper roll tickets are supplied with sprocket holes on both sides and of size 100mm X 64 mm (4"x 2.5") with Indian Railway water mark and with Indian Railway back ground and advertisement on the reverse of the ticket.
2. Each ticket roll contains 500 tickets serially numbered. The serial number of the ticket consists of 8 digits. In each roll, the commencing number ends with 000 or 500 and closing number ends with 499 or 999.
3. Every ticket should have an *alpha numeric* before the eight digit pre-printed number, allotted for each, division, ie. SC1, SC2, SC3, SC4, SC5, SC6.
4. The roll should have perforated lines after each ticket.

Maintenance of the registers in UTS booking office:

- *Charge handing over and taking over register of the operators:* This should also be utilized as the daily train's cashbook for pasting of the shift and day end summaries generated from the UTS.
- Equipment fault register
- Failure register
- Non – issue register
- Cancellation register
- Special cancellation register

Duties of the operator:

1. During the change over of the shift, the operator will pass an undertaking regarding the correct taking over of the UTS terminals, key boards and printers in the taking / handing over register.
2. He / She will check that the opening number as prompted by the UTS on the terminal physically tallies with the first ticket available in the printer.
3. He / She will enter the correct imprest and personal cash in the UTS.
4. He / She will check that all characters are legible and correct slash number is printed on the ticket before the same is issued to the passenger.
5. Booking operator should manually cross and deface all special cancelled, non- issued and the cancelled tickets.
6. Operator is solely responsible for the distance entered in the blank paper ticket.
7. He / She should ensure that no blank paper ticket is issued to a destination which has already been fed in to the destination database.
8. He / She should permit all cancellations across the counter after verification of the data available in the system.
9. The amount as displayed on the UTS screen is the same as acknowledged by the system through the summary generated by the terminal. In case of discrepancies, the supervisor should be called and the hard copies should be generated from the system.
10. In case of any failure and hard copy not being generated from the system, the cash of the shift should be deposited by the operator as per the coded alpha cumulative cash available on the next ticket stationary available on the printer.
11. Necessary remarks should be passed in the failure register and report the problem to the AMC contractor.

Duties of supervisor & operator at the beginning of the shift:

1. Only authorized users as mentioned in the user register are permitted to work on the terminals.
2. The quality of the ink in the tape cartridge used in the ticket printer should be checked and it should be ensured that the figures and words are clear and legible.
3. Before the commencement of the shift, the supervisor and the operator should note the slash number printed on the stationery available on the terminal. This should tally with the preprinted number available on the stationary.
4. If there is any mismatch, the following procedure may be followed.
 - If the ticket is accounted for in the system but is not printed on the ticket stationary, the supervisor should be called, the ticket should be non-issued and shift terminated in his / her presence. Cash summary, transaction summary of the shift and continuity statement should be tallied with each other.
 - When the preprinted number in the stationary is discontinuous, shift should be terminated in the presence of the supervisor who will then take necessary measures by issuing gazette notification and obsoleting the roll.
 - The reasons for mismatch should be recorded in the fault register as prescribed.

Duties of the supervisors:

1. Tallying the daily cash and vouchers with the shift wise summaries of cash and vouchers generated by the booking operators at the end of the shift.
2. To ensure correct remittance of cash. He / She will also take suitable action in case of discrepancy.
3. Ensuring that the details of the cash and vouchers as shown on the terminal tallies with the summary generated from the UTS.
4. Ensuring that each operator hands over correct cash, rail travel coupons, concessions, cash vouchers, non-issued, special cancellation, normal cancellation and unused tickets after tallying the same with the DTC / shift summary.
5. Ensuring that all non-issued, cancelled, special cancelled and unused tickets are also sent to the traffic accounts office along with the summary mentioning the stock number of the tickets.
6. The fully or partially cancelled tickets should be accompanied with the original journey tickets.
7. In case the DTC is not generated from the system, the net cash of the day should be collected from the coded cash available on the next ticket stationary available in the printer.
8. This fact should also be recorded in the fault register.
9. In the system, coded cash is recognized through alphabets “A” to “J”, which denotes the value in the terms of Rupees from 0 to 9. A=0, B=1, C=2, D=3, E=4, F=5, G=6, H=7, I=8 and J=9 respectively which will appear like “DBCD AA” This conveys a message to the operator that he / she has to deposit Rs. 3123.00 as collected cash. This fact should also be recorded in the failure register.
10. Ensuring that daily BPT statements of all shifts showing 'from' 'to' 'distance' 'amount' 'number of passengers' 'number of counter' is sent to traffic accounts office on the next day.

List of UTS reports to be generated from the system:

Daily reports:

Season tickets	Military vouchers
Advance season tickets	CST vouchers
Non-issued season tickets	RTC concessions
Cancelled tickets	BPT
Summary of cancelled tickets	Development charge
Special cancelled tickets	Supervisor intervention
Summary of SPL cancelled tickets	Station pair
Non-issued tickets	Sum of trains (Cash info)
TTE money receipts	M- 17 continuity
TC money receipts	Ticket information
Miscellaneous receipt tickets	M9 Classification
Adhoc concessions	Concession passenger (Season)
Concession tickets	SPL cancel season ticket
Police vouchers	

Periodic reports:

Season tickets	CST vouchers
Advanced season tickets	RTC concessions
Season NI tickets	BPT
Cancelled tickets	Development charge
SPL cancelled tickets	Supervisor intervention
Non-issued tickets	Station pair
TTE money receipts	Sum of trains (Cash info)
TC money receipts	M- 17 Continuity
Miscellaneous receipt tickets	Ticket information
Concession tickets	M9 Classification
Police vouchers	Supervisor intervention
Military vouchers	

Monthly reports:

Season tickets	Ticket information
Advanced season tickets	M9 Classification
Season NI tickets	Supervisor intervention
Cancelled tickets	Development charge
SPL cancelled tickets	Supervisor intervention BPT
Non-issued tickets	Station pair
TTE money receipts	RTC concessions
TC money receipts	CST vouchers
Miscellaneous receipt tickets	
Concession tickets	
Police vouchers	
Military vouchers	
Sum of trains (Cash info)	
M- 17 Continuity	

UTS - ticket indenting procedure:

The following procedure for indenting of ticket rolls should be followed for stations where UTS Terminals are installed.

1. Indent for supply for pre-printed ticket rolls will be on annual basis.
2. Based on roll continuity statement generated by the system / consumption pattern for the previous year and augmenting this by a growth factor of 10%, the booking supervisor will prepare ticket rolls requirement taking into account the lead time etc. The quantity to be indented would be arrived as under.

$1.5 \times \text{quantity assessed (-) \{stock on hand + stock yet to be received from the supplier\}}$

3. This should be vetted by TIA .The estimate should be forwarded to the Sr.DCM / DCM's office by 10th January every year.
4. On receipt of the estimates from the station, the data will be incorporated in the ticket estimate register maintained in the divisional office. Sr.DCM / DCM should ensure that these estimates have been received from all the stations under their jurisdiction before assessing the requirements.
5. Once the required quantity has been assessed, the Sr.DCM / DCM will prepare and submit the indent in five copies in form S-1032 duly indicating the ticket numbers to be printed for each location. This will be done latest by 31st January.
6. The indents will be sent in five copies to Sr. DFM / DFM by 10th February. Sr.DFM / DFM will certify the availability of funds and send 4 copies of the indents to FA&CAO / WSTs office (Ticket indent section) before 20th February. In FA&CAO / WSTs office, all the indents will be posted in the Master Register separately maintained for each station as per the codal provision.
7. On receipt of the certified copies of the indents from FA&CAO / WSTs office, Sr.DCM / DCM will send the indents duly approved by DRMs to COS / SC before 10th March.
8. Purchase action will be immediately initiated by COS / SC and purchase order released before 31st May.
9. Supply will commence from 1st July. Sr. DCM / DCM will issue strike orders in lots of 1 lakh or multiples thereof, ensuring two months lead time to the supplier. While giving strike order, art work for advertisement on the reverse of the ticket would be furnished by Sr.DCM / DCM in addition to the commencing number and closing number of the tickets to be supplied.

10. Sr.DCM / DCM will have to advise the funds required at the time of preparation of the budget estimate each year in November.
11. On receipt of the ticket rolls, CBSR will verify the ticket rolls with that of the supply advise. Details of tickets received viz, number of rolls, serial number of tickets received and the date of receipt, supplier etc. shall be jointly advised to Sr. DCM / DCM and FA&CAO / WST (Ticket Indent section).
12. In case of emergency, if ticket rolls are to be transferred from one station to another, both the dispatching station and recipient station should intimate immediately Dy.CAO/T who will ensure the correct accountal of rolls at both ends. The transfer of such rolls should be between the stations situated within the same division.
13. When a roll is reported missing, CBSR will immediately notify the loss to all concerned. A gazette notification will be made according to the extant rules on the same lines as notified in the IRCM Vol .I , para 227.

Issuing of UTS Tickets

- 1) Unreserved Booking Counters will be opened 24 hours at A,B,C and D category stations.
- 2) UTS tickets should be issued on the same day for journeys less than 200 Kms.
- 3) For Journeys beyond 200 Kms, UTS tickets can be issued 3 days in advance excluding the day of journey.
- 4) Any where to Any where tickets should not be issued.
- 5) Tickets from any of the Cluster stations to any destination can be issued from any of the cluster stations.
- 6) Cluster stations include those stations which serve the particular City/Town/Metro.
- 7) Each Zonal Railway will decide the cluster stations.
- 8) Return tickets should not be issued by UTS.

Cancellation of UTS

1. On the day of journey, cancellation of ticket issued through UTS, would be permitted only at the journey originating station.
2. Cancellation of such (Advance) tickets prior to the date of journey would be permitted at the journey originating or the ticket issuing station.
3. Cancellation of UTS tickets will be subject to connectivity to the server.
4. For tickets issued from thin clients, if network connectivity is available, then cancellation may be permitted from any counter.
5. If connectivity is not available then cancellation will be permissible only from the terminal which issued that ticket since transaction data would be stored on that terminal and under all conditions the ticket cancelled should be at that counter.

DISASTER MANAGEMENT

Disaster:

The term disaster may be defined as an occurrence or consequence leading to a mishap. It is an unusual incident which causes loss of life, injury, material damage, loss and distress.

Disaster in Railways is a serious train accident or an untoward event of grave nature due to natural or man made cause that may lead to loss of many lives and grievous injuries to a large number of persons and severe disruption of traffic.

Management:

It is the skillful handling of affairs, art of getting things done through the available resources like man power, machines, material, money and experience within the least possible time.

Intelligent planning and prompt response to the needs of the passengers, sufficient and timely relief measures should be the watch word of disaster management.

Need for Disaster Management:

- It is pro-active measure
- Dealing with unusual things need special skills, knowledge and training
- The mettle of an organization is revealed in a crisis. The quality of response after the disaster determines the credibility of the organization in the eyes of the public
- Dealing with critical incidents, complaints, grievances and accidents needs training i.e. preparedness.

Causes for disasters in Railways:

1. Human failure.
2. Equipment failure
3. Natural Calamities

Responsibilities of Commercial Department:

The Officers and staff are required to bestow special attention to the following aspects of relief operations.

On getting the information:

- Collect details of accident and assess requirement for arranging relief measures.
- Withdraw sufficient amount from station under the authorization of Sr.DCM

On reaching the site:

- Render first aid to the injured passengers within golden hour.
- Arrange ambulances / private vehicles to shift the injured passengers to hospitals.
- Prepare a list of names and addresses with ticket numbers of casualties and convey the information to their kith and kin and to the control office.
- Arrange adequate refreshments, drinking water to the passengers of ill fated train at free of cost.
- Take assistance of voluntary organizations like NCC, NSS, Scouts & Guides or any other recognized social organizations.
- Make arrangements for alternative transport for passengers.
- Open Assistance Booths for guidance of the passengers.
- Arrange porters free of cost to shift the luggage of passengers.
- Make necessary arrangements for refund of fares as below.
 - (i) full refund for the booked journey if any alternate transport is not arranged
 - (ii) fare for the untraveled portion to be refunded if passengers refuse to avail alternate transport arranged.
- Arrange exgratia payments to casualties as follows:

Train Accidents	
Death	Rs,50,000
Grievous injury	Rs.25,000
Simple injury	Rs.5000
At Manned Level Crossing Gates	
Death	Rs,50,000
Grievous injury	Rs.25,000
Simple injury	Rs.5000

- Nature of injury whether grievous or simple will be certified by railway doctor.
- Collect belongings of the dead and injured passengers and hand over to the next kith and kin after satisfactory proof of ownership or hand over to RPF / GRP for further disposal.
- Provide tarpaulins to protect passenger's luggage and parcels during the rainy season.
- Arrange Phone facility for the passengers at free of cost and PA System with the help of S& T department.
- Arrange lighting at sight with the help of Electrical Department.
- Dispose perishables as per section 84 / 85 of Railways act'1989.
- Secure samples, marks on packages, seal cards of wagons etc. to facilitate settlement of claims.
- Never leave the accident spot without informing the accident manager.

At Divisional Level:

- One Commercial Officer in control office shall co-ordinate with site and arrange assistance if any required.
- Establish enquiry cum assistance booth with telephone facility at all important stations and display the names of casualties.
- Give information through public address system about relief arrangements at the site of accident and also at important junctions.
- Help the kith and kin in obtaining special free passes to reach the site of accident by special trains, if arranged.
- Arrange catering facility to the passengers by trains regulated at different stations and by trains diverted.
- Convey information about casualties and arrangements made at the accident spot and other important stations to the Head Quarters Disaster Control from time to time.

At Zonal Level:

- One Commercial Officer in Disaster Control shall co-ordinate with the Division and provide assistance required from headquarters.
- Convey the information about casualties and arrangements made at the spot and other important stations to CPRO and Railway Board from time to time.
- Convey the information regarding regulation/ cancellation / diversion of trains to the Divisions/ Zones concerned.

Media Management Plan:

- Inform CPRO immediately about the accident on priority.
- The first official available at the site should assess the situation and flash the information to the control or the nearest station.
- No information should be given to the media at the site till GM / AGM / ADRM / CPRO reach the site.
- Senior most officer available at the site is only authorized to interact with media.
- Depending on the seriousness of the accident, press and media will be taken to the site by suitable transport.
- An official videographer and photographer are sent to the site to cover the accident.

Conclusion:

Do everything possible to mitigate (lessen) the suffering of passengers to create feeling in the public that nothing more or better could have been done by the railway administration in the existing circumstances.

LIABILITY OF RAILWAY ADMINISTRATION IN CASE OF DEATH/INJURY TO PASSENGER IN ACCIDENT /UNTOWARD INCIDENT

(SECTION 123 – 129)

The railways are liable to pay compensation for death/injury of a passenger in train accident as defined under Section 124 of the Railway Act. 1989.

Similarly 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 Railway Act. 1989

SEC -123 (A) – ACCIDENT. (As defined in Sec-124):

Accident means any occurrence being either collision between trains one of them being a passenger carrying train or derailment or other accident to a train or any part of a train carrying passengers which endangers the safety of passengers or their baggage.

SEC -123 (C) “UNTOWARD INCIDENT”

- 1 “UNTOWARD INCIDENT” means Any of the following:
 - i. Terrorist Act
 - ii. Violent attack, robbery or dacoity.
 - iii. Rioting, shoot out, arson in railway premises.
 - iv. Accidental fall of a passenger from a train carrying passengers.

SECTION 124: EXTENT OF LIABILITY

COMPENSATION IS PAYABLE FOR VICTIMS OF TRAIN ACCIDENTS.

Scale of Compensation:

Amount of compensation in case of death and permanent disability is Rs.4 lakhs

In case of injuries, the minimum amount is Rs.32, 000/- and maximum is 3.60 lakhs.

SECTION 124 A

Compensation can also be payable for victims of untoward incidents, the scale of compensation is same as of train accidents.

But No Compensation Shall Be Payable In Case Of

- 1 Suicide or attempt to suicide by passenger
- 2 Self inflicted injury
- 3 His own criminal act
- 4 Any act committed by the passenger in a state of intoxication or insanity

- 5 Any natural cause or disease or medical or surgical treatment unless such treatment become necessary due to injury caused by the said untoward incident.

“PASSENGER”

1 INCLUDES

- A railway servant on duty
- A Valid pass holder
- A person who has purchased
A valid Journey ticket

OR

A valid Platform ticket

EX-GRATIA:

- Exgratia means immediate relief rendered to the victims at the spot of any accident/Untoward incident as a measure of immediate relief.
- Ex-gratia is granted as per provisions of Indian Railway Traffic (commercial) Code.
- Exgratia will be paid on certification of Railway Doctor
- After payment is made to victims the acknowledgement of the party should be obtained
- Exgratia is paid in addition to the compensation allowed as per rules by RCT.

Train Accidents/ At Manned Level Crossing Gates	
Death	Rs.50,000
Grievous injury	Rs.25,000
Simple injury	Rs.5000
Untoward Incidents	
Death	Rs.15,000
Grievous injury	Rs.5,000
Simple injury	Rs.500

- No ex-gratia payment would be admissible to the trespassers, persons electrocuted by OHE and road users at unmanned level crossings.
- The amount of ex-gratia relief admissible to road users who meet with an accident due to Railway's prima facie liability at Manned Level Crossing Gate Accident will be counted towards the amount of compensation payable.
- Ex-gratia payments should also be made to railway servants killed or injured by a moving train while performing their duty, for example, gang man working on track run over accidentally by a moving train.

The rate of ex-gratia in case of grievously injured passengers due to train accidents who are hospitalized will be as follows:

Upto 30 Days of Hospitalisation Lumpsum amount of Rs. 25,000

Thereafter Rs. 300/- per day be released at the end of every 10 day period or discharge, whichever is earlier.

The rate of ex-gratia in case of grievously injured passengers due to untoward incidents who are hospitalized will be as follows:

In case of grievous injury involving hospitalisation	Rate of ex-gratia
Upto 30 days of hospitalisation	Rs. 5000/- (Rs. Five thousand)
Upto further six months of hospitalisation.	Rs. 1000/- (Rs. One thousand) per week or part thereof the period for indoor treatment.
Upto further five months of hospitalisation	Rs.500 (Rs. Five hundred) per week or part thereof the period for indoor treatment.

Note: The maximum period for which ex-gratia payment is payable to the grievous injured will be 12 months.

COMPENSATION:

Claims for compensation for death/injury of a passenger in train accident or untoward incident are decided by the Railway Claims Tribunal having jurisdiction over the site of accident.

The Tribunal has 21 benches at 19 major cities in the country viz.

1)Ahmedabad	2) Bangalore	3) Bhopal	4) Bhubaneshwar	5) Mumbai
6) Kolkata	7) Chandigarh	8)Ernakulam	9) Guwahati	10)Gorakhpur
11)Jaipur	12 Lucknow	13)Chennai	14)Ghaziabad	15) Nagpur
16) Patna	17) Secunderabad	18)Delhi	19) Ranchi	

(Two benches at Kolkata and two at Delhi)

Section 125: *Application for compensation*

This section lists out the persons who can make an application for compensation and the time within which such application can be made. Application can be made to the concerned claims.

- By the person who sustained the injury or suffered loss or
- By any agent duly authorized by such person on his behalf or
- Where such person is a minor by his guardian or
- Where death has resulted from the accident or the untoward incident by any dependent of the deceased or
- Where such a dependent is a minor by his guardian.

Time limit for filing claims :

- The time limit for filing claim in the concerned Bench of Railway Claims Tribunal is one year from the date of accident or untoward incident.
- The Railway Claims Tribunal can, however waive off this limit, and entertain the claim if the applicant satisfies the Claims Tribunal that he had sufficient cause for not making the application within such period.

Section 126: *Interim relief by Railway Administration:*

When a person wants interim relief as per section 126, he may apply to railway administration, which may pay interim relief as per case, which may not be more than the amount of compensation payable by *Railway Claims Tribunal* after taking into account of the interim relief.

Section 127: Determination of compensation in respect of any injury or loss of goods.

The rates of compensation payable in respect of any injury or loss of goods shall be determined by the Claims Tribunal.

Section 128: Saving as to certain rights.

- The right of any person to claim compensation under Sec. 124 shall not affect the right of any such person to recover compensation payable under the workmen's compensation Act, 1923 ,
- But no person shall be entitled to claim compensation more than once in respect of the same accident

Section 129: Power to make rules in respect of matters in this chapter**Appeal against the decision of Railway Claims Tribunal:**

- The Railway claims Tribunal has the powers of District Court and appeal against its decision lies in the High Court having jurisdiction over the place where the bench is located.

Issue of special passes to the claimants: Sleeper class cheque passes from the place of residence to the place of hearing and back are issued by the railway administration to the victims/claimants, when attendance of the claimants is ordered by Railway Claims Tribunal in respect o case falling under Section 124 and 124-A of the Railways Act, 1989.

Inspection of Goods Shed

There are many ways of doing a job, but there is only one way of doing it in a precise manner.

Inspection would ensure that it is done in that correct and precise manner.

Purpose:

1. To have effective control over the working of a station
2. To know how well subordinates are functioning.
3. To know whether the work is done as directed.
4. To know whether subordinates are putting satisfactory quality and quantity of work.
5. To detect faults, to correct any lapses and irregularities already committed.
6. To avoid recurrence of such irregularities.
7. To give proper direction during inspection.

Objectives of Inspection from Commercial point of view:

1. Maintenance of high standard of cleanliness and orderliness.
2. Staffs are prompt, alert, civil and obliging.
3. The staffs attend to the comforts of passengers.
4. The staff are conversant with the rules
5. The staff follow A,B,C,D of goods working correctly.
6. Prevention of loss or damage.
7. Adequate steps are taken to connect goods.
8. Adequate arrangements exist to prevent leakage revenue.
9. Clearance of outstanding.
10. Records are maintained and returns are submitted in time.
11. There is no misappropriation of cash.

Frequency of Inspection:

The phase of inspection should be such that to cover all aspects of working in a period of one month.

The quality of inspection depends on the inspecting officials personal interest, intelligence, initiative etc.

Major areas where inspection is to be focussed:

1. Maintenance of Registers and Documents
 - a. Priority Register
 - b. I/W and O/W Invoice Index Register
 - c. Wagon Allotment Register
 - d. Bans and Restrictions register
 - e. Loading/Un-loading registers
 - f. Weighment/Re-weighment register
 - g. Delivery register
 - h. DDM/DDPC Register
 - i. Placement/Release Memos
 - j. Liability register
 - k. Cash Register
 - l. Balance Sheets
 - m. Outstanding Register
 - n. FOIS.
 - i. Channel Failure Register
 - ii. System Failure Register
 - iii. Data-com equipment Failure Register
 - iv. T/P (Stock) Register
 - v. Handing/Taking over Register
 - vi. Inspection Register
2. Cleanliness
3. Duty List
4. In-civility and Indiscipline
5. Public Complaints
6. Tariffs, Manuals and Circulars
7. Money Value Books
8. Other books, forms, stationary
9. Correspondence
10. Earnings
11. Handling Cash
12. Returns
13. Preservation of Records
14. Recovery of rent licence fee etc.
15. Drinking Water/Canteen facility etc.
16. Weigh Bridge
17. Wharfage and demurrage
18. Station Outstanding
19. Inspection Register.

PASSENGER AMENITIES

Indian Railways are a century and a half old. During these 150 years of glorious service, Indian Railways has played a vital role in the country's need for large scale of movement of traffic – both freight and passengers. The Indian Railways are contributing a lot in the economic growth of the country as well as promoting national integration.

Indian Railways serve as the principle mode of passenger transport in the country carrying the highest volume of passenger traffic. With the quickening pace of modernization now sweeping the country, the Railway traveler expect much more from the Railways than he did in the past. To fulfill the increased expectation of the passengers, it is necessary that sufficient passenger amenities at stations and on trains have to be provided.

‘150th year of Indian Railways has been declared as passenger's amenities year’. Every year, general steps relating to safety, security, punctuality and cleanliness will be taken so that the customers would derive greater satisfaction from the Railways.

The allocation under the plan head ‘Passenger and other users amenity’ was to tune of Rs.1100 crores for the year 2012-13. In order to provide upgraded passenger amenities at stations, 977 stations have so far been selected as “ADARSH” stations. Some of the thrust areas identified for them are as follows.

- Provision of all India train enquiry system.
- Conversion of stalls into modular stalls and provision of automatic vending machines
- Improvement in circulating areas.
- Improvement in waiting halls, booking offices and other infrastructural facilities / amenities.

Special attention is paid by Indian Railways with regard to

- Cleanliness at stations and trains
- Customer's satisfaction and care
- Catering and vending services
- Safety, security and punctuality
- Issue of unreserved tickets through SPTM
- Issue of unreserved tickets through UTS
- Passenger reservation system
- Provision of minimum essential passenger amenities at stations

Indian Railways have initiated training for front line staff to help them for dealing with the rail customers in a better manner. The program aims at inculcating a value system among them and to make them helpful to the rail users. The program would also help to increase the performance level of the employees by sensitizing them to the need of the customers, thereby solving their problems more effectively and in a positive manner.

Comprehensive instructions on provision of passenger amenities:

Categorization of stations:

- Stations have been categorized into seven categories A1, A, B, C, D, E and F depending upon the earnings which is an indicator of passenger traffic.
- All suburban stations have been included in Category 'C' in order to accord high priority in view of a large passenger using them.
- The categorization shall be reviewed every 5 years.

Annual passenger earnings: For the purpose of categorization of stations, the basic parameter is the passenger earnings of each station, from both reserved and unreserved passengers. The earnings are to be calculated on the basis of the number of passengers boarding at a particular station (both, reserved and unreserved), irrespective of the location from where the ticket has been issued. The data of passenger earning should be collected from PRS, UTS, SPTM and JTBS etc.

S.No	Category	Criteria
1	'A1'	Non suburban stations with annual passenger earnings of more than Rs. 60 crores.
2	'A'	Non suburban stations with an annual passenger earnings of Rs.8 crores and upto Rs.60 crores.
3	'B'	I. Non suburban stations with annual passenger earnings between Rs.4 crores and Rs.8 crores. II. Stations of tourist importance or an important junction station as decided by GM
4	'C'	All suburban stations*
5	'D'	Non suburban stations with an annual passenger earnings between Rs.60 lakhs and Rs.4 crores
6	'E'	Non suburban stations with annual passenger earnings less than 60 lakhs.
7	'F'	All halts stations

*For station dealing with both suburban / non-suburban traffic, the Railway may take a view regarding up-gradation of classification depending upon station earnings, quantum of non-suburban traffic, etc.

Minimum Essential Amenities (MEA)

- When a station is constructed certain minimum amenities should be provided at each category of station. These were earlier termed as basic amenities / infrastructural facilities and will now be called ‘**Minimum essential amenities**’ (MEA).
- The minimum essential amenities required in each category of stations have been listed as below.

MINIMUM ESSENTIAL AMENITIES AT VARIOUS CATEGORIES OF STATIONS

S.No.	Amenities		Category of Stations						
			A1	A	B	C	D	E	F
1	Booking Facilities		✓	✓	✓	✓	✓	✓	✓
2	Drinking Water Piped / Hand Pump		✓	✓	✓	✓	✓	✓	✓
3	Waiting Hall / Shed		✓	✓	✓	-	✓	✓	✓
4	Seating arrangements		✓	✓	✓	✓	✓	✓	-
5	Platform	Shelter	✓	✓	✓	✓	✓	✓	-
		Shady Trees	-	-	-	-	-	-	✓
6	Urinals		✓	✓	✓	✓	✓	✓	-
7	Latrines		✓	✓	✓	✓	✓	✓	-
8	Platform	High	✓	✓	-	✓	-	-	-
		Low	-	-	✓	-	✓	-	-
		Rail Level	-	-	-	-	-	✓	✓
9	Lighting #		✓	✓	✓	✓	✓	✓	✓@
10	Fans		✓	✓	✓	✓	✓	✓	-
11	Foot Over Bridges		✓*	✓*	✓	✓	©	-	-
12	Time Table Display		✓	✓	✓	✓	✓	✓	✓
13	Clock		✓	✓	✓	✓	✓	✓	✓
14	Water Cooler		✓	✓	✓	✓	✓	-	-
15	Public Address System / Computer based announcement		✓	✓	✓	-	-	-	-
16	Parking-cum-circulatory area, With lights		✓	✓	-	-	-	-	-
17	Electronic Train indicator board		✓**	✓	-	-	-	-	-
18	Public phone booth		✓	✓	-	-	-	-	-
19	Signage (Standard)		✓	✓	✓	-	-	-	-

* With cover

** At station entrance/ concourse, on Foot-over bridges (at landing locations) and on platforms located appropriately to guide passengers at every stage.

Stations may be electrified as per provisions of Board's circular No. 95/Elec(G)/109/1 dt. 1.2.95

@ Where train stops at night.

© Foot over-bridges shall be provided at all crossing stations during doubling / gauge conversion upto 'D' category stations, wherever the same are not available.

NORMS OF MINIMUM ESSENTIAL AMENITIES
AT VARIOUS CATEGORIES OF STATIONS

S.No	Amenities	Category of Stations						
		A1	A	B	C	D	E	F
1	Booking Facilities% (No of counters)	15	10	6	4	4	2	1
2	UTS as per norms	Yes	Yes	Yes	Yes	Yes	Yes	-
3	Drinking Water^ (No of Taps)\$^^	20	20	20	6	8	2*	Appropriate Drinking Water facility**
4	Waiting Hall @Sq m	250	125	75	0	30	15	10 sqm booking office cum Waiting hall
5	Seating arrangements (No of seats per PF)	150	125	100	10	50	10	-
6	Platform Shelter (On each PF)	500 sqm	400 sqm	200 sqm	200 sqm	50 + sqm	50 + sqm	Shady trees
7	Urinals	12	10	6	4	4	1	-
8	Latrines	12	10	6	2	4	1	-
9	Foot Over Bridge	1 with cover	1 with cover	1	1	®®		-
10	Water Cooler £	2 on each PF	2 on each PF	2 on each PF	2 on main PF	1 on main PF	-	-
11	Signage (Standardized)	Yes	Yes	Yes	-	-	-	-
12	Platforms ***	High Level	High Level	Med. Level	High Level	Med. Level		Rail Level
13	Lighting ++ (Lux Level)	As per Annexure II of Board's letter No.2004/Elec(G)/ 109/ 1 dated 18.5.2007						
14	Fans ©	As given below						
15	Time Display Table	As per extant instructions						

16	Clock	To be decided by Zonal railways
17	Public Address System / Computer based announcement	As per extant instructions
18	Parking-cum-circulatory area with lights	As per extant instructions
19	Electronic Train indicator board	As per extant instructions
20	Public phone booth	As per extant instructions

% At AI, A, B, C & D category of stations, the booking counters to operate round the clock except at stations where there is no night working.

A At stations falling in water scarcity zones or where water source dries up in summer, drinking water facility should be ensured at every platform by means of syntax tanks/ CANS / *Matkas/Piaos* etc. as decided by GM of the Railways. At less important stations, particularly those falling under category E & F, one water supply source at a location convenient to passengers may be provided. Drinking water facility would include all necessary units whether donated by private parties or provided by the Railways themselves.

\$ There should be one drinking water tap suitable for use by disabled persons on alternate water booths at every platform.

AA Adequate number of water taps should be suitably located to serve passengers of GS coaches, i.e. at the end of platforms.

*At 'E' category stations, wherever piped water supply is not feasible due to local conditions, separate arrangement for potable water at each platform shall be made available with the approval of General Manager of the concerned Zonal Railway.

**drinking water arrangements should be made at halt stations by means of water taps/handpumps/tubewells/sintex tanks/piaos as decided by the General manager of the concerned Zonal Railway.

@ If the variation is marginally on the lower side (upto -5 sqm), then it can be taken to be adequately provided.

#Shelter should be suitably spaced ensuring natural light and ventilation and covering areas from where passengers aboard the General Coach.

+ Preferably light weight shelters.

##1. Number of latrines/urinals includes provision in waiting room/halls. 1/3rd of the toilet may be reserved for ladies. In case of 2 toilets existing, one each should be earmarked for ladies & 86 gents.

2. Number of latrines/urinals can be reduced in water scarcity areas by the Railway with the approval of GM.

3. Includes pay and use toilets. The policy for setting up such toilets be referred in terms of Board's letter No. 05/TGIV/10/SAN/32/Pay86 Use Policy Dt 7.6.06.

® New FOBs should be at least 6 m wide at 'A-1', 'A' and 'C' category stations wherever feasible. New FOBs at 'AI' & 'A' category stations should be compatible for installation of escalators.

00 Foot over-bridges shall be provided at all crossing stations during doubling/gauge conversion upto 'D' category stations, wherever the same are not available. E To be provided as per Board's letter No. 69/Elec(g)/730/8 Dt. 30.03.1971.

*** (a)On all New lines, Gauge Conversion 86 Doubling projects, minimum level of platforms shall be medium level(Board's letter No. 2003/LMB/ 14/29 Dt. 26.4.2005).Wherever medium level of platform is to be provided as per norms, the same shall be with the foundation for high level platform. (Board's letter No. 2012/LM(PA)/03/07/Policy dated 06.07.12). (b)Wherever platform height gets reduced on account of track works, the same should be restored (Board's letter No. 2003/LMB/14/29 Dt. 03.02.2005).(c) Platform should be high level, irrespective of category, wherever EMU trains are dealt with(Board's letter No. 2006/LMB/2/121 Dt. 11.8.2006).

++Solar energy based lighting needs to be introduced to provide emergency lighting at "D" and "E" Category stations, wherever feasible, in non-electric traction areas.

© For covered platforms having width of 6-9mts; one row of fans should be Provided.

@one fan in the centre of supporting columns. For covered platforms with more than 9mts width, fans should be provided in 2 rows.

Note: (1) At stations where only one ASM is posted, only one booking window will be provided. In respect of 'E' category stations, where the earnings is less than Rs. 20 lakh per annum, the quantum of amenities to be provided could be decided by General Managers based on actual requirements.

(2) Scale of all the amenities prescribed above are the bare minimum to be provided at the appropriate category of stations. Amenities over and above the prescribed minimum scales will continue to be provided as per norms for provision of amenities at "Recommended Level".

Recommended Amenities:

Provisions of amenities as per recommended norms are

- Once the essential amenities as prescribed are available at a station, further augmentation of these amenities as per norms will be known as recommended amenities. These norms are recommendatory; Railway shall make efforts to provide these amenities as per norms prescribed.

Norms for provision of passenger amenities at the recommended level:

N max	Maximum number of trains dealt with in any interval of half an hour at the station multiplied by the average number of passengers dealt per train at that station. The average number of passengers per train at a station shall be the average number of daily passengers dealt with at the station divided by the number of trains stopping at the station during 24 hours.
N _{ds}	Design figure for number of passenger for 'C', 'D&E' stations to be calculated as N_{ds} = 0.45 (Nmax)
N _{db}	Design figure for number of passenger for 'A'&'B' stations to be calculated as N_{db} = 0.3 (Nmax)

Amenities at recommended level for different categories:

S.No	Amenity	Category A1,A & B	Other Stations
1	Booking Facilities (No of counters)	1 Window per 800 tkts per shift (Shift with maximum number of tickets sold should be taken)	
2	Drinking Water (No of Taps)	No. of taps = $N_{max}/25$ Taps should be distributed so that every alternate coach gets benefit of a tap	No. of taps = $N_{max}/25$
3	Waiting Hall	1.394 Ndb sqm	1.394 Ndb sqm (Excluding C)
4	Seating arrangements (No of seats per PF)	0.4 Ndb	0.4 Nds
5	Platform Shelter * (on each PF)	0.28 N max	0.28 N max
6	Urinals #	Ndb / 200	Nds / 200
7	Latrines #	Ndb / 200	Nds / 200
8	Platform Level	To be decided by Zonal Railways	
9	Lighting ®	As per Board's letter no. 95/Elec(G)/ 138/5 dated 19.3.96 Norms indicated in Note below.	
10	Fans **	As per Board's letter no. 95/Elec(G)/ 138/5 dated 19.3.96	
11	Foot Over Bridges	To be decided by Zonal Railways	
12	Time Table Display	To be decided by Zonal Railways	
13	Clock	To be decided by Zonal Railways	
14	Bath Rooms \$	1/400 Ndb	1/400 Ndb at other junction & terminal stations only
15	Water Cooler	To be provided if total number of passengers, inward and outward is more than 1000 per day (As per Bd's letter no. 69/Elec(g)/730/8 Dt 30.3.71. To be decided by the Zonal Railways	
16	IVRS	A - 48 lines (calls 72000) B - 24 lines (calls 5000-20000)	A central IVRS with adequate lines should be provided to cover all suburban stations - Minimum 6 lines if IVRS is otherwise justified
17	PA system (Computer Based)	To be decided by the Zonal Railways	
18	Parking cum Circulating Area with Lights	To be decided by the Zonal Railways	
19	Electronic Train indicator board.	To be decided by the Zonal Railways	
20	Public Phone Booth	To be decided by the Zonal Railways	
21	Signage (Standardized)	To be decided by the Zonal Railways	

* At important AI, CA' category and suburban stations, efforts should be to cover the entire PF.

1/3rd of urinals/latrines be reserved for ladies.

@ (a) Emergency light: From Auxiliary Transformer (AT) connected to traction supply, 10 light points for AI and A category stations on each platform. Emergency light from DG set/Solar supply on each platform at all stations where traction supply is not available, except E F category stations. (b) Minimum One light in ASM room, Booking Window, Waiting Hall each, one light on each FOB at every 30 meter, 03 lights on each platform and one light in circulating area shall be provided as emergency light with suitable back up power source such as Solar/wind etc.

** For covered platforms having width of 6-9 mts, one row of fans should be provided @one fan in the centre of supporting columns. For covered platforms with more than 9mts width, fans should be provided in 2 rows.

\$ At

Note: Norms for recommended level of illumination at various categories of stations are as follows (Ref Bd's Circular No 2005/Elec(G)/150/1 Dt 28.2.06)

S.No.	Area	Proposed lux level for category I/ II/ III station
1	Station circulating area	50//30/20
	Outdoor car parking	20/ 20/ 20
2	Station concourse area	100/ 100/ 100
3	Booking office, reservation office, enquiry office	200(localized above counter) & 100 in remaining areas for category I, II, III stations.
4	Parcel & luggage office counter	150/ 150/150 150/150 /150
5	Platform covered Open area	50/30/20
6	Waiting halls/rooms	100/100/ 100
7	Retiring rooms	100/100 /100
8	Restaurant & kitchen in general building area: i) restaurant area: ii) Kitchen: iii) Stores:	150/150 /150 100/100/ 100 100/100/ 100
9	Foot over bridge	50/30/20
10	Other service buildings inside Railway station area	200 for SM's office for category I, II, III stations.

Category (I) -Stations on Zonal railway HQs State capitals and all AI &A category stations

Category (II) - Stations on Rlys. Divisional Hq./State Distt. HQs & all B Category stations

Category (III) - Stations in remaining Categories

Desirable amenities:

Desirable amenities are considered desirable to improve customer satisfaction and interface process at the station. The quantum of these amenities would depend upon the category of the station. It should be noted that provision of desirable amenities need not wait for complete provision of recommended amenities. The amenities out of the list given should be provided based on the need and relative importance of the station.

Norms of desirable amenities at stations:

S.No	Amenities		Category of Stations						
			A 1	A	B	C	D	E	F
1	Retiring Room		✓ 1	✓	✓	-	-	-	-
2	Waiting Rooms (With facilities)	Upper Class	✓ 1	✓	-	-	-	-	-
		II class	✓ 1	✓	✓	-	✓	-	-
		Ladies (Combined Upper & II Class)	✓ 1	✓	-	-	-	-	-
3	Cloak Room		✓	✓	✓	-	-	-	-
4	Enquiry Counter		✓	✓	✓	-	-	-	-
5	NTES		✓	✓	-	-	-	-	-
6	IVRS		✓	✓	✓	-	-	-	-
7	PA System / Computer based announcement		✓	✓	✓	✓	✓	-	-
8	Books / Other Stalls of Essential Goods		✓ 2	✓	✓	✓	✓	-	-
9	Refreshment Rooms		✓	✓	✓	-	-	-	-
10	Parking / Circulating Area with lights ***		✓	✓	✓	✓	✓	-	-
11	Washable Aprons with jet cleaning #		✓	✓	✓	-	-	-	-
12	Electronic Train Indicator Board		✓	✓	✓	✓	-	-	-
13	Touch Screen Enquiry System		✓	✓	✓	-	-	-	-
14	Water Vending Machine		✓	✓ * *	✓ * *	-	-	-	-
15	Foot Over Bridges		✓	✓	✓	✓	✓ ®	-	-
16	Escalators		✓ 3	✓ 3	-	✓ 3	-	-	-
17	Travellator		✓ 4	✓ 4	-	-	-	-	-
18	Signage (Standardised)		✓	✓	✓	✓	✓	-	-
19	Modular Catering Stalls *		✓	✓	✓	✓	✓	-	-
20	Automatic Vending Machines		✓	✓ * *	✓ * *	✓ * *	✓	✓	-

21	Pay & Use Toilets on end platforms & circulating areas	✓	✓	✓	✓	✓	✓	-
22	Provision of Cyber Café	✓ 4	-	-	-	-	-	-
23	Provision of ATM (preferably with ticketing facility)	✓	✓	✓	✓	✓ * *	✓ * *	-
24	Provision of at least one AC VIP Lounge	✓	-	-	-	-	-	-
25	Food plaza	✓	-	-	-	-	-	-
26	Train coach indication system	✓	-	-	-	-	-	-
27	CCTV for announcement and security purpose	✓	-	-	-	-	-	-
28	Coin operated Ticket Vending Machine	✓	✓	✓	✓	-	-	-
29	Pre-paid Taxi Service	✓ 5	-	-	-	-	-	-
30	High Level Platform	✓	✓	✓	✓	✓ 6	-	-

✓ (*in bold*): Also prescribed as Minimum Essential Amenity.

*** Should include high mast lighting wherever feasible.

Washable aprons with water hydrant/jet system should be provided at all platforms where morning train stops for longer duration to ensure cleanliness and better maintenance.

® On double line sections.

* In end platforms, all stalls should be preferably embedded in walls.

**Optional items vide Board's letter 1\16.94/LMB/2/175 dated 16.1.05.

Numbered subscripts:

1: Up gradation to be taken up preferably under public-private partnership schemes.

Retiring Rooms need not be provided at 'D' category stations.

2: Should provide for minimum essential medicines.

3: Escalators at 'A1', 'A' 86 'C' category stations and stations of Tourist importance.

4: Subject to availability of space & feasibility.

5: Subject to availability/clearance from local authorities.

6: With the approval of General Manager

Note: Washable aprons may be provided in a planned manner to cover only stations from where trains originate / terminate or stop for longer duration in the morning hours.

Enquiries where ever provided improvements to be made.

Augmentation of the existing amenities in a planned manner:

- The Zonal Railway should carry a survey of available amenities at stations periodically.
- Drawing from the result of the survey, a list of the minimum essential amenities, recommended amenities and desirable amenities to be provided should be separately drawn up station wise for each route. The master plan for each station should show the amenities required.

- These lists form the basis for drawing up the Divisional Action plans. Action plans so formulated should then be amalgamated into one general action plan and inter-se priorities for different works assigned.
- All minimum essential amenities should be provided as per scale at all class of stations
- Since most of the traffic is handled in A1, A, B and C category of stations, priority should be given for providing amenities at these stations
- Keeping the normal allocation of funds, under the plan heads “Passenger Amenities” in view, a time frame is allocated to each phase of the general action plan. Low expenditure amenities items for which funds can be easily earmarked, can be taken up earlier than those requiring heavy outlay, even if the latter is higher in priority. Remaining works should be prioritized in a manner such that, gaps in a essential amenities, recommended amenities and desirable amenities are filled up generally in that order.
- Keeping scarcity of resources in view, there should be no attempt to substitute an existing amenity item with alike but more expensive one.
- Minimum essential amenities as prescribed shall always be provided as a part of the concerned plan head at the time of construction of new stations. Augmentation of any facilities there after at the station shall, however, be charged under plan head “Passenger and Other Users Amenities”

Other important aspects:

Following aspects over and above the amenities mentioned earlier should be kept in consideration while upgrading amenities at the station:

- All toilets should be gradually converted into pay and use system
- All the signage should be standardized
- For location of signage, a plan should be made in each station
- All stalls should be made modular and reduced in size as per board’s circular
- Efforts should be made to make the stations cooking free and reduce the number of trolleys
- Ban-Marries should be provided at A1, A, B & C class station
- The number of trolleys and catering stalls under the covered shed should be reduced to a minimum
- There should be effort to reduce the stalls to the bear minimum and their measure to be limited for activities essentially connected with traveling
- In a circulating area, proper traffic movement flow plan should be made. A green patch should also be developed. Wherever circulation areas are redesigned, altered or where ever stations are congested, possibility of providing foot over bridge land directly into circulating area should be examined as it decongests the main platforms. There should be proper segregation of incoming and out going passengers where ever necessary.
- Automatic vending machines should be encouraged to replace existing vending stalls
- Enquiry and booking offices should be specially brightened up at all the stations

- The illumination of the station should be improved
- All stations irrespective of the class should be sealed from all the directions so that there is specified exit and entry and incidence of unauthorized entrance is reduced to avoid unnecessary pressure on amenities.

Amenities for Physically challenged persons:

Short term facilities:

- Provision of standard ramp with railing for barrier free entry.
- Earmarking at least 2 parking lots for vehicles used by disabled persons.
- Provision of non-slippery walkway from parking lots to main station building.
- Provision of signage of appropriate visibility.
- Provision of at least one drinking water tap suitable for use by a disabled person.
- Provision of at least one toilet on the ground floor.
- “May I Help You” booth.

Long term facilities:

- Provision of facility for inter-platform transfer.
- Engraving on edges of platforms.

Maintenance of passenger amenities:

- It is important to maintain the amenities provided at all stations in working condition at all times. Maintenance staff shall carry out repairs needed to bring back the amenities to functional order, immediately after receipt of information from the station master / station superintendent. Hygiene and cleanliness should be an important activity for day to day monitoring.
- GM shall arrange to provide adequate imprest cash with station masters of stations where railway maintenance staff is not available. To enable them to organise expeditious repairs of small items of passenger amenities such as hand pumps, taps, water trolleys, clock, fans etc.

Passenger amenity booklet:

Additions / modifications to the passenger amenities available at the stations should be incorporated in the data base and passenger amenities management system (PAMS) and printed in the form of passenger amenity booklets of each division at the end of the financial year. The details of the passenger amenities available at the stations should be up dated and sent every year to board.

Division	No. of stations under the category							Total No. of Stns.
	‘A 1’ (Rs. 60 Crs. and above)	‘A’ (Rs. 8 Crs. To Rs. 60 Crs.)	‘B’ (Rs. 4 Crs. to 8 Crs. & Jn./ Tourist)	‘C’ (All Sub- urban)	‘D’ (Rs. 60 Lakhs to 4 Crs.)	‘E’ (Less than Rs. 60 Lakhs)	‘F’ (Halts & Flag Stns.)	
Secunderabad	2	4	10	12	22	72	15	137
Vijayawada	1	13	12	--	14	77	44	161
Guntakal	1	6	3	--	9	36	39	99
Hyderabad	1	2	8	9	10	92	18	135
Nanded	--	5	3	--	12	60	23	103
Guntur	--	1	2	--	13	41	12	69
TOTAL	5	31	38	21	80	378	151	704
State wise Category of stations								
Andhra Pradesh	5	24	34	21	58	296	120	558
Maharashtra	-	5	3	-	16	59	29	122
Karnataka	-	2	1	-	6	12	1	22
Madhya Pradesh	-	-	-	-	-	1	1	2
Total	5	31	38	21	80	378	151	704

FACILITIES FOR OTHERWISE ABLED PASSENGERS

PASSENGER AMENITIES : (At all Major Stations (A1, A, & B))

- Provision of standard ramp with railing for barrier free entry.
- Earmarking at least two parking lots for vehicles used by disabled persons.
- Provision of a non-slippery walkway from parking lot to building
- Provision of signage of appropriate visibility
- Provision of at least one drinking water tap suitable for use by a disabled person.
- Provision of at least one toilet on the ground floor.
- “May I help You” booth.
- Provision of facility for inter-platform transfer
(Wheel Chairs are provided free of cost, duly escorted by Coolies (On Payment)

ELEMENT OF CONCESSION IN RAIL TRAVEL :

- 25% in 3 AC/AC Chair car of Rajadhani and Shatabdhi trains
- 50% concession in I AC & 2 AC
- 75% concession in all other classes
- 50% Concession on Season Tickets

EARMARKING of ACCOMODATION

- Two berths quota for PH & escort earmarked in all trains. (Preferably lower berths)
- In suburban trains separate accommodation earmarked for PH persons.
- SLRD coaches (unreserved) have provided in all Mail/Express trains for PH persons with escort.
- In case of SLRD coach of Garib Rath trains, PH persons is required to book ticket on production of attested copy of concession certificate and by making payment of full fare of 3AC Class.

ADDITIONAL FACILITIES

- Separate Booking Counters
- Foldable or unfoldable wheel chairs are carried free of charge as luggage with PH persons traveling on concessional tickets.

PUBLIC GRIEVANCES REDRESSAL MACHINERY

The Railways in India provides the principal mode of transportation for freight and passengers. It connects people and places in the farthest corners of the country and brings them closer for business, site seeing, pilgrimage, education etc. The growth of Indian Railways in the last 150 years of its existence is phenomenal. It has played a vital role in the economic, industrial and social development of the country. All these years, the Indian Railways was able to adopt to the fast phased changes with dynamism and imagination and has met to a greater extent, the nation's needs of both the freight and passenger traffic.

The Indian Railways carries around 19 million passengers daily. High priority is given towards provision of maximum comfort to the traveling public.

In spite of Railway administration's endeavor to provide a satisfactory and complaint free service to its customers, there are some lapses which give rise to complaints.

A central scheme for redressal of public grievances in the Railways was formulated during Jan'1985 in terms of the directives of the then PM who has observed that the grievances machinery shall not only redress the grievances, but also efforts must be made to analyze them and has included this as an item in his 20 point programme.

The ministry of personnel (Dept. of administrative reforms and public grievances) is the nodal ministry for implementation of point No. 20 in the 20 point program, which includes inter-alia, the redressal of public / staff grievances.

Accordingly, the public grievance redressal machinery was set up during Jan'1985 with the object of redressing grievances and also to reform the administrative system or those parts of it which throws up individual grievances in large numbers.

Scope:

The scheme was intended to provide an arrangement for prompt redressal of public grievances on the Railways.

The public grievances redressal machinery was set up in 3 tier viz,

- a. Railway Board Level comprising of
 - (i). Member (Staff), (ii). Director (Efficiency Bureau), (iii). Director (Public Grievances), (iv). Nominee of the directorate of personnel and administrative reforms.
- b. Zonal Level comprising of
 - (i). AGM, (ii). CPRO, (iii). CME, (iv). CEE
- c. Divisional level comprising of
 - (i). ADRM, (ii). DMO, (iii). DME, (iv). DEE

Causes of Complaints:

As per the analysis made by CCM's office on complaints registered during 2009-10, the following are the main causes for public complaints.

- Rude behavior of front line staff
- Punctuality of trains
- Improper maintenance of passenger amenities provided at stations and on trains
- Catering services
- Cleanliness at stations and coaches

Complaints can be made through:

- Complaint Books available with SMs, Guards, Train Conductors, Train Superintendents, Goods Sheds, Catering Units etc.
- Complaint Boxes provided at certain selected stations. These boxes are opened daily by the senior most officer posted at the concerned station. At stations where no officer is posted, the concerned SS/SM will open these boxes. The complaints are immediately sent to the concerned ADRMs through special messenger to ensure prompt redressal.
- Assistance booths are set up at all major stations on this Railway to facilitate "on the spot" redressal of grievances.
- "SMS based public complaints and suggestions scheme" to 81212 81212 from any mobile phone.
- By phone to the concerned officers
- By email to the concerned officers (Addresses available in the time tables)
- By fax to the concerned officers / departments
- Complaints through news papers / media
- Through computer terminals available at important stations
- By letters addressed to (a) DRM/ADRM, (b). GM/AGM/DGM and (c). Ministry of Railways.
 - a) Letters addressed to DRM/ADRM, GM/AGM/DGM are acknowledged promptly and then forwarded to the concerned department for necessary action. Staff involved are taken up departmentally whenever complains are justified.
 - b) Apart from the above, the public can also meet the nominated officers at Zonal and Divisional level and put forth their grievances personally.
 - c) Letters addressed to the Ministry of Railways are forwarded to the concerned Zonal Railways for quick action.

Redressal of Public Complaints:

The time limit prescribed by the Railway Board for redressal of grievances is as follows.

- | | | |
|----|------------------|-------------|
| a. | Divisional Level | - One Week |
| b. | Zonal Level | - 15 days |
| c. | Ministry Level | - One Month |

Emphasis is laid on prompt redressal of grievances, except in cases where confronted enquiries are required or remarks from other Railways/Departments/Divisions are required.

Review:

Monthly meetings are held at Divisional/Zonal levels to review the receipt and disposal of public grievances during the month. Emphasis is laid on steps taken to ensure courteous behaviour and also the need to ensure expeditious redressal of grievances.

A critical area where attention is needed is also discussed in detail in these meetings and action taken on the minutes of the meetings is closely monitored.

COMMERCIAL PUBLICITY

Introduction:

- Indian Railway occupies a unique position to provide platform for advertisements.
- The vast asset base serves as a media for commercial publicity.
- Hence there is a need to exploit this potential to earn revenue. This shall promote internal generation of revenue.

Medias in Commercial Publicity:

Media (Stations): Stations are Converging and congregating places of passengers. Potential areas for commercial publicity shall be in the form of awarding Bulk or sole advertisement rights such as enumerated below:

- Glow Sign Boards
- Hoardings/Boards/Unipoles
- Approach roads to stations
- Either side of tracks
- LC Gates
- ROB/RUB
- LED TV's
- CCTV

Media (Trains): Rail transport attracts the eyeballs of travelling passengers and passer-by. IR has 65,000 route Kms and handles around 23 Million passengers daily. The potential areas are;

- Branding of Trains
- Premier & Other Passenger Trains
- Freight wagons

Media (Miscellaneous):

- Websites
- Time tables
- Tickets (UTS/PRS)
- Reservation forms/Charts etc;

Contracts in IR can be broadly classified into three types:

1. **Work contracts** – Awarding of various works, mainly dealt by Engineering Departments
2. **Earnings Contracts** – Outsourcing various activities, such as commercial publicity, parking, catering etc; by awarding contracts. Mainly dealt by commercial department.
3. **Composite Contracts** – Involving works cum earning potential such as Printing of tickets, reservation forms, reservation charts etc;. Mainly dealt by commercial department. (CC-91-08 & CC-22-09)

Processing of Contract:

In order to have greater participation, quality in work and transparency, contracts are to be awarded through tendering system. The various guidelines and extant rules issued by Railway Board and Zonal Railways from time to time, in relation to tendering system in IR, forms the Standard procedure.

The main steps includes, vetting of reserve price and agreement format by accounts and law branch, preparation of tender schedule duly incorporating the general and special conditions, issue of tender notification and finalization of tenders.

General Conditions of contracts: These conditions stipulate the general rules, laws, bye-laws to be abided by the contractor while participating in contract and execution of work. It also prescribes the rules relating to eligibility, payment of EMD, licence fee, performance guarantee , compliance to labour laws, wages act, payment of income tax, sales tax, service tax as per finance rules etc;

Special Conditions of contract: These conditions relate to those specific conditions to be complied by the contractor in addition to the general conditions, these are contract specific. For Example in case of Catering the special conditions shall be abiding of hygiene, food safety act etc; Similarly in case of Commercial publicity the special conditions relates to bearing on safety, aesthetics, security and synchronicity as well as messages should not be socially offensive, vulgar in nature etc;

Commercial Publicity Contracts:

Bulk advertisement rights: (CC-36-06):

- Awarding Bulk rights of publicity for an entire Division.
- The Publicity rights includes all types of media including hoardings, glow/neon signs, video walls, different forms of electronic display, Unipole, showcases, balloons, advertising near LC gates, approaches to stations etc;
- Areas assessed jointly by Engineering & Commercial departments, details to be furnished in tender notice.

Sole Advertisement Rights: (CC-90-06):

In case the entire division cannot be nominated for award of sole advertisement rights, a cluster of stations may be selected for award of sole advertisement rights.

In case advertisement rights cannot be given even for a cluster of stations, then station as a whole may be given for sole advertisement rights.

For large stations, where it has been experienced that it is not possible to give the entire station on sole advertisement rights, the station may be divided into convenient zones. The size of zone for this purpose however should not be less than one platform.

Bulk /Sole advertisement rights:

Calculation of Estimated Value/Earning Potential: (CC-29-14)

The procedure of fixing reserve prices for all commercial publicity contracts has been done away with.

Instead Estimated value/Earning potential in lines with works contracts are to be quoted in tender notification.

Estimated value/Earning potential should be assessed based on LAR (last accepted rates)

While assessing all factors, such as local condition, market dynamics, escalation element are to be taken into consideration.

Estimated value/Earning potential may be quoted in tender document.

Bidders may be asked to quote rates at par or +/- of the estimated value/Earnings potential.

Tender committee shall evaluate the reasonableness of rates quoted by highest bidder vis-à-vis local factors.

Bulk /Sole advertisement rights:

OTHER CONDITIONS:

Type of Tender: Open tender

Period of Contract: 3 Years (CC-29-14)

Period of contract: 10 years (Max) (CC-29-14) For contracts involving Capital intensive structures such as video walls electronic bill boards etc; .

Note: Associate finance concurrence must for contracts above 3 years before issuing tender notification.

Escalation element : Nil (For contracts Upto 3 Years contract.)

Escalation element : 10% on the licence fee of immediate preceding year . (For contract above 3 Years). It shall be from 4th year onwards .

After awarding the contract:

A blue print of the display plan should be submitted by the advertiser to the Sr DCM of the concerned Division before physical execution of works.

The contractor should not be asked to get clearance for commissioning of advertisement sites from other connected departments ex: electrical, engineering etc;.

Sr DCM shall be nodal officer for such clearances on single window dealing basis.

The Advertiser/Agency is free to decide the tariff to be charged from its clients. Railway shall not impose restrictions.

Railway will provide electricity connections whenever desired by the contractor.

However necessary installation charges for separate wiring shall be paid by the contractor.

In addition electrical consumption charges are to be also paid, taking into account changes in electricity rates etc;

Differences

Bulk Advertisement	Sole Advertisements
Entire Division is awarded as a Unit	Cluster of stations/ Station or a Zone within a Station of a Division is awarded as a Unit
Two Packet Tendering	Single Packet Tendering
Single Contract - Only One firm/Agency will execute the contract in a Division.	Multiple contracts – More than one firm /Agency executes the contracts in the Division.

Additional Sites for Bulk – Sole Advertisement Rights: (CC-42-11):

- Contractor will be allowed extra sites over and above the assessed area and his request will be entertained only after ascertaining technical feasibility and keeping aesthetics in mind.
- **Additional Charges:** The charges shall be calculated either on unit area basis (Bid offer divided by total area mentioned in the tender) or on the schedule rates of station/location/media (wherever the schedule rates exist) whichever is higher.
- The escalation for the subsequent years will be same as applicable in the tender.

Other Innovative Ideas: (CC-46-13):

- A large number of stations have PA systems which are used for disseminating information to railway commuters. Intermittently this can be used to advertise by short jingle of a product.
 - A small space on the concourse/platform may be earmarked for display of new products.
 - Some advertising firms have shown interest in upgrading/refurbishing waiting rooms, retiring rooms, concourse etc; with permission to advertise at stations.
- DRM are delegated with powers for accepting allotment of contract on first-come-first-serve basis on new innovative ideas of commercial publicity at stations, on trains and in railway premises upto a value of Rs One crore per item subject to;
- Necessary Associate finance concurrence.
 - The powers has to be exercised personally and not to be delegated further.
 - The period of contract shall not exceed one year.

PUBLICITY ON TRAINS

- (1) Branding of trains
- (2) Publicity on exterior of trains (through Vinyl Wrapping) , and interior of trains (through high quality laminated boards)

Calculation of Estimated Value/Earning Potential: (CC-29-14):

The procedure of fixing reserve prices for all commercial publicity contracts has been done away with.

Instead Estimated value/Earning potential in lines with works contracts are to be quoted in tender notification.

Estimated value/Earning potential should be assessed based on LAR (last accepted rates) While assessing all factors, such as local condition, market dynamics, escalation element are to be taken into consideration.

Estimated value/Earning potential may be quoted in tender document.

Bidders may be asked to quote rates +/- of the estimated value/Earnings potential.

Tender committee shall evaluate the reasonableness of rates quoted by highest bidder vis-à-vis local factors.

Publicity by Trains Other Conditions:

Type of Tender: Open tender (Two packet)

Period of Contract: 3 Years (CC-29-14)

Escalation element : Nil (For contracts Upto 3 Years contract.)

After awarding the contract:

A blue print of the display plan should be submitted by the advertiser to the Sr DCM of the concerned Division before physical execution of works.

Vinyl wrapping conditions:

- Railway logo, Coach No, Indication Boards etc; provided on the exterior of the coach should not be interfered with.
- Vinyl stickers doesn't interfere with the paint texture (gloss etc;).
- The advertising party will return the coach in original texture after the vinyl has been removed.

RULES FOR EXTENSION OF PUBLICITY CONTRACT (CC-29-14)

- Extension of publicity contract generally should not be resorted to.
- Tender notification should be processed well in advance (4 months) before the expiry of current contract.
- **Under unavoidable circumstance extension can be granted subject to following conditions:**
 1. New contracts could not finalised.
 2. Extension period: 6 months (Max of One year)
 3. Party should submit willingness.
 4. Escalation element: 10% on LF of immediate preceding year.
 5. Extension granted: in terms of SOP (CC-74-07). (By DRM/ADRM- Divisional level CCM/ GM –Zonal Level)

GENERAL CONDITIONS:

License fee: The licensee shall pay one year license fee (Equivalent the bid amount quoted for 1st year) within 14 days from the date of issue of letter of acceptance.

EMD: Earnest money deposit for commercial publicity shall be fixed @5% of the tender value.

SD: Security Deposit for commercial publicity shall be 10% of the annual license fee. The SD needs to be submitted along with the first installment of annual license fee. The security deposit can be accepted in the form of irrevocable Bank guarantee issued by nationalized bank with a validity period covering the currency of contract plus 60 days

Cancellation/Termination: The Railway Administration reserves the right to cancel/terminate the license by issuing due notice at once during currency of the license in event of: -

- (i) Violation of tender conditions by the licensee,
- (ii) Any failure on the part of the contract in clearing the dues within the stipulated time
- (iii) The railway administration decides to revoke the license for its own reasons.
- (iv) Death of the licensee and also in case of insolvency, and found indulgence in criminal activities.

The licensee shall not be entitled to any damages or compensation by reason of such termination/cancellation.

SPECIAL CONDITIONS:

- The Railway, reserves the right to disallow advertisement/Publicity at any point of time, which has a bearing on safety, aesthetics, security and synchronicity, without compensation.
- Advertisements pertaining to liquor, cigarettes, gutka and other intoxicants or any item considered objectionable under various acts and laws of the Govt., shall not be displayed.
- There shall be no obscenity in the design and matter of the advertisement material.
- The tenderer will abide by various state and statutory laws relating to advertisement/ display of items, for any contravention in this regard and shall be suitably taken up under the laws of the land.
- Railways are national leaders in the business of transportation and successful tenderer shall not display advertisements of competitors in this field.
- The message through advertisements should not be socially offensive and should be keeping with public morality.
- The message should not propagate any religion, region, personality etc;
- Exhibiting of commercial advertisement shall be of uniform size and in the form of hoarding in circulating area, only in the spaces specified as approved by the administration.

Important Guidelines of Earning Contract: (CCM/CC/234/2013)

Payment of Licence Fees:

Licence fee of above 50 Lakhs	–	Quarterly
Licence fee of above 25 Lakhs and below 50 Lakhs	–	Half Yearly
Licence fee of below 25 lakhs	–	Yearly

General Instructions:

- Once the LOA (letter of Award/Acceptance) is issued, the license Fee/SD should be remitted by the licensee, which should be encashed/accounted immediately and a draft agreement should be made and sent to accounts and legal branch for observations if any.
- No agreement shall be executed unless the draft agreements are vetted by legal and associate finance.
- A copy of executed agreement shall be sent to accounts office for watching and realization of subsequent licensee fee/dues.
- The progress of the execution of various earnings contracts shall be reported to the CCM's office duly vetted by associate finance.
- **No Cheques shall be accepted** for payment of license fee/SD etc;
- The contract agreement should be standardized and shall be executed on non-judicial stamp paper of requisite value.
- SD shall stand forfeited whenever contract is terminated as punitive measure for violation of tender conditions.
- The licensee/Licensees shall be liable to pay such penalty as Railway administration may impose for complaints against the licensee/licensees etc;

RAILWAY RATES TRIBUNAL

The proposal to establish Railway rates Tribunal was the result of long standing public demand in the country that there should be a judicial tribunal to enquire into the complains against the Railways.

In 1936 Govt. appointed Railway Rates Advisory Committees with very limited powers and they can enquire only when Central Govt. made references. But this did not meet the demands of the demands of the customers because it is left to the Govt. to refer the case or not.

The advisory committee was replaced by the Railway Rates Tribunal in 1949 under amendment to the Railway Act. Railway Rates Tribunal deals with cases pertaining to undue to preference or unreasonable discrimination namely,

- Discrimination between persons
- Discrimination between commodities
- Discrimination between places

Undue preference is said to have taken place where preference shown is unfair or made without causes. Undue preference may arise in case of booking condition, namely, weight conditions, special rates etc.

Constitution of Railway Rates Tribunal:

Railway Rates Tribunal is constituted under the provisions of Railways Act of 1989 under section 33.

Section 33: Constitution of RRT - Railway Rates Tribunal shall consists of a

Chairman:

He shall not be qualified as a chairman unless he is or has been judge of the Supreme Court or high court.

Member – I:

He shall have special knowledge of commercial, industrial or economic conditions of the country.

Member – II:

He shall have special knowledge of the commercial working of Railways.

Chairman and Members are not eligible for reappointment. Proceedings of the tribunal shall not be invalidated on ground of

- Vacancy of any person
- Any defect in constitution of the Tribunal
- Any defect in the appointment of a person acting as a Chairman or as a Member

Section 34 :Staff of the Tribunal

Empowers tribunal to appoint such officer and staff for efficient discharge of its functions with the prior approval of the Govt.

Section 35: Sittings of the Tribunal

The Tribunal may sit at such places as it may find convenient for transaction of its business.

Section 36: Complaints against Railway administration

Empowers the Tribunal to look into the complaints made against the Railway administration in respect of

- Contravening section 71 of Railways Act' 1989
- Charges between two stations, a rate which is unreasonable
- Is levying any other charge which is unreasonable

They shall hear and decide any such complaints in accordance with the provision of the Railways Act' 1989.

Section 37: Matters not within the jurisdiction of the Tribunal

Matters not within the jurisdiction of the Tribunal are

- Classification or reclassification of any commodity
- Wharfage and demurrage charges
- Fixation of fares levied for carriage of passengers and freight levied for carriage of their luggage, parcels, RMC and military traffic
- Fixation of lump sum rates

Section 38: Powers of the Tribunal

The Tribunal shall have the powers of a civil court for the purpose of taking evidence on oath, enforcing the attendance of the witness, compelling the discovery and production of documents, issuing commissions for the examination of the witness and the review and shall be deemed to be a civil court for all the purposes.

The Tribunal shall also have the powers to pass such interim and final orders as the circumstances may require, including the orders for payment of the costs.

Section 39: Reference to the Tribunal

The Central Govt. may, make a reference to the Tribunal in respect of any of the matters specified in section 37 and where any such reference is made in respect of any such matter; the Tribunal shall make an enquiry into that matter and submit its report there on to the Central Govt.

Section 40: Assistance by the Central Govt.

The Central Govt. shall give to the Tribunal all assistance as it may require and also place at its disposal any information in the possession of the Central Govt. which the Govt. may think relevant to any matter before the Tribunal.

Any person duly authorized in this behalf by the Central Govt. shall be entitled to appear and be heard in any proceedings before the tribunal.

Section 41: Burden of proof etc.

In case of any complaint under section 36

- Whenever it is shown that a Railway Administration charges one trader or class of traders or the traders in local area, lower rates for the same or similar goods or lower rates for the same or similar services than it charges to other traders in any other local area, the burden of providing that such lower rate or charge does not amount to an undue preference, shall lie on the Railway Administration.
- In deciding whether a lower rate or charge does not amount to undue preference, the Tribunal may, in addition to any other considerations affecting the case, take into consideration whether such lower rate or charge is necessary in the interest of the public.

Section 42: Decision etc. of the Tribunal

The decision or order of the Tribunal shall be by a majority of the members sitting and shall be final.

Section 43: Bar of jurisdictions of courts

No suits shall be instituted or proceedings taken in respect of any matter which the Tribunal is empowered to deal with, or decide under this chapter.

Section 44: Relief which the Tribunal may grant

- In case of any complaint made the Tribunal may fix such rate for charge as it considers reasonable from any date as it may deem proper, not being a date earlier to the date of filing of the complaint
- Direct a refund of amount, if any, as being the excess of the rate or charge fixed by the Tribunal.

Section 45: Revision of decisions given by the Tribunal

Where a Railway administration considers that since the date of decision by the Tribunal, there has been a material change in the circumstances on which it was based, it may, after the expiry of one year from such date, make an application to the tribunal and the Tribunal may, after making such enquiry as it considers necessary, vary or revoke the decision.

Section 46: Execution of decisions or orders of Tribunal

The tribunal may transit any decision or orders made by it to a civil court having local jurisdiction and such civil court shall execute the decision or order as if it was a decree made by that court.

Section 47: Report of the Central Govt.

The Tribunal shall present annually a report to the Central Govt. of all its proceedings under this chapter.

Section 48: Power of the Tribunal to make regulations

1. The Tribunal may with the previous approval of the Central Govt. make regulations consistent with this act and rules generally to regulate its procedures for the effective discharge of its functions under this chapter.

2. In particular, and without prejudice to the generality of the foregoing powers such regulations may provide for all any or of the following matters namely

- The terms and conditions of the service of the employees of the officer and the employee of the Tribunal
- The award of costs by the Tribunal in any proceedings before it
- The reference of any question to a member or to an officer of the Tribunal or any other person appointed by the Tribunal for report after holding a local enquiry
- The right of the audience before the Tribunal, provided that any party shall be entitled to be heard in person, or by a representative duly authorized in writing or by a legal practitioner
- The disposal of the Tribunal of any proceedings before it, notwithstanding that its course thereof there has been a change in the persons sitting as members of the Tribunal
- A scale of fee for and in connection with the proceedings before the Tribunal

RAILWAY CLAIMS TRIBUNAL

Definition:

A claims tribunal has been set up at New Delhi in accordance with the claims tribunal Act 1987 which is required to determine claims against Railway Administration for compensation of loss, damage, destruction, deterioration or non delivery of consignment entrusted to Railways for carriage or for refund of fares or freight or for compensation for death or injury resulting during Railway accident.

Objectives:

- To avoid protracted litigation in civil courts, since average time for disposal of a suit by the civil court is 4 – 5 years.
- To give speedy relief to Rail users keeping in view the motto “customer satisfaction”
- To reduce the burden of various civil courts in the country, thereby, giving them more time to decide more cases speedily.

Composition of railway claims tribunal:

The claims tribunal shall consist of the following staff :

- A chairman
- Four vice chairman
- Such number of judicial members & technical members as the central Govt. may deem fit.

Qualification of a chairman:

A person shall not be qualified for appointment as chairman unless he

- Is or has been a judge of high court
- Or has for at least 2 years held the office of a vice-chairman

Qualification of a vice-chairman:

A person shall not be qualified for appointment as vice-chairman unless he

- Is or has been or is qualified to be a judge of a high court or
- Has been a member of the Indian Legal Service and has held a post in Grade-I of that service or any higher post for at least 5 years or
- Has for at least 5 years held a civil judicial post carrying a scale of pay which is not less than that of a joint secretary to the Govt. of India or
- Has for at least 5 years held a post under a railway administration carrying a scale of pay which is not less than that of a joint secretary to the Govt. of India and has adequate knowledge of rules and procedures of , and experienced in , claims and commercial matters relating to railways or

- Has for a period of not less than 3 years held office as a judicial member or a technical member

Qualification of a judicial member:

A person shall not be qualified for appointment as a judicial member unless he

- Is or has been or is qualified to be a judge of a high court or
- Has been a member of the Indian Legal Service and has held a post in Grade-I of that service or any higher post for at least 3 years or
- Has for at least 3 years held a civil judicial post carrying a scale of pay which is not less than that of a joint secretary to the Govt. of India or

Qualification for a technical member:

A person shall not be qualified for appointment as a technical member unless he

Has for at least 3 years held a post under a railway administration carrying a scale of pay which is not less than that of a joint secretary to the Govt. of India and has adequate knowledge of rules and procedures of , and experienced in , claims and commercial matters relating to railways

The chairman, the vice chairman and every other member shall be appointed by the president.

No appointment of a person as a chairman shall be made except after consultation with the chief justice of India.

Benches:

The central government has set up 21 benches through out the country and the members of these benches will be reviewed from time to time. The following are the benches set up.

Ahmadabad, Bangalore, Bhopal, Bhubaneswar, Chandigarh, Chennai, Delhi (2 Courts), Ernakulum, Gorakhpur, Guwahati, Jaipur, Kolkata(2 Courts), Lucknow, Mumbai, Nagpur, Patna , Secunderabad.Ghaziabad, Ranchi.

Term of office:

The chairman, vice-chairman or other members shall hold office of 5 years from the date on which he enters of his office or until he attains

- In case of chairman, 65 years
- In case of vice-chairman or any other member, 62 years which ever is earlier.

The territorial jurisdiction of every bench is specified in the Claims Tribunal Act 1987 and 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.

In such cases, the applicant may apply to the chairman and the chairman may there upon direct a bench other than this bench which an application has been filed to hear.

Procedure and powers of Tribunal:

The Tribunal shall have for the purpose of discharging its functions under this act, the same powers as are vested in a civil court, while trying a suit in respect of the following matters namely

- Summoning and enforcing the attendants of any person and examining him under oath
- Production of documents
- Receiving evidence on affidavits
- Requiring any public record or document or copy of such record or document from any office
- Issuing commissions for the examination of witnesses or documents
- Reviewing its decisions
- Dismissing an application for default or deciding it ex parte
- Setting aside any order or dismissal of any application for default

Decision of the Tribunal:

The Tribunal should decide every application as expeditiously as possible on perusal of documents, affidavits and other evidences if any.

Representation before RCT:

The claimants may engage advocates to represent their cases before tribunal. On behalf of Railways, Presenting Officers in senior scale / JA grade, legal staff and other officers working under CCO may represent before tribunal.

Limitations:

- An application for any claim should be filed
- Within 3 years from the date of booking of parcels and goods
- Within one year of occurrence of accident

If the decision given by the Tribunal is against the railways or the party, they can appeal to the high court and if necessary to the Supreme Court.

BOOKING OF SPECIAL TRAIN

Registration charges:

An amount of Rs.50,000/- shall be collected as registration charge cum security deposit per coach and will be payable at the station where proposed journey will commence. Of this half will be retained as security deposit and the balance amount would be adjusted against the fare payable at the time of booking.

After depositing the amount towards registration charge cum security deposit at the station at which the journey is to commence, an application must be made through the Station Manager to the Chief Passenger Traffic Manager of the Railways, giving details of destination, route to be followed and halts enroute. Application must be made at least 30 days in advance and not more than 6 months prior to commencement of the journey, in case any party requests for a special train at short notice, i.e. less than 30 days notice, specific permission must be obtained for this from CPTM. It will be sole discretion of the railway administration to allot special trains and programme its movement depending upon the availability of coaches/engines/path and other operational considerations.

If the Railway administration is not in a position to arrange the running of special train due to the paucity of coaching stock or any other reason whatsoever, the amount of deposit fee will be refunded on application being made to the Chief Commercial Manager and after surrendering the original money receipt.

The CPTM of the railway will sanction the movement if found feasible and issue a programme for the entire tour in consultation with the CPTM of the other concerned railways, endorsing copies of the same to the concerned Station Managers and Divisional Control Officers.

Security deposit of Rs. 50,000/- will be valid for booking of a special coach for a period up to 7 days only and in cases where period of booking extends beyond 7 days an enhanced security deposit cum registration fee @ Rs.10,000/-per coach for every additional day will be collected from the party.

The Station Master of the originating station will also keep identification of person and legally permissible record of address proof of the party at the time of depositing security money for booking of special coaches/special trains. The address proof may be anyone of the documents issued by any State/Central Government or Nationalised banks.

Punctuality of Special Trains: Railways do not guarantee the arrival or departure of special trains at the exact times specified nor will they be accountable for any loss or inconvenience which may arise to occupants from delays or detention to themselves or their luggage.

The Railways on which the tour originates will handover to the Organizers/Conductor of the tour or the person reserving the Carriage, Special Train etc. a folder in the form

shown in Annexure 'E' of IRCA Coaching Tariff No.26 Part I, Volume 1 .It is the duty of the Station Manager to fill up in the details in the folder presented by the party and initial and affix station seal. It is the responsibility of the organizer/Conductor or the person reserving the carriage, special train etc to ensure that all the relevant particulars of this folder are obtained from the concerned Station Manager/Guard duly signed and affixed with station seal at each halt. The folder will be required to be filled up only in respect of halts given at the request of the party either in the original programme or subsequently, and not at operational halts for railway convenience. No special train or reserved carriage etc will be detained at a station at the instance of the party for a longer duration than that specified in the programme, approved by the Zonal Railway, unless such a request is received in writing.

Neither the Station Manger nor the guard of the train will start the train unless or the relevant halt particulars are filled up. At the destination station, the guard of the train will be allowed to sign off by Station Manager unless folder entries for that station are filled up and station seal affixed, On completion of the tour, the folder shall be submitted to the Station Manager of the Originating Station from which the tour originated, within 15 days of completion of the tour.

All applications received will be dealt as per order of priority according to their receipt in this office

Minimum distance of charge: The minimum distance of charge for Special Trains/Coaches will be 500 kms separately for outward and return journey. In case of hill stations, minimum distance for charge will be the chargeable distance (inflated) of the whole section subject to a minimum distance of 200 kms. However, the minimum distance for charge for special chartered AC Coaches attached to regular Rajdhani/Shatabdi type trains will be from end to end.

Minimum Composition of Trains: Fares for booking of Special Trains including Rajdhani/Shatabdi Express type trains will be for a minimum composition of 18 coaches. However, for the hill sections, the minimum number of coaches will be the maximum permissible load for the concerned section. The charging should be done for not less than the aforesaid composition. For instance, if the composition is 16 coaches, charges shall be realized for 18 coaches. However, if the composition is of 20 coaches, charges shall be realized for 20 coaches. The number of coaches falling short of minimum composition shall be charged at fares for **second** class coach. For example, if only 16 coaches in the special train are run, fares for second class coach shall also be charged for 2 coaches falling short of minimum composition.

Fare: The fares will be computed on point to point basis at full adult Mail/Express fare of the concerned Class for actual number of persons traveling or the marked carrying capacity of the coaches whichever is more, on round-trip basis, which means the fares shall be levied in the return direction up to the point from where the train originates. Fares shall be levied for the actual Class of the Coach subject to minimum fares for second Class. If extra passengers are carried, charges are levied on pro-rata per additional

passenger declared before or at the time of commencement of journey at the starting station. Extra passengers carried without payment at the starting stations are charged pro-rata with penalty charges as per existing rules.

For reckoning carrying capacity, AC tourist cars and AC Saloons will be equated with AC first class and non- AC Saloons and First Class, Tourist Cars will be equated with first class coached and II class tourists cars with class II coaches.

Concession: No concessions are allowed to anybody including children and Sr.Citizens.

Service Charge: A service charge of 30% will be levied only on the base fare and not on any other charge /surcharge including safety, super-fast and reservation surcharge.

Payment of charges: All charges should be paid in full at the journey originating station, 48 hours in advance of the departure of the train, failing which it will be deemed that the running of the special trains has been countermanded by the organizers. The entire registration charge cum security deposit will be forfeited in this case.

Development Surcharge: Two development charges for outward and return journey will be levied as per existing rates as per class of travel.

Identity cards: At the time of booking, only the number of passengers will be required to be indicated while the names of the members of the party will be required to be submitted to the Station Manager before the commencement of the journey. The organizers must provide each member of the party with an Identity Token, duly stamped and countersigned by the Station Manager of the booking Station. These identity tokens will be treated as authority for moving and out of the platform at the intermediate stations. There should be a time of 24 hours for submission of list of passengers to Station Manager before commencement of journey by a special train, Station Managers are however, permitted to allow last minute changes due to illness or any other exigencies upto 10% of the total number of passengers just before the departure of the special trains.

Empty Haulage Charge: Empty haulage charges will be levied at actual distance of empty haul Full Tariff Rate (FTR) for the carrying capacity of the coaches subject to minimum haul for 200 kms. FTR will be calculated at fare including safety surcharge and reservation charge but excluding Service Charge. Empty haulage charge will be levied as above irrespective of whether the coaches are available at the station or brought from other base station.

Charges for SLR & Luggage Van : SLR Coach will be charged at carrying capacity of the Sleeper Class coach with Sleeper Class Fare. However, the utilization of luggage portion to the extent of carrying capacity of SLR coach may be allowed without levying any extra charge (luggage charges).

Detention Charge: Detention Charges will be levied for detention of Special Train/Coaches at the request of the party at the starting, intermediate or destination

stations. Detention charges will be levied @ Rs.900/ per hour or part of an hour per coach uniformly for BG, MG and NG systems subject to a minimum charge of Rs. 1500/- per coach without giving any free time.

Whenever there is extra detention of the Special coaches! Special Trains booked at FTR at any station on party's request beyond the approved detention hours *and/or* alteration in the route after the commencement of journey, charges arising due to such extra detention and/or alteration in the route should be collected by the Station Master at the station itself where extra detention! route alternation occurs.

If such extra detention, route alteration is due to revision in the initial programme of movement, it should be the personal responsibility ,of the Station Master to ensure that further movement from his station is effected only after the due detention charges and additional charges have been paid by the party.

The Station Master will also keep in safe custody a copy of the updated tour programme completed till the departure of the coach/train from his station, and such record should not be disposed off before six months from the date of the relevant movement.

An Excess fare receipt with suitable remarks, to the reason *for* the realization of the amount will be issued by the station where extra detention or alteration in the route has been approved giving due endorsement in the changed programme which will have to be produced by the party during remaining tour proof.

The Station Master should clearly advise the party not to indicate a specific train for further movement from a station in case they do not wish to detain the coach at that station and it is for the operating department to nominate next feasible train as per operating convenience of Railway.

Party, should be clearly advised that in case they indicate 'a 'specific train for further movement from a station the time duration for the connecting train will be treated as halt and they will have to pay detention charges in "full as per rules and will also forfeit the telescopic benefit due to treatment of such a station as break point.

Engine Detention Charges: These charges shall be applicable as notified by Board from time to time.

Ticket Checking: The number of passengers boarding from each of the points should be advised before start of the train The names of the passengers boarded should be finalized within three hours after departure of the train from each of the boarding stations. Names are essential primarily to identify bonafide passengers in case of need. Ticket checking in Special train/Special coaches booked on full tariff rate should be restricted only to head count.

These instructions are necessary to ensure that party coaches are not misused by the organizers and only genuine numbers are carried by these coaches.

Refund: The Station Manager of the journey originating station will refund the security deposit and over charges, if any, provided that the party has deposited the folder within 6 months of completion of the tour. If the folder is submitted after the normal time limit of 6 months and up to a maximum of 3 years of completion of tour, the General Manager, in consultation with FA & CAO will have full power to settle that case.

If the entries in the folder are not correctly obtained, or are with overwriting or not signed by the Station Master concerned, the application for refund of over charges /security deposit will be rejected

Cancellation Charges: If the requisition for special is cancelled 24 hours before the scheduled date of journey or earlier, 10% of the registration fee will be forfeited. If the cancellation is done 24 hours in advance and up to 4 hours before the scheduled departure of the train, cancellation charges shall be 25% of the chargeable fare and if the journey is cancelled within 4 hours before the scheduled departure of the train or after wards, the cancellation charges will be 50% of the chargeable fare.

Other

The Commercial Officers dealing with subject and Station Masters will keep a record of the parties booking special trains/special coaches who have not submitted folders within the prescribed period. Such parties who have not submitted the earlier folders should not be permitted to book special coaches/special trains till the earlier dues are settled with the journey originating railway after submission of the earlier folders.

In case any party fails to submit the folder on completion of the journey within the 'prescribed period 'and fails to settle the dues with the journey originating Railway this fact may be communicated to all zonal railways by the originating railway so that further booking by the party on other railways may be barred.

OPENING OF NEW PASSENGER HALT

Passenger halts are opened between two stations for the convenience of the traveling public. Halts will deal with only passenger traffic to a limited section. Normally these are opened to traffic upto adjacent junctions. Passenger halts are managed by a contractor and are not opened for parcel and goods traffic.

Procedure:

On receipt of representation from public, state government or panchayat boards, a report from division is called for. The report should contain the following information.

1. Exact location of the halt rounded off to two decimal places
2. Names of adjacent stations and distance between the proposed location and adjacent stations (Rounded off to two decimal places)
3. Names of the villages to be served by the proposed halt with the following details.
 - Population of each village
 - Distance from each village to the proposed halt and the adjacent stations on either side of the proposed halt
 - A rough sketch showing the location of the villages, roads and rivers etc. of the area
4. Details of the traffic station wise dealt with at the adjacent stations on either side of the proposed halt for a period of one year
5. Anticipated fresh traffic from the proposed halt as well as traffic likely to be diverted from adjacent stations. Details must be furnished destination wise to enable to workout detailed financial implications.
6. Feasibility of locating the halt at the location requested for from the operating, mechanical and engineering point of view
7. The capital cost required for provision of minimum amenities at the halt. The details may be split into those works which can be done by shramdan and those works required to be spent by other than shramdan
8. Number of trains proposed to be stopped at the halt. Normally at the opening of new halt minimum number of trains convenient to meet the needs of the population is introduced and introduction of further trains is considered based on the patronage of the halt.
9. Name of the nearest serving post office
10. Justifications for opening of a passenger halt like inaccessibility to adjacent stations by road such as no connection by road, river passing through etc.

On receipt of the report from the division, and if the location of the halt is found feasible, capital cost and exact location would be got confirmed by the chief engineer. Simultaneously, the operating branch will be requested to confirm their no objection for opening of the passenger halt. The cost of the stopping of the proposed train is obtained from the fuel branch.

The chargeable distance from the proposed halt to various stations is worked out. The details of the fresh traffic and the diverted traffic are tabulated and additional earnings on account of opening the halt is arrived at.

Financial implications are worked out and will contain the following information:

- a) Capital cost
- b) Expenditure
 - Repairs and Maintenance at 5% on the capital cost
 - Depreciation at 0.71% on the capital cost
 - Cost of stopping _____ up direction trains and _____ down direction trains at the rate of Rs. _____ per each stop
 - Cost of consumable stores at the rate of _____
 - Contractors Commission at the rate of _____ % on gross earnings
 - Interest on capital cost at 6%
 - Total
- c) Result
 - Earnings
 - Expenditure (Gain / Loss per annum - % of Gain / Loss on capital cost)

Note: In the financial implication, interest on capital is taken in to account only when the proposal is on loss. i.e. if the percentage of return on the capital is less than 14%.

The proposal should be financially justified i.e. it should give a return of 6.75% on the capital cost when interest is added

Worked out example:

Capital Cost- - - - - Rs.5,00,000 /-

Expenditure:-

Repairs and Maintenance at 5%	Rs. 25,000
Depreciation at 0.71%	Rs. 3,500
Cost of stoppage e.g. Rs. 250 /- per day	
Up Direction =Rs. 250 X365 (per year)	Rs. 91,250
Down Direction =Rs. 250 X365 (per year)	Rs. 91,250
Cost of consumable stores	Rs. 180
Contractors Commission (Min.Rs. 500 /-)	
=Rs. 500 x 12	Rs. 6,000
Total	Rs.2,17,230

Earnings:-

@ Rs.385 /- per day	
Outward journey = Rs. 385 x 365	Rs.1,40,525
Return journey = Rs. 385 x 365	Rs.1,40,525
Total	Rs.2,81,050

Profit / Loss:-

Earnings	=	Rs. 2, 81,050
Expenditure	=	<u>Rs. 2, 17,230</u>
Profit	=	<u>Rs. 63,820</u>

Rate of return on capital investment = Rs. 12.76 %

When the ROR is less than 14%, an interest rate of 6% should be added to the capital cost.

i.e.

Expenditure	=	Rs. 2, 17,230
Interest	=	Rs. <u>30,000</u>
Total	=	Rs. <u>2, 47,230</u>

Profit / Loss:-

Earnings	=	Rs. 2, 81,050
Expenditure	=	Rs. <u>2, 47,230</u>
Profit	=	Rs. <u>33,820</u>

$$\begin{aligned}\text{Rate of Return on the Capital Cost} &= \frac{\text{Rs. } 33820 \times 100}{5,00,000} \\ &= \text{Rs. } 6.76 \%\end{aligned}$$

If the ROR is more than 6.75% the proposal is financially justified.

Conditions for opening of a passenger halt:

- The proposal should be financially justified if it gives a return of 6.75 % on the capital cost.
- The exact location of the halt from the adjacent station should be at least 5 km on either side of the halt in the non suburban area.
- Even if one or both of the above conditions are not fulfilled, a halt can be opened on amenity grounds on the orders of GM

After working out the financial implications, the proposal is sent to FA&CAO for vetting and then put up to GM for administrative approval. On sanction by GM all concerned are advised by a sanctioned memorandum. Then the division is advised to take up the work and selection of a contractor etc. will follow.

Naming of the passenger halt:

The state government concerned is asked to recommend a suitable name and furnish their vernacular spelling of the proposed name. On receipt of the reply from them, the original vernacular name is sent to the survey of India of the region for furnishing correct Devanagiri spellings. Then the General Secretary of IRCA, New Delhi will be advised for approval of the name and chargeable distances are notified to all concerned. On completion of all the formalities, the halt is opened.

Commission to halt agent:

The maximum percentage of commission that can be given to a halt agent is 15% and minimum amount is Rs.500/-. The rate of commission is determined taking into account the number of hours to be put in by the contractor, on the basis of number of trains proposed to be stopped at that halt, amount of work involved and cost of living in that area. The rate of commission is fixed in consultation with FA&CAO. Whenever the commission exceeds these limits, the percentage of the commission is to be reviewed. However, due to any feast or mela traffic in one or two months during the year there is no objection to the maximum being exceeded with the average per month in a whole year does not exceed the maximum limit.

Conversion of a passenger halt in to a flag station:

Halts that are in existence for more than 10 years should be examined to see whether they justify for conversion to flag station. Flag stations are being worked by Railway staff and the facility of allowing booking of parcels and goods is also examined and whenever the same is found justified, they are converted. Normally halts which have traffic of 100 passengers or more per day each direction should be examined for conversion into flag stations.

While working out the financial implications of converting a passenger halt into a flag station, the anticipated additional earnings should justify the return on the additional capital expenditure.

Halts which are found financially unrenumerative:

New halts sanctioned by GM on amenity grounds in consultation with FA&CAO even in cases the loss is expected to be up to Rs.10,000 per annum are also approved for opening.

Minimum amenities to be provided at passenger halt station:

The following amenities to be provided at a passenger halt are

- A rail level platform of suitable length having regard to the length of the train stopping at that halt
- A small waiting shed which will also serve as a booking office
- Lighting where train stops at night
- Shady trees
- Bore well

DYNAMIC PRICING POLICY

1. Dynamic pricing policy for transportation of goods was introduced in the year 2006.
2. The objective of dynamic pricing policy is
 - To optimize utilization of transport capacities
 - To reduce idling of assets and capacities
3. This policy includes demand management strategy of combining incentive schemes granting attractive concessions in freight and fare.
4. This will enable the railways to
 - Give boost to sluggish demand
 - Improve market share by competitive pricing and
 - Utilize idle assets together
5. This policy is directed at shifting demands
 - From excessively preferred routes and terminals to less patronized sectors
 - To recover higher cost of operation on account of skewed demand pattern
6. Base class rates for freight charges for various commodities have been assigned vide goods tariff.
7. Under dynamic pricing policy, the demand management charges if any, such as busy season surcharge, supplementary surcharge plus the base freight charge constitute the *Normal Tariff Rate* (NTR).
8. Any other charges such as development surcharges, punitive charges and penal charges for misdeclaration should be levied on NTR.
9. Similarly, freight concessions (discount / rebate) will also be granted on NTR.

Definitions:

Freight concession:

This is a generic term indicating charging at a rate lower than the normal tariff rate without being specific about it being a Freight Discount or Freight Rebate.

Freight discount:

This refers to an upfront discount on the normal tariff rate at the time of booking of traffic at the terminal.

Freight rebate:

This refers to a freight concession granted by way of a refund based on fulfillment of certain agreed performance parameters over a period of time. Traffic is booked at the terminals at normal tariff rate and refund by way of rebate is paid in lump sum.

Busy season - Freight business:

It refers to the period from 1st October to 30th June of following year.

Lean season - Freight business:

It refers to the period from 1st July to 30th September.

DEMAND MANAGEMENT CHARGES :LEVIED ON BASE FREIGHT

1).Busy Season Surcharge

Busy Season charges with effect from 1/10/13 are
:

Sl No.	Commodities	Rates
1	All Commodities	15%
2	Container Traffic	Nil
3	Automobile Traffic moved in NMG, BCACM, BCCNR & BCACBM wagons	Nil

2) Congestion Surcharge:

All traffic to Bangladesh & Pakistan: 20%
All Traffic originating from Ports : 10%

3). Supplementary Surcharge:

- Mini rakes : 5%
- Two point rakes : 5%
- Multi point rakes : 20%
- Rake org from two points: 5%

{ Note: the above surcharges will be levied during busy season only}

PUNITIVE CHARGES

Definitions.- In these rules, unless the context otherwise requires,-

- (a) "freight rate" means the rate applicable to a commodity as per the class assigned in the classification;
- (b) "normal freight" means the freight charge recoverable on a commodity at the class rate for the weight of the commodity loaded upto permissible carrying capacity plus loading tolerance, as specified in the Schedule;
- (c) "permissible carrying capacity" means the normal carrying capacity determined under subsection(2) or (3) of section 72 or where a railway administration has determined a varied carrying capacity under sub-section (4) of section 72, such varied carrying capacity, whichever is higher;
- (d) "Schedule" means the Schedule annexed to these rules;

Punitive charges for overloading.- Where the commodities are over-loaded in Railway wagon, the railway administration shall recover punitive charges as provided in parts I, II and III of the situation at 'A' and 'B' of the Schedule, from the consignor, the consignee or the endorsee as the case may be, for the entire distance to be traveled by the train hauling the wagon from the originating station to the destination point, irrespective of the point of detection of overloading:

Provided that no punitive charges shall be levied if the customer carries out load adjustment at the originating station itself in case of detection of overloading at originating point.

TERMINOLOGY USED IN PUNITIVE CHARGES:

- **PCC OF A WAGON:** It is the Permissible Carrying Capacity of the Wagon. It depends on the type of wagon, the commodity loaded and the route carried.
- **TOLERANCE:** It is the permissible marginal allowance of quantity allowed over and above the prescribed PCC of a wagon without levy of penal charge.
- **TARE Weight:** Weight of an Empty Wagon
- **GROSS Weight:** Weight of Consignment + Tare Weight.
- **NETT Weight:** (Gross Weight – Tare Weight): Weight of the consignment.

COMBINED PCC OF A RAKE: It is the Total Permissible PCC of a rake depending on type of wagon, commodity loaded and route on which carried.

Example:

- A BOXN rake of 59 Wagons is offered for Booking of E-Grade Coal under CC+8 Route, the combined PCC permitted for the rake is = ?
- = PCC of Wagon x 59
- = 68 Tonnes x 59 = **4012 Tonnes**

AGGREGATE PAY LOAD OF RAKE: It is the Nett Weight (Actual weight of consignment loaded in wagons) of the Rake.

- **SITUATION ‘A’:**
- If the Aggregate pay load in a rake does not exceed the Combined PCC of the rake, the punitive charges shall be levied under Situation “A”.

<u>COMBINED PCC OF THE RAKE</u>	<u>AGGREGATE PAY LOAD OF RAKE</u>
4012 Tonnes	3990 Tonnes

- **SITUATION ‘B’:**
- If the aggregated pay load in a rake exceeds the Combined PCC of the rake, the punitive charges shall be levied under situation “B”.

<u>COMBINED PCC OF THE RAKE</u>	<u>AGGREGATE PAY LOAD OF RAKE</u>
4012 Tonnes	4100 Tonnes

SCHEDULE

(for loading on excepted CC+6, CC+6, CC+8 and 25 tonne axle load routes)

Situation-A

If the aggregated pay load in a rake does not exceed the combined permissible carrying capacity of the rake, the punitive charges shall be levied as per following, namely:-

Part-I

For wagons other than BCNHL and BCCW wagons

Extent of overloading	*Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity and loading tolerance of one tonne
If the weight of the commodity exceeds the permissible carrying capacity of wagon;	
(a) upto one tonne	Nil
(b) by more than one tonne but not more than four tonnes	Two times of the freight rate applicable to that commodity
(c) by more than four tonnes	Three times of the freight rate applicable to the highest class

* Explanation.- It is hereby clarified that on the weight exceeding the permissible carrying capacity upto one tonne, the normal freight at the rate applicable to the class assigned to the commodity shall be recoverable and punitive charges shall be recovered for the entire weight of the commodity in excess of permissible carrying capacity and loading tolerance of one tonne.

Part-II

For BCNHL and BCCW wagons

Extent of overloading	*Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity.
If the weight of the commodity exceeds the permissible carrying capacity of wagon;	
(a) upto three tonnes	Two times of the freight rate applicable to that commodity
(b) by more than three tonnes	Three times of the freight rate applicable to the highest class

*Explanation. Punitive charges shall be recovered for the entire weight of the commodity in excess of permissible carrying capacity.

Situation-B

If the aggregated payload in a rake exceeds the combined permissible carrying capacity of the rake, the punitive charges shall be levied as per following:

Part-I

For wagons other than BCNHL and BCCW wagons

Extent of overloading	*Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity
If the weight of the commodity exceeds the permissible carrying capacity of wagon;	
(a) upto one tonne	Nil
(b) by more than one tonne but not more than four tonnes	Three times of the freight rate applicable to the highest class
(c) by more than four tonnes	Five times of the freight rate applicable to the highest class

*Explanation. - It is hereby clarified that on the weight exceeding the permissible carrying capacity upto one tonne, the normal freight at the rate applicable to the class assigned to the commodity shall be recoverable. However, in case of weight exceeds the permissible carrying capacity by more than one tonne, punitive charges shall be recovered for the entire weight of the commodity in excess of permissible carrying capacity.

Part-II

For BCNHL and BCCW wagons

Extent of overloading	*Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity
If the weight of the commodity exceeds the permissible carrying capacity of wagon;	
(a) upto three tonnes	Three times of the freight rate applicable to highest class
(c) by more than three tonnes	Five times of the freight rate applicable to the highest class

* Explanation. - It is hereby clarified that punitive charges shall be recovered for the entire weight of the commodity in excess of permissible carrying capacity.

LATEST INSTRUCTIONS ON OVERLOADING OF WAGONS:

- **JPO 2010** – For weighment, functioning of weighbridges and movement of rake.
- **(RC-28-11)** ; PCC of various types with their tolerance under CC+8, CC+6 and Excepted CC+6 Routes)
- **(RC-32-11)** – A penalty of Rs.5,000/- as detention charges will be levied on each overloaded wagon in case of detention of a rake after weighment warranting load adjustment at the originating station itself. In addition to the above, demurrage and other charges for such adjustments will continue to be levied as per extant rules.
- **(RC- 19-12)** – Punitive Charges for overloading.
- **(RC- 39-12)** – CCM in consultation with COM can conduct random checks on wagon(s), that had undergone load adjustment by consignors or by their agencies, and if overloading is detected on such wagon(s) punitive charges of Rs.1 Lakh per wagon will be levied.

EXAMPLES OF PCC OF 8 WHEELER WAGONS AS PER RC-28-11:

TYPE OF WAGON	EXCEPTED CC+6 ROUTE	UNIVERSALISED CC + 6 ROUTES	CC + 8 ROUTES		LOADING TOLERANCE
			Notified Commodities	Other Commodities	
BOXN BOXNHS	64	66	68	66	1
BCN	59	61	63	63	1
BCNA BCNAHS	62	64	66	66	1
BCCW	64	66	68	68	0

Notified Commodities: Ores, Gypsum, Limestone & Dolomite, Stones, Clinker, Cement, All types of Coal, Slag, DAP & NPL Fertilisers.

RULES REGARDING WAIVER OF DEMURRAGE & WHARFAGE CHARGES

Power of officers to waive demurrage or wharfage charges

S. NO	Designation of officer	Max. amount of DC per wagon which can be considered by an officer. In Rs.	Max. amount of wharfage per consignment which can be considered by an officer. In Rs.
1.	GM	Full powers	Full powers
2.	CCM(Coordinating HOD in comml dept)	100000	100000
3.	DRM	25000	25000
4.	CTM/Sr.DCM/DCM working as branch officer	6000	6000
5.	DCM/DTM/AO in Sr.scale	600	1200
6.	ACM/ATM in Jr scale	300	300

The powers of waiver of wharfage charges indicated in the table above will be on consignment basis except in the case of train load consignment where it will be applicable on per wagon basis.

Where demurrage charges cases are being handled by officers of operating departments, CCM/Sr.DCM etc., will mean COM/Sr.DOM etc.

The cases for waiver should not be dealt by an officer below the level of officer competent to deal with the case as per the schedule of power given in the above table.

Prior finance concurrence will be required for waiver of demurrage/wharfage charges above Rs.25000/- per wagon per consignment respectively. Cases submitted to GM should be routed through the co-coordinating HOD of the commercial department and FA&CAO of the Zonal Railway.

Waiver:

Due care should be taken in preparation of the demurrage/wharfage bill at the first instance to obviate recasting of bills subsequently on representation by the customer or otherwise.

In case the Consignor/ Consignee feels that demurrage/wharfage was due to reasons beyond his control he can apply for waiver giving all relevant details with documentary evidence wherever necessary.

First application for waiver of demurrage or wharfage should be submitted to the Station Manager/Goods supervisor within 10 (ten) days from the date upto which these charges had accrued.

In case of wharfage, the consignor/Consignee should first remove the consignment from the Railway premises, deposit the amount of wharfage charges and submit the original proof of such payment along with his application while preferring for waiver at first instance itself.

The station manager/Goods supervisor concerned will forward the application of waiver of demurrage or wharfage to the Divisional officer together with the actual position and remarks within 3 (three) days of the receipt of the application.

In case of large sidings, like those of power houses, steel plants etc., the time limit for preferring the first application for waiver of demurrage charges will be the next month implying that application for waiver of demurrage charges accrued in one month be submitted latest within the next month.

The delay beyond 10(ten) days/ next month period as mentioned above can be condoned only with the personal approval of the DRM/CCM(co-coordinating HOD) depending upon whether the power to deal with the case lies at Divisional/Zonal level and after having ascertained that the reasons for delay given in the application are satisfactory. Application for condonation of delay in preferring an appeal shall be entertained only after the demurrage charges have been paid in full and the application is supported with proof of such payment.

The circumstances, which lead to accrual of demurrage/wharfage charges, can be broadly grouped in 3 categories as under:-

- a) Reasons within the control of the consignor/consignee
- b) Reasons beyond the control of the consignor/consignee like labour strike, transportation strike, general bandh, agitations, riots, curfew, fire, explosions, heavy rain or other abnormal/unforeseen circumstances.
- c) Act of God, Act of war and Act of Public enemies.

In case of category (a) above, waiver should normally not be done. However, if at All waiver is to be granted on justified and meritorious facts; speaking orders should be recorded in all such cases.

As regards to cases pertaining to categories (b) and (c) waiver can be considered on the merits of the individual case.

The powers of waiver as mentioned above should be exercised judiciously keeping in view the merits of such cases as per instructions contained in this letter. The waiver should not be granted as a routine matter.

Whenever the waiver exceeds 50% of the powers conferred on an officer, reasons for such waiver should be recorded in writing.

In case of large sidings, like those of power houses where demurrage is not waived on wagon to wagon or daily basis, speaking orders need not be given for each wagon/ consignment. It would be sufficient if broad reasons are given in support of such periodical waiver after analyzing the broad causes of such detentions.

The cases for accrual of frequent demurrage/wharfage charges from a particular goods shed should be analyzed periodically. Remedial steps including provision of infrastructural facilities should be taken to reduce the detention to rolling stock and prompt removal of goods from the Railway premises.

Appeal against orders of waiver

A consignor/consignee can prefer an appeal to higher authority in case he is not satisfied with the decision of the lower authority. The station manager/Chief Goods supervisor should forward the appeal to the Divisional authorities within 3 (three) days of the receipt of the appeal.

However before preferring an appeal for waiver of demurrage charges, he is required to deposit the amount of demurrage charges not waived. The original proof of such payment should be submitted along with the appeal.

An appeal against the order of the lower authority should be preferred within 30 days of the date when the decision of the lower authority is communicated.

A maximum of two appeals can be made against the decision of lower authority.

In all cases where a change is made by the appellate authority against the decision taken earlier, speaking orders should be recorded by the appellate authority.

The waiver of demurrage/ wharfage charges should be dealt as per the instructions.

Refund

No direct refund of demurrage/wharfage charges should be made unless proper procedure for waiver has been followed. While granting refund of wharfage or demurrage charges due cognizance should be taken of the quantum of waiver already allowed in each case.

For any refund of waiver of wharfage or demurrage above Rs.25000 prior finance concurrence is required. For amounts below Rs.25000 but above Rs.200 prior accounts verification as distinct from finance concurrence is required to be done to establish that the amount to be refunded has actually been received by the Railway. Such refunds would be subject to post check by the finance.

Refund of waived amount of demurrage / wharfage charges should be made expeditiously through pay orders by commercial department of the Division.

CLAIMS AND CLAIMS PREVENTION

Claim means a rightful demand from the customer against the railway administration for payment of compensation for the loss of consignments.

Effects of claim:

1. Leakage of railway revenues.
2. Loss of good will
3. Diversion of traffic, to other modes of transport.

Elimination of such claims by preventive measure is known as claims prevention. It is a cooperative effort of all departments of railways associated in the carriage of goods.

Departments involved:

- Commercial
- Operating
- Mechanical
- Engineering
- Security

Causes of claims:

1. Mis-despatch of goods.
2. Damage by wet.
3. Breakage and leakage.
4. Pilferage of goods.
5. Over carriage of goods.
6. Diversion of goods.
7. Deterioration due to delay in transit.
8. Wrong deliveries.
9. Fire, explosion and accidents.
10. Unconnected consignments.

Measures taken to reduce claims:

1. At the time of acceptance of goods:

- a. Ensure proper forwarding note is executed, duly filling in all particulars.
- b. Ensure that the packages are packed as per the packing conditions prescribed in goods tariff; other wise obtain suitable remarks regarding defective packing in the forwarding note.
- c. Ensure private and railway markings on the packages duly removing all old markings. Railway marking should be done with durable ink clearly.
- d. Number of packages should be written both in figures and words in forwarding note.
- e. Ensure the declaration of commodity as per goods tariff.

- f. Name of the commodity recorded in the forwarding note should tally with that of the general classification.

2. At the time of booking:

- a. The commodity should be weighed and correct weight should be recorded in the forwarding note / railway receipt.
- b. Railway receipt should be prepared carefully with all the required particulars including the remarks about defective packing conditions recorded in the forwarding note.
- c. Seal card, pocket label, paste on label should be prepared legibly duly writing the name of the destination station in bold letters. Pictorial labels should be provided wherever necessary.
- d. Railway marking should be done legibly with durable ink.
- e. Freight charges should be correctly computed and shown on the railway receipt.
- f. Do not exceed the maximum permissible load and axle load restrictions.
- g. Supervise loading and observe loading and monsoon precautions.
- h. Supply appropriate wagon as per the nature of the commodity.

3. At the time of carriage:

- a. Ensure the doors are secured after completion of loading and seal the wagon.
- b. Provide 5 rivets for each door of the wagon.
- c. Avoid rough handling. Hooks should not be used to lift the packages.
- d. In case of over dimensional consignments, if it is found that load is shifted, do not allow the wagon to move further till it is brought to the original position.

4. At the time of delivery:

- a. Supervise unloading and tally the number of packages with seal cards / invoice / railway receipt.
- b. Avoid rough handling packages..
- c. Goods unloaded should be secured in a safe place.
- d. In case of shortages / damages DDM / DDPC should be issued immediately.
- e. Obtain signature of the consignee or his endorse in the delivery book. If the qualified remarks recorded by the consignee in the delivery book are not complete or genuine, record counter remarks.
- f. Avoid delay in granting open delivery and assessment delivery.
- g. Maintain liability register and enter the undelivered consignment soon after the expiry of the bailee's responsibility and serve sale notices as per sections 83 and 94 of the Railways Act 1989.
- h. If there is no response from the consignee obtain the permission of DCM for disposal of goods.
- i. Weekly inventory should be taken and packages are connected promptly to the delivery book and also to check excess removals, delayed removals and cross deliveries.

Section 106 of Railways Act 1989:

1. A person shall be entitled to claim for compensation for the loss of goods/animals within 6 months from the date of booking.
2. The notice for compensation may be made claimed from
 - Forwarding station
 - Destination station
 - The railway on which the goods are lost.

Time limit for settlement of claims:

- | | | |
|---|---|-----------|
| a. For shortages / damages / breakages | - | 3 months. |
| b. For partial delivery of packages | - | 4 months |
| c. For non-delivery of complete consignment | - | 6 month. |

Monetary powers for settlement of claims:

- | | | |
|--|---|-------------------|
| a. General Manager | - | Unlimited powers. |
| b. Chief Commercial Manager | - | Rs.4,00,000/- |
| c. Chief Claims Officer | - | Rs.2,00,000/-. |
| d. Dy.CCM / Dy.CCO | - | Rs. 60,000/- |
| e. Senior Commercial Officer | - | Rs. 15,000/- |
| f. Assistant Commercial Officer | - | Rs. 8,000/- |
| g. Station manager / Commercial Inspectors of important stations | - | Rs. 400/- |

SETTLEMENT OF HIGH VALUE CLAIMS

High value claims are those where the compensation sought is Rs 15,000 or more except POL products, FCI, consignments and departmental consignments.

The following are the circumstances under which a claim shall not be entertained.

- Claim not preferred within 6 months from the date of booking and with not sufficient particulars to identify consignment as per section 106 of RA.
- A claim not properly addressed to the CCO of the concerned Railway as per section 192 of Railways Act.
- Fall of market price or other loss due to delay in transit as per section 95 of RA.
- When delivery is effected on Indemnity Bond in lieu of original RR not forthcoming, a copy of invoice is basis or on instructions of sender / owner as per section 76 of RA.

Extent of compensation (sec 103):

When the consignor does not declare the value and does not pay PCEV charges the extent of compensation shall be based on the actual weight of the consignment the Maximum value is limited to

- | | | |
|-----------------------|---|---------------------------|
| • Parcel / Goods | - | Rs. 50/- per kg or part. |
| • Baggage | - | Rs. 100/- per kg or part. |
| • Elephant | - | Rs. 6000/- per animal |
| • Horse | - | Rs. 3000/- per animal |
| • Horned cattle | - | Rs. 800/- per animal |
| • Small Birds/Animals | - | Rs. 120/- per animal |

If the value of any goods/ animals is more than the above limits, party may elect to pay PCEV charges. In that case the extent of compensation payable is equal to the declared value (max).

Notice for claim (sec 106):

Notice for claim should be made within 6 months from the date of booking or date of delivery.

Application for compensation (sec 107):

An application for compensation shall be made against the Railway Administration to which a notice is served as per sec 106.

Person entitled to receive compensation (sec 108):

If the Railway Administration pays compensation to the consignee producing the RR, Railway shall be deemed to have done its duty even though he is not legally entitled to receive the compensation.

Service of notice (sec 192):

Any notice or other document required or authorized by this act to be served on a Railway Administration may be served to General Manager or any other railway servant authorized by GM. By

- delivering to him or
- by leaving at his office ; or
- by Register post to his office address.

A claim for partial shortages or damage should be repudiated under the following instances as controlling factors is beyond the control of the Railways.

- Section 93: Act of God, Act of war, public enemies etc
- Section 95: Delay in transit not due to Railways
- Section 97: Goods booked at OR rate are lost not due to negligence of Railways.
- Section 98: Goods offered in defective packing conditions.
- Section 99: Goods not taken delivery within the termination of transit.
- Section 101: Animals are injured due to fear, restiveness, or over loading.
- Section 102: Exoneration from liability due to bundh riots strikes etc.

Documents to be verified:

(1). Forwarding note (2). DDM & DDPC (3). Trade invoice (4). Qualified remarks in the delivery book (5) Copy of OD & AD etc.

The following are also to be checked:

(1). Risk Rate (2). Correct freight charges (3). Undercharges (4). Type of wagons used (5). PCEV paid or not etc.

Settlement procedure:

Claims when admissible should be verified on the basis of the supplier's bill of cost (puttee or Beejuck) it should be carefully verified that loss / damage / breakage should be worked out at the rate shown in the puttee duly deducting the discount or commission if any, allowed in the puttee

The standard procedures for settlement of some of the items are as under:

- 10% deduction is made from the invoice of BATA (India ltd)
- In case of news papers and magazines a discount of 25% - 30% from the face value to arrive at the net amount payable as compensation.
- Damage by wet to cement consignments, 20% deduction to be made from beejuck value.
- In case the sender prefers the claim, 10% deduction to be made from beejuck value.
- In case of Grains and pulses packed in bags, the weight of the bags is deducted and its value is separately determined from the grains and pulses.
- Proportionate freight charges if claimed in respect of damages assessed should be disallowed this will not apply in cases where the damaged stuff is buried, under certification by the competent authority of the Medical department.
- Consignments received on commission basis for which no puttee/beejuck is available the claims will be settled at market price minus usual commissions.
- When there are two or more parties and the puttee is produced by other than the consignor as per RR a deduction of 2% as middle man's commission has to be made on the amount payable.
- The amount of claims paid must be predominantly recorded in Red ink on the RR duly signed in full with date by the official granting claims this will avert the possibility of a second claim on the same invoice.
- When ever a acclaim is paid to the party, cash receipt is prepared in duplicated and the party's signature is obtained.
- A remark of the amount paid as compensation and the proportionate freight charges refunded if any must be made in station delivery book against the relevant entry.

Preservation of records:

Even though the claim is suit barred, records should be preserved upto the settlement of the claims.

Note:

- Sec 149: Making a false claim for compensation by the party
– Penalty – 3 years imprisonment and a fine or both.
- Sec 178: Making a false report or claim by a Railway servant
– Penalty – 2 years imprisonment and a fine of Rs 1000/-

INTER RAILWAY LIABILITY

Whenever a claim is settled and compensation is paid by the claims settling Railway, apportionment of claim amount among all Zonal Railways which are responsible for arising of such claims and transferring the apportioned amount to the concerned Railway in the form of debit is known as Inter – Railway liability

Allocation of claims on sealed wagons:

The following rules should be observed in the apportionment of compensation claims on through goods and parcel traffic.

Liability for damage, deficiency, loss in consignments, other than liquids found in a wagon, the seals of which were intact at the time of unloading shall be accepted by the railway on which the station last sealing the wagon is situated unless the damage etc. is reported within six hours of opening the wagon by issuing a DD message.

For consignments of liquids, liability for loss, deficiency or damage except for the loss of a complete package or packages, liability for which shall be accepted in the ratio of distances of all railways over which the consignment has passed unless the loss, deficiency or damage can be located and provided that the loss, deficiency or damage is reported within six hours of opening of the wagon by issuing a DD message.

When the loss, deficiency or damage is definitely located, the railway on which the loss, deficiency or damage occurs shall accept liability only for that quantity of loss, deficiency or damage that occurred on its line.

For consignments of perishables, liability for damage or deterioration resulting in delay in transit shall be accepted in ratio of distance by all railways over which the consignment is passed unless the delay is definitely located. In which case, the railway on which the delay occurs shall accept full liability. When the delay is located on more than one railway, such railway shall accept full liability in equal shares.

When a seal is not intact and damage etc. is discovered, liability shall be accepted by the railway on which the seal is found broken or defective unless the damage etc. can be proved to have occurred elsewhere.

When the question of liability depends on the state of the wagon seals, the certificate of an officer that the seals are intact or otherwise shall be accepted.

When shackles with lead rivets are used. If the shackle is received without the card attachments the seals shall not be considered as intact although the impression on the lead rivet is intact.

Allocation of claims on open wagons:

All losses and damages to goods loaded in open wagons shall, if reported by issuing a DDM, will be debitable in ratio of distances of all the railways over which the wagon is passed under the damage or loss can be localized. Loaded open wagons should as far as possible be supplied with proper tarpaulin sheets and ropes.

Allocation of claims for unlocalised damages by wet and for loss or pilferage:

Damages caused by wet and to loss (other than loss of complete package), or pilferages which can not be localized, in such case claims paid will be debitable in the ratio of the distances to all the railways over which the wagon is passed provided the damage, loss or pilferage is reported by issuing a DDM or DDPC.

For damages by wet which occurs at junctions where the goods concerned are transshipped, liability will be settled in terms of the agreement in force between the railways concerned.

‘Before settling a claim for wagon load consignments it is established that the wagons were diverted to some other party at a station and some other railway, then that railway will accept liability for that wagon load consignment and will recover its cost from the party to whom it was diverted’

Apportionment of liability between railways will however depend upon each railway proving that it has handed over the consignment to the adjacent railway. In the event of failure to provide such proof, the railway concerned will have to bear the full liability. Cases wherein consignments:

- Have not been dispatched from the booking stations
- Have been diverted to other stations out side the destination railway and delivered fraudulently
- Have been consumed by the railways other than the destination railway

In all cases, the liability will have to be borne by the railway on which such transactions have taken place. The railway will, therefore, accept the entire liability and not apportioned liability based on kms.

Zonal Railways are advised to accept total or part liability as may be worked out by the claims settling railway which will not bear any liability if it not responsible for the claim.

EXCESS PACKAGES OR CONSIGNMENTS

- Excess packages means packages received in excess of the actual number of packages booked as per seal card or railway receipt or transit invoice or packages received unentered in the summary.
- A DDM should be issued within 6 hours from the time of opening of the wagon.
- DDM is issued to last sealing station or forwarding station if it is not the last sealing station and copy given to CCO, SI / RPF and Sr.DCM.
- Excess packages should be entered in the register of excess and unconnected packages with full details of the number of packages, description, marking on the packages, DDM No. etc.
- At the end of the month, a statement should be sent with full particulars of all the excess packages to DCM / CCO.
- After obtaining necessary instructions, excess packages are disposed off.

Disposal of excess packages:

1. Excess packages are disposed off as per the railway marks on the packages, if they are bound to some other station.
2. In case of wagonload consignments excess packages detected at the destination station, are disposed as follows:

On a “Said to contain railway receipt”:

- a. If more than one wagon is booked from the same consignor to the same consignee, the shortages noticed in one wagon can be adjusted from the excess packages detected in other wagon.
- b. Even after adjusting, if still excess bags are found the goods are delivered
 - On execution of indemnity bond without collecting the value of the excess goods.
 - On payment of proportionate freight charges for the excess goods.
 - On collection of punitive charges for overloading.

On a clear railway receipt:

When excess goods are unloaded from full wagonloads or trainload, the delivery of such excess goods may be granted

- On execution of indemnity bond.
- On furnishing bank guarantee to cover the value of the excess goods.
- On payment of freight charges including punitive charges for overloading.

Complete record of the excess deliveries should be maintained. Such excess deliveries should be adjusted against the claims of the same consignee / endorsee for the shortages.

Disposal of excess consignments noticed enroute:

- As a result of overloading beyond permissible limit, the railway reserves the right to have the excess weight removed.
- A separate record should be maintained whenever the excess weight is off loaded.
- The excess weight so off loaded, may be disposed off by public auction.
- Sale proceeds will be first adjusted toward railway dues, which may include freight charges due on the off loaded consignments up to the point of off loading, cost of detention to the wagon and expenses incurred on off loading and its auction and balance if any, may be paid to consignee or endorsee.

UNCONNECTED PACKAGES

The goods / packages which cannot be readily connected to a booking document are called unconnected goods. Packages may remain unconnected for want of

- a. Private marking or railway marking
- b. Illegible marking
- c. Marks are faded and unreadable

Action to be taken:

1. Details of unconnected packages should be entered in excess & unconnected register.
2. Message should be given to commercial controller to back trace the packages.
3. Packages should be opened in the presence of RPF / SM and search for any identification marks.
4. If any clue is found about the correct destination, the package should be dispatched to that destination station.

Connecting the unconnected packages in wagonloads:

The following action should be taken.

1. As soon as an unconnected wagon is received, particulars should be repeated to train originating station, the train controller and DCM.
2. Particulars such as wagon number, owning railway, type of wagon, train number, engine number and the time of arrival should be informed.
3. On controlled section the information should be furnished to the section controller who should trace the backward passage by contacting the adjacent section controllers (other divisions).
4. If the above enquires do not reveal any clue to the correct destination of the wagon, its contents should be checked in the presence of a representative of the RPF / GRP. The following should be checked.
 - a. Paste on labels
 - b. Private markings and railway markings on packages
 - c. Transit invoice
 - d. Any trade marks stenciled on the bags

5. The wagon should not be kept under load for more than 72 hours. The contents should be unloaded in a goods shed.
6. Demurrage charges and wharfage charges cannot be levied on the consignments until they are connected.
7. Demurrage and wharfage charges should be collected on the wagons from the time wagon is connected to the booking particulars and if it belongs to that station only.
8. A statement of unconnected goods should be prepared every month and sent to DCM / CCO.

Disposal of unconnected goods:

- If it is not possible to connect the goods within one month from the date of unloading, instructions should be obtained from DCM for sending to auction center.
- Before sending it to auction center, inventory of the articles inside the packages should be taken in the presence of RPF and the witnessing officials should sign the statement.
- A copy should be placed inside the packages. Files should be maintained separately for each consignment.

DISPOSAL OF UNDELIVERED/UNCLAIMED CONSIGNMENTS

1. If a consignment remains undelivered for 7 days at destination station, the particulars of consignments should be entered in liability register.
2. Notice should be served under sections 83 and 84 of Railways Act, 1989, on consignee and consignor if their address is known by registered post acknowledgement due.
3. If the consignor's address or consignee's address is not known, notice should be sent to station master of the forwarding station who can serve notice on the consignor.
4. If the consignment is not taken delivery upto one month from the date of unloading, even after serving notice, instructions should be obtained from DCM for disposal.
5. Consignments such as coal / ore / railway material stores, unclaimed fragile goods, which are liable for damage in transit, dangerous goods and inflammable goods should not be sent to auction center.
6. They should be auctioned at station itself after obtaining the permission from DCM.
7. When unclaimed goods are sent to auction centre, all charges due at the station including postal charges incurred for serving notices should be shown as 'paid-on' charges.
8. The particulars of consignments should be prepared in four copies. Three copies are sent to auction center, after retaining the record copy.
9. Before sending it to auction centre, complete inventory has to be taken and the actual weight should be recorded in the railway receipt.
10. In case of joint stations, the consignment should be dispatched to the auction centre of the railway on whose book the amount is outstanding.
11. In case of railway materials, a report along with a copy of invoice should be sent to DCM.
12. In case of jewellery, bullions and other valuable goods, the stationmaster should obtain instructions from sender. Articles should be kept under safe custody. A special report should also be sent to DCM / CCM for orders.

AUCTION SALES

1. Station masters have been empowered to dispose off lost property, unclaimed packages / consignments of value upto Rs. 5,000/- by public auction.
2. Consignments above Rs.5, 000/- should be disposed off by authorized officers.
3. Unclaimed consignments are to be disposed off by parcel office / goods shed at their respective stations in public auction.
4. Consignments / packages, which are useful to departments, should be first offered to departments on valuation, duly collecting credit notes to the extent of value and when they are not required for their use a letter to this effect should be obtained.
5. Arms and ammunition, explosives and other dangerous goods, intoxicating drugs, opium, drugs etc., should be handed over to the concerned department viz. military, excise department etc.
6. A monthly programme of the auctions at various places should be drawn up and a public notification is to be issued through newspapers for the purpose of wide publicity.
7. Co-ordination with accounts branch to be maintained so that the auctions are held in the presence of representatives of the accounts department.

Procedure for conducting auction:

- (a) Commercial inspector should ascertain the current market price of the articles.
- (b) If the packages contain a copy of trade invoice, the price given therein can be adopted.
- (c) In case of standard items of popular brand, market price can be obtained from the authorized distributors / whole sale dealers in local market.
- (d) In respect of non-standard items, reasonable market price should be fixed keeping in view the rates in newspapers or rates to be ascertained from reputed manufacturers and merchants.
- (e) While fixing the reserve price for articles in sound condition, reduction of about 20% of the verified market price of articles of almost similar nature should be allowed.
- (f) If articles happen to be in damaged condition, a further reasonable reduction in reserve price commensurate with the condition of the article should be made.

- (g) Commercial inspector should submit his proposal in regard to fixation of reserve price of the articles to be sold in public auction. The concerned authorized officer to conduct auction will finally fix the reserve price.
- (h) The fixation of the reserve price should be done well before the date of auction and information about the reserve price should be kept confidential.
- (i) In respect of machines, electrical goods, scientific instruments, sophisticated imported articles etc assistance from technical officers / staff of railways should be taken in fixing the reserve price.
- (j) In case of goods of special nature, the value of which cannot be easily determined, opinion of an out side expert may be sought if railway administration considers such a step is necessary.
- (k) The competent authority may sanction the expenditure on outside expert's opinion.
- (l) In disposing the articles in auction, care should be taken to observe whether any ban or restrictions are imposed by the local authorities of the state / central governments on the sale of the commodity as well as any regulations regarding control prices etc.
- (m) The notice of auction sales should indicate brief description of the articles proposed to be sold by public auction. The description of costlier and imported articles should be in greater details.
- (n) The sale list should contain the full description including weight of the articles put to auction and bear signatures of the official conducting the auction.
- (o) Before starting proceedings, names and addresses of every bidder should be noted on a sheet of paper. Bid sheets of auction should be preserved for record. The names, addresses and signatures of three highest bidders should be obtained and kept on record.
- (p) In case the reserve price of any article is not bidden in first and second auctions, the officer authorized to conduct the auction could be empowered to dispose of a particular article at a price upto 20 % below the reserve price.
- (q) If it so happens that the bid even upto 20 % below the reserve price is not obtained, in such exceptional cases, articles could be sold in auction even at a lower price with the approval of the commercial officer at the appropriate level.
- (r) All papers relating to fixation of reserve price, sale list and bid sheets should be kept in safe custody by the staff concerned.
- (s) No articles / consignment should be disposed off by accepting tenders without conducting public auction.

RESPONSIBILITY OF RAILWAYS AS COMMON CARRIERS

Prior to 1962, railways responsibility in carrying the goods was that of bailee. From 1.1.1962, railways has taken greater responsibility in carrying the goods under common carrier liability .

Bailee's responsibility:

A bailee is a caretaker or custodian. The responsibility of bailee is defined in Indian Contract Act, 1872, under Sections 151, 152 and 161.

Section 151: The bailee is bound to take reasonable care, as an ordinary man would generally take care of his own goods.

Section 152: The bailee is not responsible for loss, damage, destruction, deterioration and non- delivery of goods, if he takes due care of the goods as defined in section 151.

Section 161: The Bailee is responsible for loss, damage, destruction, deterioration and non-delivery of goods, if he has not taken due care as per section 151.

Common Carrier:

Means one who provides all reasonable facilities to carry the goods and animals. He works within the framework of rules, procedures and conditions. He will not resort to pick and choose tactics like public carrier.

- So long as the trader offers payment and the common carrier has the facilities to transport the traffic, he cannot refuse to accept the traffic for transport.
- A bailee is responsible only when the goods entrusted to him are lost or damaged due to his fault or negligence.
- A common carrier on the other hand, takes upon him the responsibility of safe delivery of the goods. His responsibility is that of an insurer.
- The responsibility of railways as common carriers is during the period of transit only. After termination of transit the responsibility is that of a bailee, for a period of 7 days, in case of general goods.
- In case of Explosives and other dangerous goods, perishables, livestock and offensive goods, there is no bailee's responsibility.
- Liability; means the responsibility of the railways after accepting the goods till the same are handed over to owner or consignee. The circumstances, conditions or to what extent railway is responsible for the goods offered to it, is defined in sections 93 to 110 of Railways Act, 1989.

Some of the terms used in these sections:

Act of God:

Means an event which happens as natural calamity such as cyclones, earthquakes, floods etc., It is not connected with human activity. It is an unforeseen, unimaginable, unpredictable and uncontrollable incident.

Loss:

Loss includes all the cases where the goods are not forthcoming.

Damage:

It may be by wet or due to defective packing or improper packing.

Destruction of Goods:

Means when the entire goods or part of them got burnt by fire and the remaining may be available.

Deterioration:

A physical change in the condition of the consignment where the value of the consignment has gone down.

Non-Delivery:

Means failure to deliver for some reason or other, it may be due to negligence of staff or otherwise.

Transit:

Transit commences as soon as the loading is started or railway receipt is issued, whichever is earlier. Transit terminates when goods are to be unloaded by consignee

- If unloading of the wagon is completed within free time, transit terminates upon the expiry of free time for removal.
- If the unloading of the wagon is not completed within free time, transit terminates upon the expiry of free time for unloading.

Section 93: General Responsibility of Railways

Railway is responsible as carriers except in case where loss, damage, destruction, deterioration and non-delivery is attributed to the act of god, act of war, act of public enemies, arrest, restraint by law, orders of central or state government, act of negligence or omission by the consignor or his authorized agent, natural deterioration or wastage or inherent defect of goods, latent defects, fire, explosion or any unforeseen circumstances. Railways must further prove that it has taken reasonable foresight and care in the carriage of goods.

Section 94: Sidings

In case of loading at sidings the railways is responsible for loss, damage, destruction, deterioration and non-delivery of goods from the time it has taken over the goods from the siding owner at interchange point and railway administration is informed in writing.

In case of delivery of goods at siding, railways is responsible for loss, damage, destruction, deterioration and non-delivery of goods till it has handed over to the siding owner at the interchange point and siding authorities were informed in writing.

Section 95: Delay in transit

Railways are responsible for loss, damage, destruction, deterioration and non-delivery of goods due to delay in transit because of its negligence or misconduct.

Section 96: Consignment carried on foreign railways

Section 97: Goods carried at owner's risk rate

1. Railways are not responsible for loss, damage, destruction, deterioration and non-delivery of goods in transit at owner's risk rate.
2. If the loss etc. is due to the negligence / misconduct of railway staff, railways is responsible for loss damage, destruction, deterioration and non-delivery of goods
3. When railways fails to give correct reason for the loss, damage, destruction, deterioration and non-delivery of goods. It is the responsibility of owner to prove that railways are at fault. Burden of proof lies with the owner. However railways should disclose how the goods are dealt with, when the goods are in the custody of railways.

Section 98: Defective packing condition

1. Railways are not responsible for loss, damage, destruction and non-delivery of goods offered in defective packing condition/improperly packed
2. Railways should prove that the loss, damage, destruction, deterioration and non-delivery of goods is due to defective / improper packing condition.
3. Railways should also explain what extra precautions the Railways have taken in case of carriage of defectively packed goods.

Section 99: Responsibility after termination of transit

1. Railways is responsible as bailee for the period of 7 days after the termination of transit
2. It does not assume even bailee's responsibility for goods booked at owners risk rate except upon proof of negligence of railways.
3. Railways shall not be responsible for loss, damage, destruction, deterioration and non-delivery of goods for any consignment, after the expiry of a period of 7 days after the termination of transit.

Section 100: Luggage

1. Railway is responsible for loss, damage, destruction, deterioration and non-delivery of goods carried in brake van.
2. Railways is not responsible for loss, damage, destruction, deterioration and non-delivery of goods booked with owner, unless it is proved that it is due to the negligence of railways.

Section 101: Live stock (Animals)

Railway is not responsible for loss or injury to any animals due to fright (fear), restiveness of the animals or due to overloading of animals.

Section 102: Exoneration from responsibility

Railways is not responsible for loss, damage, destruction, deterioration, and non-delivery of goods due to mis-declaration or frauds practiced by the customers, improper loading or unloading by consignor,/consignee, riot, civil commotion, strike, lockout or loss of particular market.

Section 103: Monetary liability of railways

The amount of liability of railways for the loss, damage, destruction, deterioration and non-delivery of goods shall not exceed the amount calculated with reference to the weight of the consignment as prescribed. For goods and parcels Rs.50/- per kilogram or part of kilogram, luggage Rs.100/- per kilogram or part of a kilogram.

When the value of the consignment is declared and percentage charges on excess value are paid, the amount of liability shall not exceed the declared value. For the articles given in Schedule II declaration of the value of the consignment and payment of PCEV is compulsory.

Section 104: Goods carried in open wagons instead of covered wagons

Goods may be carried in open wagons instead of covered wagons with the consent of the owner for loss, damage, destruction, deterioration and non-delivery in such cases; the responsibility is equally shared between railways and owner.

Section 105: Right to check contents

When value of the consignment is declared under sec 103, Railway administration may make it a condition of carrying such consignment on examination and satisfy or otherwise that the consignment tendered for carriage contains the articles declared.

Section 106: Notice of claim for compensation

Railway is not responsible, if the claim for compensation is made after 6 months from the date of booking.

Section 107: Application for compensation

An application for compensation for loss, damage, destruction, deterioration or non-delivery of goods shall be filed against the railway administration on whom the notice has been served as per section 106.

Section 108: Person entitled to claim compensation

If railway pays compensation to the consignee producing the railway receipt, railways shall be deemed to have discharged its liability, even though the consignee was not legally entitled to receive the compensation.

Section 109: Application for compensation for personal injury

Application for compensation for personal injury shall be made before the claims tribunal of (a). Originating Railway, (b). Destination Railway or (c). The Railway where the loss occurred.

Section 110: Burden of proof

In case of claims for compensation for loss, damage, destruction, deterioration and non-delivery of goods the burden of proving monetary loss actually sustained or the declared value of the goods as its true value lies with the owner.

Section 111: Liability of Railways in case of accidents at sea

When a Railway administration contracts to carry passengers or goods partly by railway and partly by sea, for any loss of life, personal injury or loss or damage to goods which may happen during the carriage by sea, it would be responsible under the Merchant Shipping Act 1958.

The burden of proving that any such loss etc. happened during the carriage by sea shall lie on the railway administration.

Section 112: Power to make rules

The Central Govt. may by notification make rules to any of the following matters namely

- The manner of packing of goods under sec 98
- The goods for the purpose of sub sec 3 of sec 99
- The maximum amount payable by the Railway administration for the loss etc under sec 103

REVISED LIBERALIZED SIDING POLICY

2.1 Nodal agency: In order to provide a single window service to customers, Board has decided that Chief Traffic Planning Manager (CPTM) at the zonal level should be nominated as the Nodal Officer for all siding matters throughout the construction stage and signing of the agreement. As soon as the siding is notified for commissioning, CCM (FM) will take over as nodal officer. In absence of post of CPTM and CCM (FM), Dy.COM (Plg.) and Dy.CCM(FM) will be nominated as the nodal officer.

In Board's office, EDCE(G) will be the nodal officer during construction stage. Executive Director (Freight Marketing would be the nodal officer both prior to construction and also after the siding is notified for commercial operation).

2.2 Time Frame: Complaints have been received from users that the whole process of survey, approval of plan and final inspection etc, takes a lot of time. It has been decided that Railways should observe a time frame for processing proposals as follows:

(i) Six months to one year depending on the size of the project, where survey is done by Railway and work is executed under Railways supervision.

(ii) When survey is done by empanelled consultant and work is supervised by them, conceptual Plan should be approved within two months and final approval within four months of submission of detailed project report.

2.3 Reduction in Overhead Charges: There have been representations from users that various fees and charges payable by a party wanting to set up a siding are quite high and may be reduced. Based on a critical review of these charges by ED's Committee, following charges has been agreed to:

	Execution Agency	Item	Existing charges
1	Railway	Gen. charges	10%
	Party	Gen. charges	5%
2	Railways	Deptt. charges	5%
	Party	Deptt. charges	2.5%
3	Railway	Contingency	1%
	Party	Contingency	1%
4	Railway	Supervision of OHE and S&T	5%

3 Capital Cost:

3.1 The siding owner shall bear the capital cost of the siding from the take-off point at the serving station including OHE.

3.2 The capital cost of all traffic facilities such as 'Y' connection, additional lines at the serving station, crossing stations, patch doubling of the section etc. shall be fully

borne by the railways. The distance for charging of tariff, for each 'Y' connection shall, however be inflated/increased by 5 (five) kilometres. However, the capital cost for augmenting the facilities, within the premises of siding owner shall be borne by the siding owner.

3.3 Cost of Gauge Conversion: Siding owners have been representing that gauge conversion is railways operational requirement and, therefore, its cost should be borne by the Railways. The matter has been considered and it has been decided that this cost should be shared with the party in terms of paras 1822-1826 of the Engineering Code, provided the investment made by the Railways is financially viable with a minimum ROR at 14% vis-a vis traffic, offering by the siding in the last 24 months. Where it is not financially justified, the siding owners will bear the full cost or the siding will be closed.

4 Guidelines for cost sharing for new as well as old sidings: Some other decisions taken by the Board are indicated below separately for new as well as existing siding:-

4.1 Electrification cost:

New Siding	Existing Sidings
For a new siding in the electrified territory or the territory approved for electrification, the capital cost of OHE should be borne by the siding owner. This will also apply to the Military sidings.	It has also been decided to electrify diesel sidings located on electrified sections at Railways cost, where heavy detentions occur and a prescribed number of rakes are handled per month. Detailed guidelines in this regard are being formulated and will be issued separately.

4.2 Maintenance cost (Civil Engg.)

New Siding	Existing Sidings
Maintenance shall be got done by the party at his own cost. However, it has been decided that railways would not charge "Inspection Charges"	The existing practice of siding owners getting the maintenance done at their own cost shall continue. However, it has been decided that railways would not charge "Inspection charges". Wherever track maintenance is being done by railways at the cost of siding owner, the party will continue to bear this cost.

4.3 Maintenance of OHE(Both new & existing siding:

It has been decided that OHE maintenance cost for existing as well as new sidings will be borne by the Railways. Necessary amendment in the existing instructions as well as correction to para 1826-E will be issued separately.

4.4 Maintenance cost (Civil Engg.)

New Siding	Existing Sidings
Normally no C&W facility should be developed inside the plant/yard. However, in exceptional cases, if an operational ground it becomes necessary to develop the facility inside the siding then capital cost on one time basis may be borne by the party. Running repairs and staff cost in all cases should, however, be borne by the Railway.	As per existing instructions regular facilities for C&W examination should be planned only if the level of loading /unloading is expected to be 2 or more rakes per day. The apportionment of the cost should be done as per Board's letter No.84/WI/SP/24 dated 28.01.1985 except for sidings dealing in POL and other hazardous goods. In case of sidings other than POL, C&W cost is to be borne by the Railways as per above-mentioned letter. (Copy enclosed)
Only in case of POL and other hazardous materials, some facilities exclusive to those commodities such as permanent catwalks, steam cleaning and flame proof lighting may be developed at party's cost in the Railway yard.	

4.5 Cost of Railway Staff:

4.6 In all private sidings other than Engine on Load only, barring the cost of one commercial staff per shift, Railways will bear the cost of all other Railway staff. The cost of all staff at engine on Load (EOL) sidings will be borne by the Railways.

5 Engine on load (EOL) Policy

6 Revival of Assisted Sidings:

(A) It has been decided to revive the concept of Assisted Sidings. Under this concept Railways shall share the cost of a new railway siding if the industry comes up with a long-term commitment of traffic for 10 years or more, commensurate with the investment of Railways. Detailed instructions in this regard are being issued separately.

(i) Under this arrangement, Siding owners will be required to bear the cost of the land, earthwork, sub-structure of the track, ballast, buildings outside the premises of the siding owner.

(ii) The cost of the removable super structure including track, sleepers, fastenings girders of bridges, points & crossings, fencing, signalling and interlocking appliances, machineries of any kind and the over head electrical equipment shall be borne the railways, outside the premises of the siding owner.

(iii) Entire cost of the siding within the applicants (siding owner) premises shall be borne by the siding owner.

7 The standard siding agreement is being modified accordingly and will be issued separately.

OPENING OF ASSISTED SIDING.

WHAT IS A SIDING: Sidings are provided to serve and facilitate major industries for handling inward and outward goods at their doorstep. This helps in eliminating the haulage between Industrial/Business centre and the railway station.

KINDS OF SIDING:

Public siding:

It is railway siding built at a market place for use of different parties.

Private Siding:

It is constructed for exclusive use of private party and the cost of construction and maintenance is borne by the siding owner.

Assisted sidings:

The cost of construction and maintenance is partly borne by the siding owner and partly by the railways.

Departmental siding:

Constructed for the exclusive use of the railway departments.

Defence siding:

Constructed for the exclusive use of defence department.

PROCEDURE FOR OPENING OF ASSISTED SIDING: NODAL AGENCY:

Railway Board Level:

(1) ED (Freight Marketing) shall be the Nodal Officer both during pre-construction stage and after Notification of opening of Siding.

(2) EDCE (G) shall be the Nodal officer during the construction stage.

Zonal Level:

(1) CTPM (Chief Traffic Planning Manager) shall be the nodal officer during Pre-construction stage and for signing of agreement.

(2) CGE (Chief General Engineer) shall be the Nodal officer during construction stage.

(3) CCM (FM) as soon as the siding is notified for commissioning, CCM (FM) will take over as Nodal Officer.

2. **Time Frame** : To avoid complaints from users regarding delay in whole process of survey, approval of plan, final inspection etc., Railways shall observe a time frame as under :

- (i) Six months to one year depending on the size of the project, where survey is done by the Railway and work is executed under Railway's supervision.
- (ii) When survey is done by empanelled consultants and work is supervised by them, the Preliminary Plan shall be approved within two months and the final approval within four months of submission of the detailed project report.

SIDING PROPOSAL

1. Siding Applicant will apply through an approved consultant of the Zonal Railway to Nodal Officer (CTPM) of the Concerned Zonal Railway.
2. The application should include an Initial Feasibility Report along with Conceptual drawing of the proposal besides Initial Feasibility study Fee of Rs 5000/-.
3. The arrangements will be examined By CTPM's Office and In principle approval is granted as per the merit of the proposal.
4. The consultant on receipt of In Principle approval will submit Detailed Project Report (DPR) and conceptual plan as per the approved conceptual drawing along with Initial Codal charges (SCR is collecting 2% towards initial codal charges).
5. CTPM's office after examining DPR will forward the Conceptual Plan and DPRs to Concerned Division for processing approvals.
6. On receipt of the Divisional approved Plan, The CGE's office will make BP copies of the same and circulate to the concerned Departments for approvals. On receipt of approvals the same is forwarded to CTPM's Office.
7. CTPM's office advises the consultants to carry out the siding construction work as per the approved plan.

Conceptual Plan Details:

- Location, including alignment of the nearest railway line.
- Serving station.
- Modifications required at the serving station
- Traffic projections of outward with Originating and Terminating location for 10 – years from the commissioning of the Siding.
- Period of construction of the plant.

Over head charges ; These charges are to be paid by the siding owner in terms of engineering code. It is in terms of percentage on project, depends on who executes the work.

(1) If Railway executes the work, the overhead charges shall be:

(a) 12½ % of cost of project excluding cost of OHE and S & T Works

(b) 12½ % of cost of OHE and S & T Works for railway's mandatory supervision

If Party executes the work, then the overhead charges shall be:

(a) 6¼ % of cost of project excluding cost of OHE and S & T Works.

(b) 6¼ % of cost of OHE and S & T Works for railway's mandatory supervision

(2) The establishment charges shall be collected as per actual.

LIST OF DOCUMENTS REQUIRED FOR OPENING OF SIDING

1. Land licensing Agreement with Division.
2. Installation and Calibration EIMWB (Weigh Bridge)
3. Track Fit Certificate (will be issued by ADEN of the Division/Section)
4. EIG certificate issued by Sr.DEE/TRD's office in Electrified territories
5. Handy sized Sketches 14 (signed by Party Consultants and signed by Sr.DEN/Co-Ord, Sr.DCM & Sr.DOM).
6. Completion Drawing along with CA certified Completion estimates and payment of Balance codal charges.
7. 9 copies of PVT siding agreement signed by party besides Non-Judicial stamp paper 100 X3 .
8. On receipt of all the above CTPM will sign the agreement and forward the same to CCM/FM for notifying the siding.

Capital cost:

- ☐ Under this arrangement, Entire cost of the siding within the applicant's (siding owner) premises shall be borne by the siding owner.
- ☐ Siding owners will be required to bear the cost of the land, earthwork, sub structure of the track, ballast, buildings outside the premises of the siding owner.
- ☐ The capital cost of all traffic facility works such as 'Y' connect ion, yard remodeling, additional lines at the serving station, etc. shall be fully borne by the railway.
- ☐ The cost of removable super structure including track, sleepers, fastening girders of bridges, points and crossings, fencing, signaling and interlocking appliances, machineries of any kind and the overhead electric equipment shall be borne by the railways outside the premises of siding owner.

- However, in all other cases (where commitment of traffic for 10 years or more is not forthcoming) the siding owner shall bear the capital cost in terms of provisions applicable for opening of new sidings. (FM-1-12)
- Regarding expenditure to be incurred on account of construction of the new assisted siding, the private entrepreneur shall get detailed estimate of his siding vetted by the division concerned. The detailed estimate will include a break up of his share and the railway's share of the total expenditure.
- The detailed estimate of railway's share will be according to the standardized cost of super structure per km. of track as issued by Civil Engineering department. Separate cost will be laid down for steel girders and PSC girders in case of bridges.
- The detailed estimate will be approved by the DRM keeping the GM duly informed. Thereafter, the private entrepreneur will under take construction of the siding entirely at his cost.
- No supervision, inspection or establishment charges shall be payable by the siding owner for the above work, since these expenditure is paid back to them by railways by way of freight discount.
- Meanwhile the division will be asked to analyze the projected outward traffic volumes estimated to emanate annually from the siding after commissioning. This analysis will be based on the traffic volumes projected by the siding owner in his application for Rail Transport Clearance (RTC) submitted to planning directorate of Railway Board.
- After completion of the siding, the actual expenditure incurred by the siding owner on behalf of railways will be verified by the division. This verification will be based on the certified audited accounts of the siding owner. Railways will bear the actual cost incurred on the constructions if it is found to be less than the estimated cost otherwise the estimated cost will be borne by railways.
- Based on the projected outward traffic volumes, OD flows, and commodity wise freight charges per rake, division will work out the approximate duration for which a freight discount of 10% is required to be given.
- The freight discount will remain fixed at 10%. This discount will be admissible on outward traffic booked from the siding.
- All outward traffic loaded from the siding will be 'paid' traffic and this discount will be given upfront in freight charges at the time of booking.
- The duration of such discount shall be admissible for a maximum period of 10 years only, irrespective of whether the investment made on behalf of railways are recovered or not . The duration of freight discount will be for less than 10 years in case the expenditure incurred is recovered in less time.
- The above freight discount is actually a repayment of investment made on behalf of railways, and is not really a freight rebate in the strictest sense of

the term. As such this freight discount will be admissible in addition to all other rebates that the siding owner may become eligible for such as lean season policy, empty flow direction, incremental loading etc.

- ☐ The Goods Clerk will maintain a separate register containing details of all outward traffic moved along with discount given, and the balance amount of repayment due to the siding owner. TIA and sectional CMI will conduct post checks regarding this account keeping on a quarterly basis.
- ☐ Discount will be automatically discontinued and normal freight charged once the siding owner has been repaid the entire amount spent, or 10 years whichever is earlier.

Siding Agreement and Naming of siding

A siding agreement is executed by the Siding Owner and the Railways duly incorporating all the terms and conditions.

The Siding should be given a name, the name as proposed by the Siding Owner, which will be sent to the General Secretary, IRCA at New Delhi. An alphabetical code and a numerical code is given the siding, which will be advised to the CCM of the Zonal railway.

The name of the siding, its serving station, alphabetical code and numerical code will be published in the TRC's duly declaring the Siding is open for a particular traffic.

INSTALLATION OF WEIGHBRIDGES/FOIS IN PRIVATE SIDINGS:

As per clause No.9 of the revised standard form of agreement, the applicant (private siding holders) shall provide and maintain at their own cost and expense a suitable electronic weighbridge.

Installation of suitable electronic weighbridge is mandatory for new private sidings and in case of old sidings; efforts are to be made to install a suitable weighbridge.

In addition to above all new and old sidings should provide necessary facilities for commissioning of FOIS terminal at their siding.

EOL CONCEPT:

As per FM-9-06 dated 6-3-06 liberalised siding rules, all future sidings are to come up with EOL concept and free time for loading/unloading would be applicable as per TIELS without any financial benefits being admissible. Cost of all staff shall be borne by railways.

	EOL free time in hrs.	
	Loading	Unloading
Open Rake (BOXN etc.)	3.00	5.00
Hopper Rake (BOBR etc.)	3.00	2.00
Covered Rake (BCN etc.)	6.00	6.00
Tank Rake (BTPN etc)	5.00	5.00

System of charging freight

With respect to the traffic pertaining to a siding, there are two system of charging stated as under:-

Charging freight upto the serving station and levying Siding Charge beyond serving station and vice versa

Under this system, freight is charged upto the serving station and Siding Charge is levied from serving station to the siding on the basis of cost for Engine Hour and the average time for a round trip from the serving station to the siding and back. This system is applicable in the case of a siding which is not notified for charging freight on through distance basis. *(reference Para 1805 of Indian Railway Code for Traffic(Comm.) Department)*

Charging freight on through distance basis

Under this system, freight is charged upto the buffer end of the siding. This system is applied to a siding which is notified for charging freight on through distance basis based on the criteria listed below. *(reference Railway Board's letter No. TC-I/87/214/14 dt.21.10.1993)*

- (1) The traffic should be Block Rake.(irrespective of charging wagonloads/trainloads)*
- (2) Traffic should go into siding directly or indirectly with engine pulling or pushing.*
- (3) There should be no detention to engines except for change of ends*
- (4) No separate shunting staff is required exclusively for this purpose.*

Siding charges: Siding Charges of originating station are to be shown on the Railway Receipts.

Fixation of siding charges on trip basis:

1. Siding charges are calculated per trip basis.
2. A trip is defined as one movement of an engine from the serving station to the siding and back, with load / empty or light engine in both directions.
3. Trip charges are notified in TRC's, and collected separately over and above the freight charges for other than Block rakes; and also when the siding is **not** notified for charging freight on through distance basis.
4. Trip charges vary from siding to siding.

OTHER CHARGES COLLECTED AT SIDING

Staff Cost: (At Non –EOL Concept Siding)

Means the cost of the railway staff employed at the Siding etc: the siding owner shall pay to the Railway Administration such establishment cost of commercial Staff posted at the siding for the proper working of the said siding as may from time to time be decided by the Railway Administration. The siding owner shall also bear in addition to pay and allowances other establishment cost such as contributions or payments which the Railway Administration may make towards or on account of leave salary, provident fund, bonus, pension, gratuity, house rent, cost of uniform or any other contributions , payment of any fringe benefits of any to railway staff.

The applicant shall provide or bear the cost of proper and suitable office accommodation and quarters for all Railway Staff posted at the siding.

Maintenance: The applicant will at their own cost and expenses in all things and to the satisfaction of the Railway Administration and if required by the Railway Administration under its supervision maintain in good order and repair the said portion of the siding,.

Shunting Charges: When Railway engine performs shunting of wagons i.e. placement of wagons on different lines for the purpose of loading or clubbing of wagons from different lines, a separate charge is levied called as shunting charge.

Shunting charges are leviable for the total time taken by the shunting engine from the time of its departure from the serving station to the time of its return to the same serving station after completion of shunting operations at the siding. The shunting time should be rounded off at the end of 10 day period for which bills shall be preferred.

(This charge is levied on per hour or part of an hour basis, these charges are notified in TRC's/ Comml Circulars. These charges are collected locally)

Demurrage Charges:

The free time allowed to the applicant for loading and unloading and demurrage charges leviable for detention in excess of such free time will be governed by the rates and rules published from time to time in the Tariffs, Circulars and advices of the Railway Administration and in force at the time the traffic is carried.

F.I.S

- OBJECTIVES:**
- (1) To generate additional traffic volumes.
 - (2) To generate additional revenue.
 - (3) To ensure optimum utilization of assets.

Grant of freight concessions should therefore serve the above objectives.

Freight Incentive Schemes in Vogue:

- (1) Incentive Scheme for loading bagged Consignments in Open and flat wagons.
- (2) Incentive schemes for freight forwarders.
- (3) Incentive schemes for Traditional Empty flow direction.
- (4) Incentive schemes for incremental traffic.

Note:

- (1) Customer need not apply for availing incentive under SI No. 1 & 2. Railways will give applicable freight discount on compliance of provisions of these schemes.
- (2) Above incentive schemes, are permitted at all terminals except freight forwarders, which is permitted at good sheds only.

Excluded Traffic: Following traffic are excluded from the purview of FIS:

1. Coal and all its variants.
2. Coke and all its variants.
3. Iron ore
4. POL
5. Traffic moved in privately owned wagons (including OYWS, WIS and LWIS) such as cement bulk and loose, LPG, ammonia etc;
6. Traffic loaded in Ports.
7. Container Traffic
8. Military Traffic
9. RMC
10. Short lead traffic of 100 Kms.
11. Marine Gypsum.

FIS TERMINOLOGY

Terminal: It refers to a Private siding, Assisted Siding, Railway Siding or a Goods Shed where cargo is loaded or unloaded but does not include an inland container depot or Port.

New traffic: It refers to the traffic loaded by a customer in the current year from a terminal provided if that customer had not loaded the same commodity from the same terminal in the each of the two previous years.

Normal Tariff Rate: The base freight as mentioned in Goods Tariff along with Demand Management charges such as busy season surcharge, congestion surcharge and Supplementary charges on various transportation products constitute the NTR.

Lead restriction: This specifies restrictions by way of minimum lead for traffic to be eligible under an incentive scheme.

Divisional Empowered Committee (DEC): It comprises of a Sr CI and a TIA nominated by the DRM in consultation with Dy CAO traffic for each Division of the Zone.

NTKMs: this refers to Net Tonne Kilometers: For each rake loaded, figure of NTKMs will be arrived at by multiplying the net tonnage charged (as per RR) with the chargeable distance in KMs.

Incremental NTKMs: It is the NTKMs earned over and above the average NTKMs in the corresponding period (month, year) of the two previous corresponding months/years.

Benchmark NTKMs: It refers to average NTKM in the corresponding period (month, year) of the previous two years from the same terminal. However NTKMs for the leads of less than 100 Kms will not be included in the bench mark

Incentive : It is the benefit in freight charges or any other additional facility granted to rail user .

Freight Concession: This is a generic term indicating a rate lower than the normal tariff rate without being specific about it being a freight discount or freight rebate.

Freight Discount: This refers to an upfront discount on the normal tariff rate at the time of booking of traffic at the terminal.

Freight Rebate: This refers to a freight concession granted by way of refund based on fulfillment of certain agreed performance parameters over a period.

Rail Co-Efficient: Percentage of total production despatched by rail by an unit. (**Note:** Total production of a unit to be arrived on the basis of documents of excise duty or any other levy paid to Government.)

Floor Rate: This refers to the minimum chargeable freight payable after granting all the concurrent concessions, under any freight incentive schemes.

Concurrent Freight Concession:

- (1) Freight concession under TIELS and liberalized siding rules will be permitted concurrently with concessions under this scheme.
- (2) Apart from TIELS and liberalized siding rules benefits, freight concessions cannot be taken concurrently with benefits under any other freight incentive scheme or freight concession under any other policy unless explicitly permitted under the relevant scheme or policy.
- (3) Concurrent concessions will be given one after the other on the reduced NTR. Levy of charges on NTR such as Development charges, Terminal charges etc; will be levied on the original NTR without any concession.

SALIENT FEATURES OF FIS:

Commodities Restriction: (commodities such as coal, POL, iron ore, traffic loaded from ports etc; are excluded from purview of incentive scheme (Note: Excluded traffic are listed under Para 1.4 of RC-62-09).

Floor rate (After all concession Minimum Class rate NTR should not be less than LR1)

Benchmark NTKMs: It refers to average NTKM in the corresponding period (month, year) of the previous two years from the same terminal. However NTKMs for the leads of less than 100 Kms will not be included in the bench mark.

Bench Mark: Incentive admissible only on exceeding bench mark in case of Incentive schemes for Traditional Empty flow direction and Incentive schemes for incremental traffic.

Lead restriction:

- (1) Incentive Scheme for loading bagged Consignments in open and flat wagons.
 - **>100Kms**
- (2) Incentive schemes for Traditional Empty flow direction.
 - **> 500 kms**
- (3) Incentive schemes for freight forwarders.
 - **Minimum 700 Kms**
- (4) Incentive schemes for incremental traffic.
 - **Minimum 100Kms**

New Traffic: No freight concession is admissible on New Traffic in case of Incentive schemes for Traditional Empty flow direction and Incentive schemes for incremental traffic.

ROLE OF DEC:

- 1) Customers will apply to the Divisional Railway Manager of the concerned Division for grant of benefits under the specific Freight Incentive Scheme they wish to participate in.
- 2) These applications will include details as applicable in respect of their monthly NTKMs for two previous years.
- 3) The proposals will be passed on to the nominated DEC to verify the accuracy of the data furnished by the customer. The DEC role will be limited to merely verifying the data furnished by the customer by visiting the concerned siding or goods shed as the case may be.
- 4) The DEC must submit its report within fifteen days of receipt of the proposal from the division. In case of variation in figures between the applicant and DEC, those of the latter will prevail.
- 5) Proposals submitted by customers, duly vetted by the DEC, will be put up by (Senior) Divisional Commercial Manager to Divisional Railway Manager through (senior) Divisional Operations Manager for issue of an Authorization to the Goods Supervisor of the concerned terminal for maintaining necessary records and granting admissible freight Concessions. In case the customer's application for participation in an Incentive Scheme is Not approved, then a Regret Letter will be issued.
- 6) Before issuing the notification authorizing grant of discounted freights to an applicant, Divisional Railway Manager must ensure that restrictions in respect of concurrent operation of the Freight Incentive Schemes as well as the conditions as specified in the relevant Scheme are complied with.
- 7) Commercial staff at the concerned terminal will issue a message to the concerned (Senior) Divisional Commercial Manager and Dy. FA&CAO/TA as soon as a customer becomes eligible for freight concession advising start of grant of discounted freight. On receipt of such a message the DEC will be instructed to visit the concerned terminal for post check of fulfillment of conditions for grant of discounted freight. Grant of discounted freight rate will start as soon as the qualifying conditions are fulfilled without waiting for post check inspection by DEC.
- 8) FIS has been framed for universal applicability over all Zonal Railways and cannot take care of Specific peculiar requirements of a particular stream of traffic moving over individual Divisions/Zones. In case Division/Zone finds that there is adequate justification for freight concessions for such type of traffic which are not covered under any of the FIS, then detailed proposals for freight concessions (1) beyond the powers delegated to DRMs (2) new streams of traffic (3) traffic excluded from the purview of FIS etc. should be forwarded to Railway Board for consideration with approval of COM, CCM, concurrence of FA & CAO and personal approval of GM. Proposals not complying with this procedure will not be processed at the Board.

Incentive Scheme for Loading Bagged Consignments in Open & flat Wagons:

Objective:

Normally, bagged consignments take a longer time to load in Open and Flat wagons and also need to be covered with tarpaulins. In addition to above, in some cases their loadability is also less. This Scheme aims to facilitate such loading.

Incentive:

Following freight discounts will be granted on NTR for loading bagged consignments in open and flat Wagons.

Commodity	Discount Percentage
All types of fertilizers (except rock phosphate), bentonite powder, cement, china clay, DOC, Food grains, Lead/ zinc concentrate, quick lime, soap stone powder, caustic soda, hydrated lime, soda ash, chalk powder, calcite powder, calcinated bauxite and marble chips.	20
Fly Ash. Urea	30

Traffic Loaded from Ports: Above specified commodities are also covered under this Incentive Scheme when loaded as bagged consignment from Ports (Corr-29)

Note: In case more than one bagged consignments are clubbed/loaded in open/flat wagons, the applicable freight discount to that consignment may also be granted on pro- rata basis.

Example: if cement is clubbed and booked along with flyash (both as bagged consignments) in open and/or flat wagons, the discount will be @20% for cement and @ 30% for Fly ash. (Corr-30)

Floor Rates:

Minimum chargeable Freight after all the concessions should not be less than Class LR-1.

Permitted Terminals: All

Restricted Commodities: Other than those mentioned above.

Lead Restriction: Not less than or equal to 100Kms.

Permitted Wagons: Open and Flat wagons

Concurrent Freight Concessions:

Freight concession under following schemes will be permitted concurrently with concessions under this scheme:

- (i) 6% Concession to and from North East
- (ii) TIELS and liberalized siding rules.
- (iii) Incentive Scheme for Traditional Empty Flow Direction
- (iv) Incentive Scheme for Incremental Traffic.

Concurrent concessions will be given one after the other on the discounted NTR.

Processing Procedure:

A customer need not apply for grant of incentive under this Scheme. Railways will give applicable freight discount on compliance of provisions of this scheme.

Conditions:

1. Commodities should be loaded in standard size of bag up to a maximum of 100 kgs.
2. Tarpaulins, if any, for covering the wagons should be provided by the consignors at their own cost.
3. Consignors will be required to furnish an undertaking on the forwarding note giving their consent for loading in wagons and to the effect that they would bear full risk for damage/pilferage of the consignments.
4. Supply of wagons for loading under the Scheme will be subject to operational feasibility.

Incentive Scheme for Traditional Empty Flow Directions (Corr-10)**Objective:**

The main objective of this policy is to generate additional traffic from sidings and goods sheds for loading in Inter-Zonal and Intra- Zonal Traditional Empty Flow Direction across which traffic movement traditionally comprises predominantly of empty wagons in order to achieve improved utilization of the rolling stock.

Traditional Empty Flow Directions:

Inter Zonal Traditional empty flow direction and Intra Zonal Traditional empty flow direction are notified under Annexure I & II of RC-62-09 - Corr-10. Zonal Railways is empowered to notify additional Intra Zonal empty flow directions with the personal approval of GM in consultation with Traffic Transportation Directorate of Board.

Incentive:

Slabs of Freight discount of NTR for traffic loaded in the notified Traditional Empty Flow Directions are as under:

Distance slabs for TEFD	All Terminals
Lead \leq 500 kms.	NIL
Lead more than 500 kms and upto 600 kms	10
Lead more than 600 kms and upto 700 kms	20
Lead more than 700 kms and upto 900 kms	30
Lead more than 900 kms and upto 1200 kms	35
Lead more than 1200 kms	40

Note: The net freight for distances falling in the higher slabs should not be less than the net freight for the maximum distances in the lower slabs.

Floor Rates:

Minimum chargeable Freight after all concessions should not be less than NTR of Class LR-1.

Benchmark:

NTKMs performance of the average corresponding month for the two previous years for the same commodity from the same terminal. At the time of application customer will submit the details of NTKM of previous two years indicating the information of 12 months of I Year and 9

months of II Year. The details of remaining 3 months of the II year will be furnished within 3 months from the date of operation..

Example: If a customer applies for concession from 1st September 2010 to 31st August 2011, NTKM performance of the average of corresponding month of the years starting from 1st September 2008 to 31st August 2009 and 1st September 2009 and 31st August 2010 will be taken. Customer will furnish the information for the period from 1st September, 2008 to 31st may 2010 at the time of application and information for he period from 1st June 2010 to 31st August will be furnished within 3 months from the date of application.

For calculating the bench mark, only traffic for more than 100 kms will be considered. However concession will be available only for traffic having lead of more than 500 kms after the monthly bench mark has been crossed.

(ii) Rake, on the loading of which bench mark NTKM has been crossed, will not be eligible for concession. Customer will start getting concession from the next rake onwards.

Example: A customer's benchmark NTKMs on the basis of his average for a particular month over last two years is 1000. Suppose after completing 8th rake his cumulative NTKMs is 910. In the 9th rake he earns 100 NTKMs. Therefore, after completing 9th rake his cumulative NTKM becomes 1010. Then in that case he will start getting rebate from the 10th rake onwards. Similar principle will be followed for other NTKMs slabs also.

Permitted Terminals: All

Restricted Commodities: The following commodities are restricted in addition to those listed under excluded traffic.

Type of wagon	Private Siding	Goods shed
Open	All Ores and Minerals	All Ores and Minerals, salt
Covered	None	None
Flat	None	None

Lead Restriction: > 500 kms

Permitted Wagons: Covered (excluding tank wagons), Open (excluding hopper wagons) and Flat wagons

Concurrent Freight Concessions:

Freight concession under following schemes will be permitted concurrently with concessions under this scheme:

- (i) 6% Concession to and from North East.
- (ii) TIELS and liberalized siding rules.
- (iii) Incentive Scheme for loading bagged commodities in Open and Flat wagons.
- (iv) Incentive Scheme for Incremental Traffic.

Concurrent concessions will be given one after the other on the discounted freight.

Conditions:

1. New traffic which has not been loaded during each of the two previous years will not be eligible for these concessions
2. This Scheme will be applied to each terminal separately and independently for customers operating from multiple terminals.
3. Concessions will be given at the stage of issue of RR itself on incremental NTKMs over the monthly bench mark.
4. Application for availing this discount will have to be finalized in 15 days at the Divisional level and 30 days at Zonal Level.
5. Concessions granted under this Scheme will always be for **one year** with prospective effect only and issue of notification. It shall start from the 1st of the Month only. For example if approval has been granted by the competent authority on 15th of August 2010 concession will be granted for one year w.e.f. 1st September, 2010 to 31st August, 2011.
6. Traffic booked under this scheme will not be rebooked or diverted normally. In case such traffic is to be rebooked or diverted then normal freight will be charged for the entire distance without any concession.
7. Performance for any one month (say November) will be compared to the average monthly performance of the same month (November) of two previous years independent of the performance during other months of the corresponding year.
8. For subsequent years the time schedule as above should be followed.
9. Customers already availing freight concessions under the existing incentive scheme for Traditional Empty Flow Direction will continue as per the agreement entered into between the customer and Railways under the existing scheme.

Incentive Scheme for Freight Forwarders:**Objective:**

The Scheme aims to facilitate cargo aggregation and thereby expand the commodity basket on Railways.

Incentive:

Cargo loaded in any wagon under this Scheme will be charged at the rates indicated below.

		No.of Wagons	Restriction	Freight Rate
(a)	Individual wagons loaded with a single commodity	Any number of wagons	None	Train load rate for each wagon for the commodity loaded
(b)	Individual wagons loaded with two commodities	Any number of wagons	None	Train load rate for each wagon for the higher class of two commodities loaded
(c)	Individual wagons loaded with more than two commodities	Not more than 10 wagons	Restricted Commodities not permitted	Composite class rate of 120

Floor Rates: Minimum chargeable freight after all concessions should not be less than NTR of class LR-1.

Permitted Terminals: Goods Sheds.

Restricted Commodities: The following commodities are also restricted in addition to those listed under excluded traffic. Wagons loaded with more than two commodities cannot contain any one of the following

- (i) All types of Ores and Minerals.
- (ii) Cement
- (iii) Food grains.
- (iv) Fertilizers
- (v) iron and Steel.

Lead Restriction: Minimum 700 Kms

Permitted Wagons: Covered, BOXN and Flat wagons

Concurrent Freight Concessions:

Freight concession under following schemes will be permitted concurrently with concessions under this scheme:

- (i) 6% Concession to and from North East.
- (ii) Incentive Scheme for Traditional Empty Flow Direction.
- (iii) Incentive Scheme for Incremental Traffic.

Concurrent concessions will be given one after the other on the discounted NTR.

Processing Procedure:

A customer need not apply for grant of incentive under this scheme. Railways will give applicable incentive on compliance of provisions of this scheme.

Conditions:

1. Applicable only for freight forwarders who load in the same rake any of the following as mentioned in paras of incentives.
 - (i) © along with (a)
 - (ii) © along with (b)
 - (iii) © along with (a) & (b)
2. Loading at the forwarding terminal and unloading at the destination terminal will be the responsibility of the Cargo Aggregators.
3. A wagon may be loaded with a single or multiple commodities.
4. Any number of wagons can be loaded with a single or two commodities.
5. Not more than 10 wagons can be loaded with more than two commodities.
6. Freight would be charged for each wagon in the rake for the notified Permissible Carrying Capacity of the wagon at the Class rake indicated in the above table.
7. These services will be run only on prepaid basis at Owners' Risk. 'Said to Contain' Railway Receipts will be issued for 'Self'.
8. All extant Commercial rules and regulations including those for free times and demurrage will apply.
9. In cases of incorrect declaration of description of commodity or any other misdeclaration for availing benefits under his scheme, only those multi commodities wagons of the rake will be charged at Class 200, which are found misdeclared. In case of wagons loaded with either single or two commodities the normal rule of misdeclaration shall apply. **(Corr-1)**

10. The customers will have to pay all other applicable charges like busy season surcharge, terminal charges, development charges etc. over and above the freight rates indicated above.
11. Supply of wagons for loading under the Scheme will be subject to operational feasibility.
12. Indent will be placed by the freight forwarder indicating the station from, station to, approximate indication of wagon-wise break-up of commodities along with names of consignors / consignees, However, at the time of loading a modified forwarding note will be submitted by the freight forwarder indicating the final status of station from, station to, wagon-wise break up of commodities along with names of consignors and consignees. This will be subject to the condition that in the modified forwarding note to be submitted at the time of loading, not more than 20% of the wagons for each commodity can be changed.
(Corr-6)
13. In notified empty flow direction, indent can be placed for less than standard rake size. Indent should be placed for a minimum of 20 wagons in case of covered and flat wagons and a minimum of 30 wagons in case of BOXN wagons.
14. for indent of less than rake size, supply of wagons will be made only for full rake. After loading, the entire rake will move carrying both the loaded and empty wagons. Block rake will not be split-up for loading this category of traffic.

Incentive Scheme for Incremental Traffic:

Objective:

This Scheme aims to generate additional business volumes.

Incentive:

Discounts in the freight rate (NTR) will be granted for the Incremental NTKMs at the time of issue of railway receipt itself. The percentage discount in freight rate would be as indicated in each slab of incremental NTKMs in the following table. Slabs of freight concessions are as under.

Say bench mark is 100 NTKM, then as per policy 10% incremental comes to 110 NTKM, 20% increment comes to 120 NTKM and 30% increment comes to 130 NTKM and the incentive should be as under.

	Slabs of Incremental TKMs	Percentage Discounts on applicable freight charges
(a)	Upto 10% of Inc. NTKMs	Nil
(b)	>10% - upto 20% of Inc. NTKMs	10% on the increment beyond 10%
(c)	> 20% - upto 30% of Inc. NTKMs	(b) + 20% on the increment beyond 20%
(d)	Inc NTKMs > 30%	(b) + (c) + 30% on the increment beyond 30%

Floor Rate:

Minimum Chargeable Freight Class after all the concessions should not be less than NTR of Class LR – 1.

Benchmark:

1. Average annual NTKMs during two previous years. Bench mark for becoming eligible for discount will be 10% more than the average.
2. Rake on whose loading bench mark NTKM has been crossed will not be eligible for concession. Customer will start getting concession from the next rake onwards.

Example: A customer's average NTKMs for last two years is 1000. In that case bench mark NTKMs will be 1100 (1000 + 10%) Suppose after completing 8th rake his cumulative NTKMs is 1010. In the 9th rake he earns 100 NTKMs. Therefore, after completing 9th rake his cumulative NTKM becomes 1110 (more than 10%). Then in that case he will start getting rebate from the 10th rake onwards. Similar principle will be followed for other NTKMs slabs also.

Permitted Terminals: All

Restricted Commodities: Commodities listed as Excluded traffic..

Lead Restriction: Minimum 100 Kms.

Permitted Wagons: All types of wagons

Seasonal Restriction: Scheme available for one full year at a time.

Concurrent Freight Concessions:

Freight concession under following schemes will be permitted concurrently with concessions under this scheme:

- (i) 6% Concession to and from North East.
- (ii) TIELS and liberalized siding rules.
- (iii) Incentive Scheme for loading bagged commodities in open and flat wagons.
- (iv) Incentive Scheme for Traditional Empty Flow Direction.
- (v) Incentive Scheme for Freight Forwarders.

Concurrent concessions will be given one after the other on the discounted NTR.

Conditions:

1. No freight concession will be admissible in case of new traffic.
2. This Scheme will be applied to each terminal separately and independently for customers operating from multiple terminals.
3. If a customer is dealing with more than one commodity at a single terminal for eg. (Cement and Clinker) then combined NTKMs from different commodities should be taken into consideration for deciding the eligibility under this Scheme.
4. NTKMs from a terminal to any number of destinations will be eligible under this scheme.

5. Concessions will be given at the stage of issue of RR itself on incremental NTKMs over the annual Bench mark. However, if incremental NTKMs have been loaded before issue of notification then freight rebate will be granted.
6. Customer should apply in the month from which he wishes to enter into the scheme with complete data for 2 years upto the previous month. For example customer wishing to enter under the scheme from 1.11.2010 to 31.10.2011 should apply latest by 30.11.2010.
7. Application for availing this discount will have to be finalized in 15 days at the Divisional level and in 30 days at Zonal Level.
8. Concessions granted under this Scheme will always be for one year..

TRANSPORTATION PRODUCTS (TRAINLOAD CONDITIONS)

Railways offer transport services primarily in Block Rakes. In addition, several other transportation options differentiated by the volume of consignment at varying tariff rates are also available as described below. Traffic which is not covered under any of the transportation products mentioned below will be charged at wagon load rate.

All transportation products will be available subject to operating restrictions in force from time to time.

Block rakes:

Single point Block Rake with a wagon composition as notified by the Railway Board will be booked at Trainload Class rate in accordance with the conditions noted below.

Conditions:

1. Both the Originating and Destination terminal should be notified as either Full Rake Terminal or Half Rake Terminal.
2. The number of wagons indented must be for the applicable standard rake size of Block Rake. The present list is at Annexure III. For all other types of wagons not specified in the annexed statement, trainload rates will be granted subject to payload in the train being a minimum of 1400 tonnes.
3. If the number of fit wagons supplied by Railways is falling in the range given in Annexure III, the party will have to load all the wagons to avail train load rate benefit.
4. In cases where even the minimum number of wagons qualifying for Block Rake cannot be supplied by the Railway against trainload indent due to operating or any other constraints arising out of unforeseen circumstances in a specific instance such as accident, blockade etc., the rail user(s) shall not be penalized. In such cases also, the benefit of trainload rate can be extended. However, detailed reasons for non-supply of all the indented number of wagons constituting a block rake should be recorded by the concerned Station Manager / Yard Master, who in turn should get it confirmed in writing from at least a Gazetted Officer. The modalities for implementation of this instruction will be worked out jointly by Operating, Commercial and Accounts Department of the Railway depending on local conditions.
5. In cases where the load of block rake moving over a particular section is restricted below the minimum of the standard rake size due to operational constraints such as gradients, hauling capacity etc. then conditions stipulated at the bottom of Annexure III will apply regarding standard rake size.

6. In cases where rake is split up during transit due to gradient or other operational reasons but has fulfilled all other conditions for availing trainload rate at originating point, the trainload rate benefit shall be admissible.
7. Trainload rate benefit shall be extended to block rakes at the serving station by clubbing wagons loaded from more than one siding served by the same station or loaded partly from a siding and partly from the station serving that siding for a single destination.
8. Trainload benefit shall be extended to trains originating from one point and terminating at two points provided that the two points are either the serving station and its siding or two sidings of the same serving station, or two sidings notified as independent booking points but operationally branched out from the same station.
9. For rake loaded with two or more commodities, the required number of total wagons as per Annexure III should be loaded with. In case more than one commodity is loaded in a wagon, the freight will be charged at the highest class of goods which the wagon contains. The maximum number of commodities loaded in a wagon should not exceed two.
10. Indents for BCX/BCN/BCNHL groups of wagons will be treated as interchangeable for the purpose of supply of rakes. Trainload conditions will be applicable as per type of stock supplied. The customer must place an indent for 40 BCX / 42 BCN / 58 BCNHL wagons.
11. This product is applicable on all types of wagon and systems (BG, MG) subject to compliance of all conditions mentioned hereinabove.
12. The customer will have to pay all other applicable charges like busy season charge, terminal charge, congestion charge, development charge, etc.

Mini Rake:

Mini Rakes can be loaded at Trainload Class rate under the following conditions.

Conditions:

1. Mini rakes are permitted only in covered wagons.
2. Mini Rakes will have a minimum composition of twenty wagons.
3. Mini Rakes can be loaded to and from any notified full or half rake terminal.
4. Free time for loading/unloading of Mini Rakes will be 5 hours.
5. Mini Rakes can be loaded only for distances up to 400 kms.
6. Mini Rakes cannot be loaded with Coal, Ores and RMSP.
7. A Supplementary charge of 5% will be levied on base Freight Rates for Mini Rakes for the period October to June.

Two Point Rake:

Two Point Rakes can be loaded at Trainload Class rate under the following conditions.

Conditions:

1. This product is available only for Covered wagons for specific combinations notified by Railway Board.
2. Originating terminal should be a notified full or half rake terminal.
3. The current list of combination of destination terminals notified is given in Annexure IV.
4. A minimum of 10 wagons should be loaded for each destination
5. The total number of wagons indented and loaded must conform to the Block Rake composition as notified for various types of wagon by the Railway Board.
6. A Supplementary charge of 5% will be levied on Base Freight Rates for two-point rake for the period October to June.

Multi Point Rake:

Multi Point Rakes can be loaded at Trainload Class rate under the following conditions.

Conditions:

1. This product is available only for Covered wagons for specific combinations notified by Railway Board from time to time.
2. Originating terminal should be a notified full or half rake terminal.
3. The combination of Multi Point destination terminals has been mentioned in Annexure V.
4. A minimum of 10 wagons should be loaded for each destination.
5. The total number of wagons indented and loaded must conform to the Block Rake composition as notified for various types of wagon by the Railway Board.
6. A Supplementary charge of 20% will be levied on Base Freight Rates for multi point rakes for the period October to June.

Two and Multi Point Rake (Other Than Covered Wagons):

Two and Multi Point Rakes for other than Covered wagons can be loaded at Trainload Class rate under the following conditions.

Conditions:

1. Originating terminal should be a notified full or half rake terminal.
2. Each destination terminal should be a notified full or half rake terminal.
3. Notified Two Point or Multi Point combinations for other than covered wagons are at Annexure-VI.
4. A minimum of 10 wagons should be loaded for each destination.
5. The total number of wagons indented and loaded must conform to the Block Rake composition as notified for various types of wagon by the Railway Board.
6. For the period October to June, a Supplementary charge of 5% on two point rakes and 20% on multi point rakes will be levied on Base Freight Rates.

Rakes from Two Originating Terminals:

Rakes from two Originating Terminals can be loaded at Trainload Class rate under the following conditions.

Conditions:

1. This product is available only for Covered wagons from notified specified terminals.
2. Two Point combination from which loading is permitted will be notified by the Zonal Railway concerned.
3. In case the two terminals are on different Railways, the Railway issuing notification will take recorded prior consent of the concerned Railway.
4. Each Originating terminal should be a notified full or half rake terminal.
5. The destination terminal should be a notified full or half rake terminal.
6. Loading of rakes from two terminals can be done only if the two loading terminals are less than 200 KM apart.
7. A minimum of 10 wagons should be loaded from each originating terminal.
8. The total number of wagons indented and loaded must conform to the Block Rake composition as notified for various types of wagon by the Railway Board.
9. The customer cannot cancel indent at one point after he has started loading at the other point. If he does so, the entire freight will be charged irrespective of loading only one portion of traffic.
10. For the period October to June, a Supplementary charge of 5% on two point rakes will be levied on Base Freight Rates.

Rakes from Two Originating Terminals (Other than Covered Wagons):

Rakes from two Originating Terminals in other than covered wagons can be loaded at Trainload Class rate under the following conditions.

Conditions:

1. Notified Two Point combinations from which loading is permitted, are at Annexure-VII.
2. Each originating terminal should be a notified full or half rake terminal.
3. The destination terminal should be a notified full or half rake terminal.
4. A minimum of 10 wagons should be loaded from each originating terminal.
5. The total number of wagons indented and loaded must conform to the Block Rake composition as notified for various types of wagon by the Railway Board.
6. The customer cannot cancel indent at one point after he has started loading at the other point. If he does so, the entire freight will be charged irrespective of loading only one portion of traffic.
7. For the period October to June, a Supplementary charge of 5% on these rakes will be levied on Base Freight Rates.

STATUTORY AUDIT

Railways are part of the Government of India and not a corporation under any statute or Indian Companies Act. There is, therefore, no statutory audit of the type under Indian Companies Act. Statutory Audit is conducted by CAG which is much more comprehensive than company auditors and the audit report on performance is submitted to the Parliament by CAG. Public Accountability is, therefore, maximum.

Functions

The Comptroller and Auditor General of India is the final audit authority in India and he is responsible for the audit of the accounts of the Indian Railways (Article.149) but has no responsibility for the compilation of such Accounts. The form in which account of the Indian Railway should be kept and changes in accounts classification affecting the recording of the expenditure in the finance and Revenue Accounts are, however, subject to his approval.

Object of Statutory Audit (116 AI AND 911 OF Finance Code)

The Statutory audit has three fold purposes viz.

- i) accountancy audit- to check the accuracy and to see that all payment are supported by receipted vouchers,
- ii) an appropriate audit- to check to ensure that expenditure and receipts have been properly classified and voted appropriations have not been exceeded,
- iii) administrative audit to check that expenditure has been incurred according to prescribed rules and regulations.

The main object of audit is to ensure –

- a) that the system of accounts used by the internal check authority is correct,
- b) that the method of check applied at every stage of the accounts is sufficient,
- c) that the accounts are maintained and the checks applied with due accuracy and,
- d) that the arrangements exist in the accounts office to ensure attention to the financial interest of the Railways on the part of all concerned.

Responsibility of statutory audit is briefly as follows

- a) it extends in respect of expenditure transactions to all expenditure incurred in India;
- b) in respect of receipts, it includes of Indian railways including receipts relating to accounts of manufacture;
- c) it includes stores and stock accounts to the extent prescribed by the CAG of India

Audit is always conducted ex-post facto i.e. after the event.

Audit cannot prevent an overpayment through negligence or non-observance of rules and regulations. It is duty of Audit to report results to the proper authority that appropriate action is taken to rectify the irregularity wherever possible and at least to prevent its recurrence.

AUDIT DRAFT PARAS AND AUDIT REPORTS

Ordinarily the results of statutory audit are communicated through

- i) Specific reports of the more important and serious irregularities discovered in the Audit of departmental offices and station records.
- ii) Audit notes detailing minor irregularities discovered in the course of Audit of Accounts office records.
- iii) Inspection reports showing the results of Audit of the initial records of the executive offices and stations.

An inspection report will consist of two parts, namely Part I dealing with the more important matters and Part II dealing with the rest, containing minor routine matters. Audits notes will also similarly consist of two parts. The final disposal of Part II of audit notes and inspection reports rests with the Accounts Officers and no formal reply to the Principal Director of Audit is necessary. Replies to Part I of inspection report and audit notes and specific reports should be sent by the executive offices concerned to the accounts officer. In scrutinizing them, the Accounts officer should call for further information, if necessary, and consult the head of division or department concerned, where desirable before giving a reply to the Director of Audit (918 and 919 of financial code). All audit objections and notes should be promptly attended to by the Accounts officer.

All important cases coming to the notice of Audit during inspection or regular audit which in the opinion of the Director of Audit merits inclusion in the Audit Report are brought to the notice of the Railway administration through Special letters, notes of objections etc., to the HOD/FA&CAOs by the Director of Audit. Since these special letters, factual statements form the basis of the material for the Audit report, the Railway administration should deal with at a sufficiently high level and bring out their point of view in a convincing manner before they proceed to prepare a draft paragraph for incorporation in the Audit report.

Draft Para

Draft Para is a para of the report proposed by the Principal Director of Audit to be included in Railway Audit report in connection with a serious irregularity coming to

notice in the course of Audit activities. These serious irregularities may be on account of the following:-

- a) Those cases of financial irregularities as have not been rectified to the satisfaction of the Audit by the executive and
- b) Cases of loss, write off or nugatory expenditure.

The Principal Director of Audit sends the draft paragraphs to the GM. He also sends simultaneously advance copies of the draft paragraphs with connected correspondence, to the FA&CAO, the Head of department concerned, ADAI (RLYS), and the Director (Accounts), Railway Board, to facilitate prompt action and detailed examination of the points brought out in the draft paragraph. A draft Para is to be addressed to the General Manager of the Zonal Railway in person and a copy of it has to be sent to the FA&CAO and to the Head of Department of the concerned department ADAI (RLYS), and the Director (Accounts), Railway Board, to facilitate prompt action and detailed examination of the points brought out in the draft paragraph. From the date of receipt of Draft Para, GM will have to furnish sentence wise replies to the draft Para within five weeks to the Railway Board. The Railway Board shall reply the draft Para within Seven weeks to CAG (Rlys). If the reply given is unsatisfactory, the draft Para will be converted into a provisional Para for inclusion in the Audit Report. To enable Railway Board to approve the draft reply prepared by the Railway administration. The GM should furnish additional information to the Railway Board.

- 1. A history of the case with copies of relevant correspondence not covered in the Chief Auditor's letter.
- 2. Sentence wise comments on the draft paragraph, specifically verifying/ correcting the facts & figures quoted therein.
- 3. A Chronological summary of the case where there has been unusual delay in dealing with the subject matter.
- 4. Disciplinary aspects where individual lapses have been brought to light.
- 5. Remedial action called for or taken to avoid similar cases in future.

Any aspects which the Railway administration may wish the Principal Director of Audit to consider before sending the final reply should, as far as possible, be settled by personal discussions so that the time limit may not be exceeded. The report of CAG is presented to the Parliament, generally during budget session, where it is taken up for consideration by the Public Accounts Committee. The Committee obtains the personal evidence of senior officers of Railway Board in respect of the various items in the CAG's report. The results of the deliberations of the Public Accounts Committee are published in the form of reports which are laid on the table of each house of Parliament and forwarded to the Ministry of Railways. These reports contain the recommendations of Public Accounts Committee for implementation by the Railways.

TRAFFIC SURVEY

It is a detailed study of traffic conditions and prospects of an area with the object of determining the most promising routes for the railways in the area.

For the purpose of construction and financial implications, the railways are divided into three categories

- Strategic lines
- Protective lines
- Commercial lines

Strategic lines are constructed for the defence of the country. Protected lines are constructed to protect a particular part of the country from famine. Commercial lines are constructed keeping in view the idea of profit and loss.

No financial justification is required for strategic and protected lines. It is for the commercial lines that the financial justification is required.

An experienced administrative officer of the traffic (Comml / Operating) department should be entrusted with the work of traffic survey. To ensure that the estimates of anticipated traffic, capital cost and recurring expenses etc. are realistic and the financial appraisal of the project including the phasing of investments and returns at each stage are worked out as correctly as possible and with great deal objectivity, an accounts officer of appropriate status should be associated with the traffic survey officer. The traffic survey team should be supplied with terms of reference containing instructions regarding the scope and nature of the investigation to be carried out.

The traffic survey team should also visit the HQ at various intervals both during the progress of the work in the field and during the period of recess in order to consult the General; Manager and where necessary, have the original terms of reference modified by the competent authority. This would enable the main line administration to determine the design of the new line under investigation.

The traffic survey team should also work in close collaboration with the engineering survey party if there is one in the field at the same time, and while collecting information should visit all the trade centers in the area, consult local authorities and prominent citizens freely both on regard to trade and industry and most suitable alignment for the proposed railway line.

Traffic survey is mainly of two types.

- Preliminary survey
- Final survey

Preliminary survey:

Preliminary survey is done to determine how a proposed line will fit in the general development of railway and what return is likely to yield on the estimated total cost. It should be based on the careful study of

- Existing map
- Trade and population
- Financial and statistical data of the railway of similar area
- Modes of transport available in the area

From this investigation, the railway administration decides whether traffic survey should be under taken or not and what would be the standard of construction. All estimates for traffic survey require the sanction of the railway board and the cost of the survey is included in the budget.

Final survey:

Final survey is done with the sanction of Railway Board. It depends upon the following factors.

- Acquisition of land
- High flood level
- Boundaries of village lands
- State Govt. requirement
- Position of canals, rivers, culverts etc.
- Station site and junctions
- Diversion of traffic
- Protection work required
- Road ways and gradients
- Expected cooperation of local public
- Requirement of military and civil authority
- Demolition of religious places and burial places

Estimation of coaching earnings:

First find out the estimate of II class passenger earnings then add a percentage of upper class and coaching traffic. The following is the formula for II class passenger earnings.

$$X = F \times N \times P$$

X = Earnings from II class passengers

F = Fare per journey

N = Number of journeys per head per year

P = Population diverted

F and N are to be estimated on the basis of the existing line of the same length and type of section.

Estimation of goods earnings:

Such earnings are worked out keeping in view the following points

- Outward traffic
- Inward traffic
- Long distance traffic
- Short distance traffic
- Economic condition of the area
- Agricultural development in the area
- Industrial development in the area
- Existing market in the area
- Merchants and Govt. departments will also be consulted

Estimate of expenditure:

The working expenditures are divided in to the following main heads.

- Maintenance of structural work
- Maintenance of supply of locomotive power
- Maintenance and supply of carriage and wagons
- Expenses on traffic developments
- Expenses on general developments
- Expenses on electrical developments
- Miscellaneous expenses

It is seen what would be the return after 6 years and 11 years which is known as productive test taking the life period of the line as 30 years.

MODE OF PAYMENT

All charges due are to be paid in cash except where under special circumstances, payment of fares, freight by cheques, bank drafts, credit notes or under weight only system is authorized by the railway administration.

Payment by cheques:

- a) Cheques may be accepted from MPs when traveling on ICCRP towards payment of difference of fares.
- b) It should be drawn in favour of F.A. & C.A.O. of the collecting railway.
- c) It should be crossed and endorsed as account payee only not negotiable and dealt with as other cash collections.
- d) The facility of making payments of freight charges through cheques may be granted by CCM on application to the civil departments of state and central governments.

Procedure:

1. CCM will supply the list of names and designations of the officers authorized to issue cheques.
2. It should be drawn in favour of chief cashier of the railways.
3. It should be on a printed form and bear a crossing and endorsement "Account payee only - not negotiable".
4. Separate cheques should be issued for each transaction.
5. Commission charges should be included in the cheque and no cheque shall be accepted for passenger's fares.

Station master should ensure:

- a. Specimen signature tallies with the signature on the cheque.
- b. Details are recorded in a register.
- c. Money receipt is issued subject to realizations.
- d. Cheques are sent to cash office with cash remittance note daily.

Payment by bank drafts:

- a. A demand draft / banker's cheque / bankers pay order can be accepted at stations drawn on the local bank wherever the railway depositing account is opened.
- b. At stations where railway depositing account is not available, a demand draft / banker's cheque / bankers pay order can be accepted provided if they are drawn on a bank located at Hyderabad / Secunderabad.

Procedure:

- a. Draft should be of a scheduled bank and drawn in favour of FA&CAO.
- b. It should be crossed and endorsed as 'Account Payee only- not negotiable'.
- c. Charges if any to be realized should also be included

Station master should ensure:

- a. Details of the drafts are recorded in a register.
- b. Drafts are sent to cash office with cash remittance note daily.

Payment through credit note:

1. This facility is given to the customers who are having adequate regular transactions with the railways.
2. The party should pay a security deposit of an amount equivalent of average freight of 15 days transactions based on the average of previous 6 months.
3. When such permission is granted by CCM, the station concerned will be advised with full particulars.
4. A specimen signature of the person authorized to sign the credit note will be furnished to the stationmaster.

Station master should ensure that:

- a. Credit notes are issued on forms approved and supplied by the railways.
- b. Credit notes are signed by authorized persons.
- c. Credit notes allowed during a period does not exceed the limit fixed by CCM.
If the limit is reached any subsequent transition should be in cash only.

Different kinds of credit notes:

1. A firm credit notes as specified above.
2. Military credit notes for traffic not required to be carried on warrants.
3. Civil credit notes for traffic booked by military engineering service, directorate (Disposals organizations) and all civil departments of governments.
4. Credit note for posts and telegraphs department for traffic booked by posts and telegraphs.
5. Credit notes for railway departments for traffic booked by railway department by passenger trains for wharfage, demurrage and siding charges.

Procedure:

- Credit note should be tendered before dispatch / delivery of consignments.
- Full particulars should be furnished in the credit notes such as invoice number in case of freight charges, wharfage and demurrage charges.
- A register of credit notes should be maintained showing full details of the transactions of payment for which credit notes are tendered.
- Credit notes received by stations are sent to cash office along with daily cash as voucher.

Credit cards:

1. Credit Cards Master / VISA cards are accepted against computer reserved tickets at nominated stations.
2. Slips are sent on the following day to nominated bank who will issue a cheque / pay order.
3. The cheque will be sent to cash office daily with cash remittance note.

E-Payment Procedure

This scheme provides a facility to Rail users to make payment directly from their bank accounts to Railways account through electronic means.

Presently the scheme provides for payment of freight charges only, later Railway may consider expanding it to payment of other charges as well. This facility will be available only at TMS locations.

Any Rail customer having regular business with Railway may apply to the Chief Commercial Manager (CCM) of the Zonal Railways on which the loading station is located. It will be sole discretion of the Administration (CCM in consultations with the FA & CAO) to accept or reject a request for electronic payment of freight charges through e-payment scheme.

Major customers like FCI, Power Houses and Cement Companies etc. loading from more than one location may nominate one nodal branch of the Bank for transfer of funds in respect of all the transaction taking place at different stations of the Railway. However they need to apply for this facility separately to each Zonal Railway concerned.

If the request for this facility is accepted by the Railway administration, the customer has to sign a Tripartite agreement and provide a Letter of credit/Bank guarantee. The LC/BG amount should be equivalent to 2(two) days of average freight of the highest transaction month of the last financial year. The formula for the calculation of the amount of LC/BG will be as under:

$$\left. \begin{array}{l} \text{Total Freight during the highest freight-} \\ \text{-transaction month of the last financial year} \\ \text{Actual days of transactions in concerned month} \end{array} \right\} \times 2 = \text{Amount of LC/BG}$$

In case of a new customer, the amount of LC/BG may be decided in consultations with the associate Finance on the basis of traffic offered/expected.

The LC/BG should be valid for a minimum of 12 months from the date of commissioning of E-Payment Facility with a provision permitting its encashment up to 15 days after the validity period.

A separate category of Railway Receipts called “E-RR” which may be “paid”/”to-pay” will be used under the E-Payment scheme.

When the goods clerk gives a command to the system to prompt the bank for the collection of freight charges through E-Payment system, the bank on receipt of such an advice through TMS will collect funds from Customers account and electronically credit the same to Railways account.

After successful collection of the requisite amount, the system at the loading point (TMS) will display a message confirming successful completion of transaction and will permit issue of a “PAID E-RR”. However, if bank sends a message of insufficient funds, system will issue “TOPAY E-RR”. If no message is received from bank within 150 seconds for any reason, then system will issue a “PAID E-RR” basing on the LC/BG limit.

The Rupee amount of the LC/BG would be the upper limit for which PAID E-RR can be issued by the system without receiving any positive conformation from the bank

regarding collection of funds from the customer. TMS will ensure that issue of RR's under this situation will never be allowed to exceed the limit of LC/BG amount.

A facility would be provided in the system to send a system generated Alert message to the bank every hour till fund collection advice is received. The corresponding transaction thereafter will be taken off from the payment pending list duly adjusting the corresponding online balance rupee amount of LC/BG. In case limit of rupee amount of LC/BG has been fully exhausted then E-Payment facility will be automatically discontinued.

Electronic Payment system will be a 24X7 facility under which transaction will be made round the clock and on all the days of the year.

STATION OUT STANDINGS

The unrealized earnings at a station at the end of the month are called as 'Station Outstanding'. The outstanding can also be defined as the difference between the total debits and credits at end of the month.

Nature of outstanding and clearance:

1. Cashiers disallowances:

- This outstanding is raised due to rejection of defaced and spoiled currency notes etc. or non-submission of vouchers to cash office.
- On receipt of cashiers disallowance list from the chief cashier, the station staff should take immediate steps to clear this outstanding by remitting the cash to the extent of cash disallowed or by submitting the cash voucher.

2. Short accountal and short remittances:

- The short accountal and short remittances detected by the traffic accounts or inspection staff should be cleared immediately by the staff responsible by cash.

3. Error sheets (Accounts Office Debits):

- The under charges noticed by the accounts office during their internal check will be advised to the stations through error sheets for early accountal and realization.
- On receipt of the error sheets they should be accounted in the outstanding register and in the balance sheet on hand.
- The station staff should verify the same and classify the error sheet into a. Admitted debit or b. Non-Admitted debits.

a. Admitted debits:

- If the objection raised by the accounts is acceptable to the station then the debit is called admitted debit.
- Immediate steps should be taken by the station staff to clear the outstanding by the remitting the cash.

b. Not - admitted debit:

- If the objection raised by the accounts office is not acceptable to the station, then the debit is called 'not admitted debit'.
- One copy of the error sheet to traffic accounts, together with remarks for not accepting the debit.
- Traffic accounts office should examine the remarks for not accepting the debit by the station and if their remarks are found satisfactory they should withdraw the debit, by issuing a credit advise.
- The credit advise should be accounted on the credit side of the balance sheet.
- The credit advise is an authority for clearance of the outstanding amount under disputed debit.

4. Freight outstanding:

The freight outstanding on account of freight is classified as

- (a). Freight on hand
- (b). Freight not to hand.

a. Freight on hand:

- The freight outstanding on undelivered consignments is called as freight on hand. If the party has not taken delivery of the consignment within 7 days from the date of arrival of the consignment then a sale notice should be issued to the party by the destination station.
- If the party has not taken delivery of the consignment within 30 days from the date of receipt of the sale notice, the consignment is disposed of by conducting auction at the station and the outstanding is cleared on this account.

b. Freight not to hand:

- The freight outstanding on consignment not received at destination is called as freight not to hand.
- The reasons for non-receipt of a consignment at the destination station are as under.

c. Consignments lying unconnected:

- If the consignment is not received within the normal time by the destination station, they should send a telegraphic message to the forwarding station, junction stations enroute and DCM.
- On receipt of the message the staff at the enroute junction stations and DCM should take immediate steps to dispatch the consignment to the destination if the consignment is lying unconnected at some other stations.

d. Lost or destroyed in transit:

- The outstanding on account of consignment lost or destroyed in transit should be cleared by obtaining certified overcharge sheet from the chief claims officer.

e. Diversion:

- In case goods are diverted to a new destination, the freight outstanding should be cleared by obtaining a certified over charge sheet from the forwarding station.

f. Rebooking:

- In case of goods are rebooked to any other station, the freight outstanding should be cleared by including all the charges due in the rebooking railway receipt as 'Paid On'.
- A copy of the rebooking railway receipt should be attached to the station balance sheet for clearance of the outstanding.

g. Forced entries:

- The items copied from the machine prepared abstracts (MPA's) into goods delivery book are called as forced entries.
- The copies of invoices for these items should be obtained either from the forwarding station or from the traffic accounts office.
- After verification, if the invoices are not pertaining to the station, a letter from the forwarding station should be obtained and the outstanding is cleared.

h. Over carried:

- If the goods are over carried to a station on the home railway the station which has received the consignment wrongly should rebook the same to the original destination station under a free invoice / way bill.
- If the goods are over carried to a station on a foreign railway the station should rebook the consignment to the original destination station as 'to-pay'.
- The freight outstanding to the extent of goods over carried should be cleared by obtaining special credit from the concerned DCM.

5. Wharfage and demurrage charges:

- These charges will be outstanding for want of remission orders from the DCM.
- Prompt action must be taken to obtain remission orders from the DCM to clear the outstanding on this account.

6. Siding charges:

- All siding charges due from the siding owners as per agreement must be collected promptly and the station must ensure that there are no arrears in collection of these charges.
- If the siding authorities do not pay the charges due to the railways, the matter should be reported to DCM immediately.
- Under no circumstances the siding charges should be written off.

7. Miscellaneous items:

- The outstanding arising on account of miscellaneous items, should be cleared depending upon the nature of their outstanding.
- The unsold publications such as timetables and tariffs should be returned to DCM and special credit obtained for clearance of outstanding on this account.

WITHDRAWAL FROM STATION EARNINGS

Station masters are required to remit the entire collection of cash, cheques etc. to the cash office, however the withdrawals from station earnings are permitted in the following cases only;

1. Encashment of cheques issued by the FA & CAO or any officer authorized by him in this behalf in favour of the chief cashier.
2. Payments to comply with payment of wages act in certain cases where pre-check payment by accounts office is not possible for want of time e.g. Settlements of dues to staff whose services are terminated by the administration.
3. Payment of wages of temporary and permanent staff who cannot be paid by pay clerks within 10 days of the expiry of the wage period.
4. Payment of handling charges at stations where the station masters are goods handling contactors.
5. Encashment of pay orders issued by competent authority for payment of claims for compensation for goods lost, damaged etc. not exceeding rs.10,000/- in each case.
6. Payment against vouchers, overcharges sheets or other documents issued by competent authority for refund of fares and freight.
7. Refund of wagon registration fee.
8. Departmental expenditure necessitated by floods, accidents and earthquakes etc.
9. Handling charges for transshipment due to accidents, hot axles, etc.
10. Payment of fee to surveyors engaged in assessment of value of the damaged consignments up to limit of Rs. 250/- in each case.
11. Payment of decretal settlement amounts in court cases when the parties init on immediate payment under threat of execution or in discharge of legal attachment in railway earnings at the station.
12. Refund of 'deposits' for the value of perishable consignments taken at the time of delivery, on production of necessary particulars by the claimants of such consignments.
13. Refund of deposit money of licensed porters, Rs.5/-
14. Payment of cost of obtaining decree / judgments from the court under the orders of the head of the department only in cases where an appeal has to be filed within a specified period.
15. Cost of transport of sick and wounded persons at stations where ambulances are not available.
16. Payment to the casual labour engaged by station masters when handling contractors fail to provide adequate labour, only in emergent cases, which should be subsequently approved by head of the department. However when such labour is temporarily engaged by the station master when handling contract has been terminated on account of unsatisfactory working of the contractor, the labour should normally be paid through muster sheets and if they are to be discharged, before the close of the wage period and payment through

muster sheets is not possible., the payment can be made through station earnings.

17. Payment of expenses of special catering when the imprest is exhausted in emergent cases only, duly authorized by an officer.
18. Payment in cash to staff governed by workmen's compensation act.
19. Refund of fares on unused ad partially used tickets.
20. Payment of salary to traffic inspectors of accounts against cheques issued.
21. Refund of earnest money to unsuccessful bidders in cases of auction of unclaimed or lost property when the amount of bid is not approved by the competent authority or when the property is connected and delivered to the owner.
22. Ex-gratia payments to persons involved in train accidents.
23. Advance of traveling allowance in an emergency as court attendance at short notice.
24. Refund of security deposits on account of hiring of lockers art railway stations.
25. Payments of rewards to persons who help in apprehending prosecution of unauthorized chain pulling.
26. Payment of grants sanctioned from railway minister's welfare / relief fund through pay orders encashable at stations.
27. Payment of commissions to the halt agents.
28. Defraying of expenses in departmental catering establishments for purchase of perishables, fish, meat, eggs, milk., butter, melted ghee etc.
29. Encashment of pay order issued by railways co-operative credit societies, banks, against fortnightly deposits made with the railway administration by societies / banks.
30. Payment of commission amount to vendors / bearers engaged on commission basis.
31. Spot payment of daily allowances to public witnesses attending departmental enquiries in vigilance cases against railway employees.
32. Payment of coolie hire charges for effecting delivery of public telegrams wherever so indicated.
33. Payment of immediate relief to the families of non-gazetted railway servants who die while in service.
34. Advance to running staff marooned due to breach of communication.
35. Payment of advances from provident fund sanctioned by competent authority to meet the funeral expenses of deceased railway employees at roadside station.
36. Payment not exceeding Rs.1000/- only in each case for shrouds to cover dead bodies of victims of accidents on railway. The vouchers submitted along with the cash may be countersigned by the government railway police officials in token of having taken over the dead body / bodies duly covered with shrouds.

Note: Payment of conveyance charges for remittance of station earnings into local banks is withdrawn from the list of items for withdrawal from station earnings. The amount incurred for conveyance charges should be utilized from imprest cash of the station.

OFFICIAL LANGUAGE

The Constitution committee accepted Hindi as the Official Language of the Union on 14th September, 1949. Hence Hindi Diwas is celebrated every year on 14th of September.

Constitutional Provisions of Official Language:

Article 343(1): The official language of the union shall be Hindi in Devanagari script and International form of Indian numerals are to be used.

Article 343(3); For the period of 15 years from the year commencement of this constitution (26th Jan., 1950 to 26th Jan. 1965). The English language shall continue to be used for all the official purpose of the Union. The President may, during the said period by order authorize the use of the Hindi Language, Devanagari form of numerals in lieu of English language, International form of Indian numerals.

Article 343(3) :- Parliament by law provide for the use, after the said period of 15 years of the English Language or the Devanagari form of numerals.

Article 344 :- Commission and Committee of Parliament on official language. The President shall at the expiry of 5 years and there after 10 years from the commencement of this constitution by order constitute a Commission which shall make recommendations to the President as to the progressive use of the Hindi language and restriction on the use of the English language.

Clause 4 of Article 344 provides for the constitution of a parliamentary Committee consists of 30 members (20 Lok Sabha Members + 10 Rajya Members) for examining recommendations of the commission. This committee will submit its report to the President making recommendation there on and the President shall cause the report to be laid before each house of the Parliament and sent to all State Government.

Article 345 :- Official Language or language of a State:-

The Legislature of a State may by law adopt any one or more languages in use in State or Hindi as the language/languages to be used for all or any of the official purpose of that State provided that until the legislature of the State otherwise provided by law, the English language shall continue to be used for these Official purposes. Within the State for which it was being used for these official purposes. Within the State for which it was being used immediately before the commencement of this constitution.

Article 346 :- Official language for communication between one State and another State or between State and the Union

The language authorised for use in the Union for official purpose at that time shall be the official language for communication between one State and another State and between

the State and the Union. If two or more States agree that the Hindi language should be the official language for communication between such States they can use Hindi for their correspondence..

Article 347 :- Second language of the State.

If any State demands the languages spoken by the public of that State should be used for Official purposes, the President may be by order authorize the use of language for some or all purposes in that State.

Article 348;- language to be used in the Supreme Court and in the High Court and for Acts, Bills etc.

- 1) Until Parliament by law otherwise provided all proceedings in the Supreme Court and in the every High Court should be in English only.
- 2) The authoritative texts of all bills, Acts all orders, regulations shall be in the English Language. The Governor of state may with the previous consent of the President, authorize the use of the Hindi language or any other language used for any official purpose of the State, in proceedings in the High Court (not applicable to judgment, decree or orders)

Article -349;- To regularize some Bill regarding language (Revision in the official language of the Union)

During the 15 years period from the date of commencement of constitution use of other language other than English in Supreme Court/High Court or any revision regarding the use of language in official purposes, should be brought before Lok Sabha/Rajya Sabha after the prior permission of President.

Article 350;- Languages used in representation of redressal of grievances:-

Every person shall be entitled to submit a representation for the redressal of any grievances to any office of the Union or State in any of the language used in the Union or in the State as the case may be

Article 351: Directive for development of the Hindi language:

It shall be the duty of the Union to promote the spread of the Hindi language, to develop it so that it may service as medium of expressions for all the elements of the composite culture of India and secure its enrichment by assimilating without interfering with its genius, the form, style and expressions used in Hindustani and other language of India specified in eight schedule.

Eight Schedule languages:

- | | | | |
|--------------|-------------|--------------|---------------|
| 1. Assamese | 2. Oriya | 3. Urdu | 4. Kannada |
| 5. Kashmiri | 6. Gujarati | 7. Tamil | 8. Telugu |
| 9. Punjabi | 10. Bengali | 11. Marathi | 12. Malayalam |
| 13. Sanskrit | 14. Sindhi | 15. Hindi | 16. Manipuri |
| 17. Konkani | 18. Nepali | 19. Maithili | 20. Bodo |
| 21. Santhali | | | |

Article 120: Languages to be used in the parliament:

Business in parliament shall be transacted in Hindi or in English. Any member who cannot adequately express himself in Hindi or in English may be permitted to address the house in his mother tongue.

Languages to be used in legislature; Business in the legislature of a State shall be transacted in the official language or languages of the State or in Hindi or in English.

Any member who cannot adequately express himself in any languages aforesaid may be permitted to address in the house in his mother tongue

Official Language Act of 1963.

An act to provide for the languages which may be used for the official purposes of the Union, for transaction of business in Parliament for Central and State Governments and High Courts.

Short Title and Commencement: This act may be called Official Language Act 1963 and its commencement date will be notified in Official Gazette of India.

Definitions: Hindi written in Devanagari script and Appointed Day means 26th January, 1965.

Continuation of English language for the use of Union and Parliament:

English language shall continue to be used after the expiry period of 15 years from the date of Commencement of Indian Constitution in Parliament,, Central Government and State Government. All the documents coming in section 3 (3) should be issued in bilingual form only. The documents are , General Orders, Circulars, Notifications, Press release, Press communiqué, Rules, Resolutions, Administrative reports or other reports, Contract Agreements, Permits, license, Tender forms, Tender notices, Papers to be submitted before Parliament. Reservation Charts.

Committee on Official Languages; After 10 year from 1965 a Parliamentary official language Committee will be constituted. The committee consists 30 members (20 from Lok Sabha and 10 from Rajya Sabha) It shall be duty of the committee to review the progress made in the use of Hindi for the official purpose of the union and submit a report to the President making recommendation there on and President shall put all the same before each House of Parliament, and sent the same to State Government. After due consideration and any remark by the State shall issue directions in accordance with the report.

Authorised Hindi translation of Central Acts: Translation in Hindi of any rule, act, ordinance of the President order, Regulation or By-laws issued under Constitution or

under any Central Act, Published under the authority of President in official Gazette of India shall be deemed to be the authoritative text in Hindi

Authorised Hindi Translation of State Acts in certain case: Where the Legislator of any State has prescribed any language other than Hindi, Act, Rule, Ordinance promulgated by Governor, in addition the translation in English language as required by Article-348 may be published in the official Gazette of that State Translation in Hindi of any such Acts or Ordinance shall be deemed to be the authoritative text thereof in the Hindi language.

Optional use of Hindi or other Official Language in the Judgments etc. in High Courts:

Governor of State, may with the previous consent of the President, authorize the use of Hindi or the Official Language of that State or the purpose of any judgment, decree or order passed by the High Court it shall be accompanied by a translation of the same in the English language issued under the authority of the High Court.

Power to make Rules: The Central Government may by notification in the Official Gazette, make rules for carrying out the purposes of this Act. Every rule made under this section shall be laid before each House of Parliament while it is in session for total period of 30 days.

Certain provisions not to apply to Jammu and Kashmir: The provisions of Section 6 and 7 shall not apply to the State of Jammu and Kashmir.

Official Language Rules 1976 (Use for Official purpose of the Union)

GSR 1052 –in exercise of the powers conferred by Section 8, read with sub section (4) of the Section 3 of the official language Act 1963 the Central Government hereby make the following rules, namely:

Short Title, Extent and Commencement:

1. These rules may be called the official language (use for official purpose o the Union) rules 1976.
2. They shall extent to the whole of India, except the State of Tamilnadu.
3. They shall come into force from the date of their publication in Official Gazette of India.

Definitions:

Words used in this Rule like Act, Central Government offices, Employees, Notified office, Proficiency in Hindi, Working knowledge of Hindi etc, has been given.

Region ‘A’ ; Bihar, Haryana, Himachal Pradesh, Madhya Pradesh, Rajasthan, Uttar Pradesh, Delhi, Andaman and Nicobar Islands, Utteranchal, Chattisgarh, Jharkhand.

Region ‘B’ : Gujarat, Maharashtra, Punjab and Chandigarh.

Region ‘C’ : Means the States and Union Territories other than those referred above.

Communication to State etc. other than the Central Government offices:-

- A. Between one Ministry or Department of the Central Government and another may be in Hindi or English.
- B. From 'A' region to 'A' region in Hindi, depending upon the facility provided in Office, persons having working knowledge of Hindi and proportion fixed from time to time.
- C. Between Central Government offices situated in Region A shall be in Hindi only.
- D. By Central Government Offices situated in Region 'A' or 'B' or 'C' in Hindi or English.
- E. Between Central governments Offices situated in Region 'B' or Region 'C' may be in Hindi or English only.

Translation of such communication in the other language shall :-

- i. Address to Region 'A' or 'B'- at receiving end.
- ii. Address to Region 'C' – along with such communication.

Further that translation in other language is not required if addressed to a notified offices.

Replies to communication received in Hindi: Letters received /signed in Hindi from any office or person should invariably be replied in Hindi only.

Use of Both Hindi and English: Documents mentioned in Section 3 (3) should be made and issued in both Hindi and English and it is the responsibility of the person signing such documents to ensure that the documents are issued, made and executed in both Hindi and English.

Applications, Representations etc. An employee may submit an application, appeal or representation in Hindi or in English. Where an employee desire any order or notice relating to service matters required to be served in Hindi or English, it shall be given to him in that language without undue delay.

Noting in Central Government Offices :

- 1. An employee may record note or minutes on a file in Hindi or English and he should not be asked to furnish translation in the other language.
- 2. No central Government employee possessing working knowledge of Hindi may ask for an English translation of any document in Hindi except in the case of legal or technical document.
- 3. H O D will decide the nature of document whether it is legal/technical or not.
- 4. Central government may by order specify the work should be done in Hindi in notified Offices by the employee having proficiency in Hindi.

Proficiency in Hindi:

- a. Hindi is the medium of examination in metric or higher examination, or
- b. Elective subject in Degree or Higher examination; or
- c. Declaration in the form annexed to these rules.

Working knowledge of Hindi:

1. An employee shall be deemed to have acquired a working knowledge of Hindi:-
 - a. If he has passed matriculation or higher examination with Hindi as one of the subject;
 - b. Pragma or any lower examination conducted by Ministry of Home Affairs prescribed under that Scheme: or
 - c. Any other examination specified by the Central Government or
 - d. Declaration in the form annexed to these rules.
2. If eighty percent staff have acquired working knowledge of Hindi in a particular Office, it would be deemed that the office have acquired working knowledge of Hindi.
3. The Central Government or any office specified in this behalf can determine whether the Staff of a Central Government Office has acquired working knowledge of Hindi.
4. The names of central government Offices, where the staff have acquired working knowledge of Hindi should be notified in the Official Gazette.
5. At any date if the percentage of staff having working knowledge of Hindi has gone below the 80 percent, it may be denotify by notification in the Official Gazette.

Manual, Codes, Other procedural literature articles of Stationary Etc. :

1. All Manuals, Codes and other Procedural Literature of Central Government Offices should be published in Hindi and English in diglot form.
2. The Forms, Heading in Registers, File Covers shall be in Hindi and English.
3. All name plate, sign boards, letter heads and inscription on envelopes, stationery items must be in Hindi and English.

Responsibility for Compliance:

1. It shall be the responsibility of the administrative head to ensure that the provisions of the Act and Rules are properly complied with and to devise suitable and effective checkpoints for this purpose.
2. The Central Government from time to time issue directions as may be necessary for the compliance of the provisions of the Act and these rules.

Various Awards Scheme for the use of the Rajya Sabha:

Railway Board Individual Cash Award Scheme: Every year 6 to 8 officers/Employees are awarded for doing commendable and maximum work in Hindi by Railway Board at All India Hindi Week celebrations. The Railway Minister gives these awards. Every award winner gets Rs. 1000/- in Cash and a Certificate.

General Manager's individual cash award scheme: Every year on the eve of South Central Railway's Hindi Saptah Celebrations, 10 officers 30 Employees are awarded for doing commendable and maximum official work in Hindi. The General Manager gives these awards. Every award winner gets Rs. 1000/- in cash and a certificate.

Home Minister Award Scheme: All officers and Employees working in South Central Railway can participate in the competition under this scheme.

Officers /Employees in regions 'A' and 'B' for writing minimum of 20,000 words in Hindi per year and in region 'C' for writing minimum of 10,000 words in Hindi per year are given awards.

Two First Prizes of Rs. 800/- each.

Three Second Prizes of Rs. 400/- each.

Five Third Prizes of Rs. 300/- each.

Under this scheme minimum 10 participants should be there from any Unit/Section/office.

Collective Cash Award Scheme: Under this scheme 3 departments are awarded for doing commendable and maximum work in Hindi.

Particulars of wards

First Prize; Rs. 6,000/- (for 60 employees)

Second Prize; Rs. 4,000/- (for 40 employees)

Third Prize Rs. 3,000/- (for 30 employees)

Awards for writing Original Hindi Books on Technical Subjects:

Every year the following seven cash awards are distributed by the Railway Board to such genius Railway men who write Original Hindi books on Technical Subjects:

One First prize: Rs.10,000/-

Two Second Prizes: Rs. 5,000/- each

Two third prizes: Rs. 3,000/- each

Two consolation prizes:Rs. 2,000/- each

Apart from this copies of the awarded books are purchased for the Railway Hindi libraries.

Indira Gandhi Raj Bhasha Award Scheme:

Every year the following three awards are distributed of the writers of the best Hindi books on Official working

First Prize; Rs. 20,000/- . Second Prize; Rs. 16,000/- . Third Prize; Rs. 10,000/-

Cash Award Scheme for writing story, novel and poetry in Hindi:

Premchand Award Scheme: Every year an award of Rs. 10,000/- is given to the best story book or a novel in Hindi.

Maithilisharan Gupta Award: An award of Rs. 10,000/- is given for best poetry book in Hindi.

Training: incentives regarding Hindi/ Hindi Typing / Stenography training (only for those officers/ Employees who did not possess working knowledge of Hindi)

The Officers/Employees of group 'A','B' and 'C' who pass the above examination conducted under the Hindi teaching scheme with suitable marks are awarded in the following manner:

Lump sum Award:

On passing of Prabodh/Praveen/Pragya/Hindi typng/Stenography examination under the Hindi Teaching Scheme by own efforts, the officers and employees are awarded in the following way:

Prabodh Rs. 500/-, Praveen Rs. 500/-, Pragya Rs. 600/-, Hindi Typing R. 400/-, Hindi Stenography Rs. 750/-.

Hindi examinations of voluntary Hindi organizations, which are recognized by Government of India as equivalent to Matric and Higher

Cash Award

Having Secured	Prabodh	Praveen & Pragya
70% or more marks	Rs. 400/-	Rs. 600/-
60% or more marks	Rs. 200/-	Rs. 400/-
55% or more marks	Rs. 100/-	Rs. 200/-

In addition personal pay equal to one month's increment for 12 months.

For passing Hindi typing and Stenography examination:

Typing	Stenography	Amount
97% or more marks	95% or more marks	Rs.600/-
95% or more marks	92% or more marks	Rs.400/-
90% or more marks	88% or more marks	Rs.200/-

For passing typewriting an additional, personal pay equal in amount to one increment for 12 months.

For passing stenography an addition, personal pay equal in amount to two increments for the first twelve months and one for the next 12 months on passing Hindi Stenography Examination.

Hindi Essay, Elocution, noting and Drafting competitions:

Hindi Essay, Elocution, Noting, Drafting competitions are conducted at Zonal and Railway board level and the Hindi Typewriting competition is conducted only at Zonal level. All these competition are conducted once in a year.

Awards are given in the following manner:

For Hindi, Essay, Elocution and Noting and Drafting competition:

Prizes	Zonal level	Railway Board Level
First Prize	Rs. 500/-	Rs. 600/-
Second prize	Rs. 400/-	Rs. 500/-
Third Prize	Rs. 300/-	Rs. 200/-
Consolation Prize	Rs. 75/- (three prizes)	Rs. 150/- (five prizes)

Competition will be held in July /August.

LEAVE RULES

501. Short title.

These rules may be called the Railway Services (Liberalised Leave) Rules, 1949.

502. Extent of application.

These rules shall apply to (i) Railway servants appointed on or after 1st February 1949; (ii) Railway servants appointed prior to 1st February 1949 who have elected to be governed by these rules; and (iii) others who are brought under these rules by special orders; (iv) a temporary Railway servant who has completed 3 years continuous service shall be entitled, from the date of completion of 3 years continuous service, to the same conditions of service in respect of question of leave (including leave salary) as he would have been entitled to if he held a lien on the post in which he was initially appointed.

General Conditions

503. Right to leave.

Leave cannot be claimed as of right and leave of any kind may be refused or revoked by the authority* competent to grant it, but it shall not be open to that authority to alter the kind of leave due and applied for except at the written request of the Railway servant.

*See schedule.

Railway Ministry's decision.—The above provisions are not, however, intended to be so used as in effect to abridge to the employees' leave entitlements. It is desirable in the interests of efficiency that employees take leave at suitable intervals and return to work keen and refreshed. The leave sanctioning authority should draw a phased programme for the grant of leave to the applicants by turns with due regard to the priority of claims to leave at the same time ensuring for adequate presence of staff so that no dislocation in the normal working of establishment is caused.

504. Effect of dismissal, removal or resignation on leave at credit.

(1) Except as provided in rule 541 and this rule, any claim to leave to the credit of a railway servant, who is dismissed or removed or who resigns from railway service ceases from the date of such dismissal or removal or resignation.

(2) Where a railway servant applies for another post under the Government of India but outside the Railways, if such application is forwarded through proper channel and the applicant is required to resign his post before taking up the new one, such resignation shall not result in the lapse of the leave to his credit.

(3) A railway servant who is dismissed or removed from service and is reinstated on appeal or revision, shall be entitled to count for leave his service prior to dismissal, or removal, as the case may be.

(4) A railway servant, who having retired on compensation or invalid pension or gratuity is re-employed and allowed to count his past service for pension or State Railway Provident Fund benefits, as the case may be, shall be entitled to count his former service towards leave.

Railway Ministry's decision

Break in Service due to strike.—Strikes may be divided into two categories—

(a) Legal strikes, i.e. those which have been called after complying with the provisions of the Industrial Disputes Act, 1947 and

(b) Illegal strikes, i.e. those in which the preliminaries to the calling of a legal strike have not been observed

Strikes falling under (a) above do not constitute a break in service and it would be appropriate for the Railway administrations to treat the period of absence as leave with or without allowances as the case may be without reference to the Railway Board.

In case of illegal strikes, however, the absence of the employees concerned is tantamount to a break in service and cannot be condoned without the sanction of the President.

When a break in service due to participation in an illegal strike is condoned by the President as dies non i.e. neither constituting a break in service nor counting as service such a period is deleted as being non-existing in so far as the particular employee or employees are concerned and therefore the status quo ante the interregnum is restored in all respects from the date following the last day of the period treated as dies non. In other words service prior to the break so condoned will be treated as continuous with the services after the break itself for all purposes but the period of break itself will not be taken into account for any purpose.

(Case No. E48 ST/191(L) & E 51.ST/1-44).

505. Conversion of one kind of leave into another.

(1) At the request of a railway servant made before he ceases to be in service, the authority which granted him leave may convert it retrospectively into leave of a different kind which was due and admissible to him at the time the leave was granted, but the railway servant cannot claim such conversion as a matter of right.

Provided that no such request shall be considered unless received by such authority, or any other authority designated in this behalf, within a period of 30 days of the concerned Railway servant joining his duty on the expiry of the relevant spell of leave availed of by him.

(Authority:- Railway Board's letter No.F(III)/98/LE1/1 dt. 5-2-98)

(2) The conversion of one kind of leave into another shall be subject to adjustment of leave salary on the basis of leave finally granted to the railway servant, that is to say, any amount paid to him in excess shall be recovered or any arrears due to him shall be paid.

Note.—Extraordinarily leave granted on medical certificate or otherwise may be converted retrospectively into 'leave not due' subject to the provisions of rule 528.

506. Commencement and end of leave.

Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day preceding that in which charge is resumed.

507. Combination of different kinds of leave.

Except as provided otherwise under these rules, any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.

Explanation.—Casual leave which is not recognised as leave under these rules shall not be combined with any other kind of leave admissible under these rules. There is, however, no objection to Casual leave being followed by quarantine leave.

508. Combination of holidays with leave.

(1) When the date immediately preceding the day on which a railway servant's leave begins or immediately following the day on which his leave expires is a holiday or one of a series of holidays, the railway servant may leave his station at the close of the day before, or return to it on the day following such holidays, provided that—

- (a) his transfer or assumption of charge does not involve the handing or taking over of securities or moneys other than a permanent advance;
- (b) his early departure does not entail a correspondingly early transfer from another station of a railway servant to perform his duties; and
- (c) the delay in his return does not involve a corresponding delay in the transfer to another station of the railway servant who was performing his duties during his absence or in the discharge from railway service of a person temporarily appointed to it.

(2) in the case of leave on medical certificate:--

- (a) When a Railway servant is certified medically unwell to attend office, holidays if any immediately preceding the day he is so certified shall be allowed automatically to be prefixed to leave and the holidays if any immediately succeeding the day he is so certified (including that day) shall be treated as part of the leave; and
- (b) When a Railway servant is certified medically fit for joining duty, holidays if any, succeeding the day he is so certified shall be allowed automatically be allowed to be suffixed to the leave and holidays, if any, preceding the day he is so certified (including that day) shall be treated as part of the leave.

(3) On condition that the departing railway servant remains responsible for the moneys in charge, the competent authority may in any particular case waive the application of clause (a) of proviso to the sub-rule (1).

(4) Unless the authority competent to grant leave in any case otherwise directs—

- (a) If holidays are prefixed to leave, the leave and any consequent rearrangement of pay and allowances take effect from the day after the holidays; and
- (b) If holidays are suffixed to leave, the leave is treated as having terminated and any consequent rearrangement of pay and allowances takes effect from the day on which the leave would have ended if holidays had not been suffixed.

Railway Ministry's decision—All holidays notified locally by Railway Administrations may be treated as holidays for the purpose of rules 506 and 508. Since the declaration of holidays as recognized holidays rests with the President the lists of holidays should be approved by that authority.

The above decision does not apply to offices which follow holidays declared by Central and State Government or Union Territories

(Railway Ministry's case No. F43/HL(1))

509. Employment during leave.

A Railway servant on leave may not take any service or accept any employment without obtaining the previous sanction of—

- (a) the President if the proposed service or employment is outside India; and
- (b) the authority empowered to appoint him, if in India.

Note—This does not apply to casual literacy work, or to service as an examiner or similar employment nor does it apply to acceptance of foreign service with the sanction of the competent authority.

510. Maximum amount of continuous leave.

Unless the President, in view of the exceptional circumstances of the case otherwise determines, no Railway servant shall be granted leave of any kind for a continuous period exceeding 5 years.

Grant and return from leave

511. Application for leave.

An application for leave or for extension of leave shall be made to the authority competent to grant such leave or extension in the form at Annex- I.

512. Grant of leave.

Priority of claims to leave.—In case where all applications for leave cannot, in the interest of the public service, be granted, an authority competent to grant should, in deciding which applications should be granted, take into account the following considerations—

- (a) The railway servants who can, for the time being best be spared.
- (b) The amount of leave due to the various applicants.
- (c) The amount and character of the service rendered by each applicant since he last Returned from leave.
- (d) The fact that any such applicant was compulsorily recalled from his last leave.
- (e) The fact that any such applicant has been refused leave in the public interest.

Railway Ministry's decision 1.—The order sanctioning leave on average pay/half average pay to Railway servant shall indicate the balances of such leave at his credit.

(E(P&A)176 LE 3/1 dot. 11-3-1977)

Railway Ministry's decision 2.—In order to save time, effort and expense, it has been decided that instead of issuing individual leave orders, these orders should, as far as possible, be issued in a consolidated form for each category of staff separately, if not already being done. The consolidated leave orders may be issued once in a fortnight, say, on 20th of the month in respect of persons who proceeded on leave between 1st and 15th, and on 5th of the next month in respect of those who proceeded on leave between 16th and the last working day of the previous month. These dates may, if necessary, be varied

to suit local convenience. Exception may be made, if necessary, in the types of cases mentioned below:

- (i) Where the Railway servant and his leave sanctioning authority are located at different stations, and
- (ii) Where officiating arrangement is to be made in the leave vacancy.

Where a Railway servant is proceeding on leave before the date of issue of the consolidate leave order, the fact whether the leave applied for by him has been sanctioned or not may informally be ascertained from administration section by the individual concerned. The general principle should, however, be that after the leave has been recommended by the Railway servant's immediate controlling authority, the leave may be deemed to have been sanctioned unless he is given an intimation to the contrary.

513. Leave Account.

A leave account shall be maintained in the prescribed form for each railway servant by the Accounts Officer in the case of Group A and Group B railway servants and by the head of the office or an officer authorised by him in the case of Group C and Group D Railway Servants.

514. Verification of title to leave.

The amount of leave due to a railway servant is the balance leave at his credit in the leave account. No leave shall be granted to a railway servant until a report regarding its admissibility has been obtained from the authority maintaining the leave account.

515. Leave when not to be granted.

Leave shall not be granted to a railway servant whom a competent punishing authority has decided to dismiss, remove or compulsorily retire from railway service.

516. Recall to duty before expiry of leave.

In case a Railway servant is recalled to duty before the expiry of his leave, such recall to duty shall be treated as compulsory in all cases and the railway servant shall be entitled:--

(a) If the leave from which he is recalled is in India, to be treated as on duty from the date on which he starts from the station to which he is ordered, and to draw—

- (i) traveling allowance under rules made in this behalf for the journey; and
- (ii) leave salary until he joins his post, at the same rate at which he would have drawn it but for recall to duty.

(b) If the leave from which he is recalled is out of India, to count the time spent on the voyage to India as duty for purposes of calculating leave, and to receive—

- (i) leave salary, during the voyage to India and for the period from the date of landing in India to the date of joining the post at the same rate at which he would have drawn it but for recall to duty;
- (ii) a free passage to India;

- (iii) refund of his passage from India if he has not completed half the period of his leave by the date of leaving for India on recall, or three months, whichever is shorter;
- (iv) duty pass and traveling allowance, under the rules for the time being in force for travel from the place of duty.

517. Return to duty from leave.

- (1) A railway servant on leave shall not return to duty before the expiry of the period of leave granted to him, unless he is permitted to do so by the authority which granted him leave.
- (2) Notwithstanding anything contained in sub-rule (1), railway servant on leave preparatory to retirement shall be precluded from returning to duty save with the consent of the authority competent to appoint him to the post from which he proceeded on leave preparatory to retirement.
- (3) A railway servant who has taken leave on medical certificate may not return to duty until he has produced a medical certificate of fitness from the appropriate Medical authority.
- (4) A railway servant returning from leave is not entitled, in the absence of specific orders to that effect, to resume as a matter of course, the post which he held before going on leave.
- (5) Such railway servant shall report his return to duty to the authority which granted him leave or to the authority, if any specified in the order granting him the leave and await orders.

518. Absence after the expiry of leave.

- (1) Unless the authority competent to grant leave extends the leave, a railway servant who remains absent after the end of leave is entitled to no leave salary for the period of such absence and the period shall be debited against his leave account as though it were leave on half average pay, to the extent such leave is due, the period in excess of such leave due being treated as extraordinary leave.
- (2) Wilful absence from duty after the expiry of leave renders a railway servant liable to disciplinary action.

519. Grant of leave on Medical Certificate.

- General Rules.—(1) Medical Officers shall not recommend grant of leave in any case in which there appears to be no prospect that the railway servant concerned will ever be fit to resume his duties. In such cases the opinion that the railway servant is permanently unfit for railway service should be recorded in the Medical certificate. A railway servant in Group A or Group B should not be invalidated out of service on account of ill health except on the certificate of a Medical Board.
- (2) Every certificate of a Medical Officer recommending the grant of leave to a railway servant must contain a proviso that no recommendation contained in it shall be evidence or a claim to any leave not admissible to the railway servant under the term of his

contract or the rules to which he is subject. The certificate should be forwarded to the authority competent to grant the leave and the orders of that authority should be awaited.

520. (1) Grant of leave on Medical certificate to Group A and Group B Officers.

Before a railway servant in Group A or Group B is granted leave or an extension of leave, on medical certificate, he shall obtain a certificate in the following form:

521. "Commutated Leave/Leave on production of Medical Certificate by the Railway Servants shall be regulated as follows:-

1. A Railway servant (Gazetted or Non-gazetted), on being a Central Government Health Scheme (CGHS/Railway Health Services (RHS) beneficiary and living in an area covered by the CGHS/RHS at the time of illness, shall be required to produce a Medical and Fitness Certificate in the Form prescribed in Annexure XI to Rule 538 and 541 of Indian Railway Medical Manual, Volume 1, Third Edition 2000 either from an authorized CGHS Medical Officer or a Railway/Government Authorized Medical Officer.

In circumstances where the Railway Doctor's line visits do not materialize, the Railway employees, who are covered by the line jurisdiction of the Railway doctor and who have fallen ill, may obtain a Medical Certificate from a Registered Medical Practitioner (RMP) subject to the condition that if the leave applied for on medical grounds is for more than 3 days, the employee should report to the Railway doctor if he is fit to travel or send intimation about his condition, if he is bed-ridden, at such intervals as directed by the Railway doctor.

2. Railway servants (Gazetted or Non-gazetted), who are not CGHS beneficiaries, (including those who have opted out of the CGHS / RHS or are CGHS or RHS Card Holders, but at the time of illness are residing outside the jurisdiction of the CGHS / RHS facilities or take ill while being outside the Headquarters) are required to produce a Medical and Fitness Certificate from his Authorized Medical Attendant (AMA) provided that in the case of a Non-gazetted Railway employee, if no AMA is available within a radius of 8 kilometers of his residence or place of temporary stay outside the Headquarters, the leave sanctioning authority may at his discretion, sanction Leave / Commuted Leave on production of a Medical Certificate from the Registered Medical Practitioner, after satisfying itself of the facts / merits of the case .

3. In case of hospitalization/indoor treatment permitted in a private hospital recognized under the CGHS/Central Services (Medical Attendance) Rules, 1944 and Railway Medical Attendance Rules as contained in Indian Railway Medical Manual, Third Edition, 2000(Corrected upto 30.9.99), a Railway servant (Gazetted or Non-gazetted), whether a CGHS/RHS beneficiary or not, may produce the requisite Medical/Fitness Certificate from the Authorized Medical Officer of such a hospital in case his hospitalization/ indoor treatment, is on account of the particular kind of disease (e.g. heart, cancer etc.) for the treatment of which the concerned Hospital has been recognized by the Ministry of Health and Family Welfare. There may be instances where an employee may be initially admitted to such a hospital at a stage when the disease has yet not been fully diagnosed and it may subsequently be established that the disease was not

that, the suspicion of which prompted his / her admission to the hospital. In such cases, the leave sanctioning authority, with the approval of the General Manager, may grant Leave / Commuted Leave on the basis of the Medical Certificate from the Authorized Medical Officer of such a hospital, if he is satisfied about the genuineness of the case.

4. In cases where a Non-gazetted Railway servant finds it difficult to obtain the Medical/Fitness Certificate from a CGHS/RHS doctor or AMA in exceptional cases, the leave sanctioning authority, may consider grant of leave on the basis of the Medical/Fitness Certificate from an RMP after taking into account the circumstances of the specific case. Such a certificate should be, as nearly as possible, in the prescribed form as given in Annexure XI of Rule 538 and 541 of Indian Railway Medical Manual, Volume 1, Third Edition'2000, and should state the nature of illness and the period for which the Railway servant is likely to be unable to perform his duties. The competent authority may, at its discretion accept the certificate, or in cases where it has reasons to suspect the bonafides, refer the case to the Divisional Medical Officer for advice or investigation. The Medical Certificate from registered private practitioners produced by the Railway servant in support of their application for leave may be rejected by the competent authority only after a Railway Medical Officer has conducted the necessary verifications and on the basis of the advice tendered by him after such verifications.

5. Certificate of Fitness in the case of employees working in the Zonal Railways and Field Units will continue to be governed by the provisions contained in Rule 538 and 541 of Indian Railway Medical Manual, Volume 1, Third Edition 2000.

Note: Ordinarily, the jurisdiction of a Railway Medical Officer will be taken to cover Railway servant residing within a radius of 2.5 kilometers of the Railway Hospital or health unit to which the Doctor is attached, and within a radius of one kilometer of a Railway station of the Doctor's beat.

(Authority Board's letter No. E(P&A)I-97/CPC/LE-7 dated 29.08.2002.)

Railway Ministry's decision 1.—Where a Railway employee remained on medical leave upto and including 3 days duration and reported back for duty with a fitness from the medical practitioner, he may be allowed to join duty without obtaining fitness certificate from the Railway Medical Officer subject to the conditions that the employee furnished a declaration that he had not suffered during this period from any eye disease. In the other cases where the duration of the sickness is more than 3 days, the railway employee should be put back to duty within 24 hours on his producing fitness certificate from a private medical practitioner, provided he is found fit by the competent railway medical officer. In case there is any delay beyond 124 hours in obtaining the fitness certificate from the competent Railway Medical Officer, the employee concerned will be deemed to have been put back to duty within 24 hours of his producing the medical certificate of the private medical officer.

(Rly. Ministry's letter No. E(G)78LE 1-17 dated 18-1-1979)

Railway Ministry's decision 2.—With a view to preventing misuse, the Railway administration may with draw for specified periods(From 1st April to 30th June in Summer, from 1st Oct. to 15th November during Diwali and when mass sick reporting is contemplated by staff of any department) the privilege of acceptance of medical certificate from Registered Medical Practitioners for grant of Medical Certificates to Group C and Group D Railway servants.

(No. E(G) 72LE-1-11 dated 28-9-72.)

522. Leave to a railway servant who is unlikely to be fit to return to duty.

(1) (a) When a medical authority has reported that there is no reasonable prospect that the railway servant will ever be fit to return to duty, leave shall not necessarily be refused to such Railway servant.

(b) The leave may be granted, if due, by the authority competent to grant leave on the following conditions:--

(i) if the medical authority is unable to say with certainty that the railway servant will never again be fit for service, leave not exceeding twelve months in all may be granted and such leave shall not be extended without further reference to a medical authority;

(ii) if a railway servant is declared by a medical authority to be completely and permanently incapacitated for further service leave or an extension of leave may be granted to him after the report of the medical authority has been received, provided the amount of leave as debited to the leave account together with any period of duty beyond the date of the report of the medical authority, does not exceed six months.

(2) A railway servant who is declared by a medical authority to be completely and permanently incapacitated for further service, shall:--

(a) if he is on duty, be invalidated from service from the date of relief of his duties, which could be arranged without delay on receipt of the report of medical authority. If, however, he is granted leave under para (1) above he shall be invalidated from service on the expiry of such leave; and

(b) if he is already on leave, be invalidated from service on the expiry of that leave or extension of leave, if any, granted to him under sub-para (1)

(3) A Railway servant who fails in vision test or otherwise becomes physically incapable of performing the duties of the post which he occupies but not capable of performing other duties shall be granted leave in accordance with ordinary rules subject to the proviso that where the Railway servant has not got six months leave to his credit his leave shall be made upto six months by the grant of extraordinary leave.

If an alternative employment cannot be found for such a person within the period of leave granted as above, his service shall not be terminated but his leave shall be extended by the grant of extraordinary leave, subject to the condition that the total amount of extraordinary leave to be granted to the Railway servant does not exceed six months.

The medically decategorised Railway employee waiting for absorption in alternative post may be allowed to commute the period of LHAP on production of medical certificate, subject to certification that the employee is not fit to hold the post from which he proceeded on leave. The commutation will, however, be admissible only upto the stage that an alternative post is offered to him by the administration.

Kinds and amount of leave Due and Admissible

523. Leave on average pay.

(1) (a) (i) A railway servant permanent or temporary other than one who is serving in a railway school shall be entitled to 30 days leave on average pay in a calendar year.

(ii) The leave account of every railway servant shall be credited with leave on average pay in advance in two instalments of 15 days each on the first day of January and July every calendar year.

(b) The leave at the credit of a railway servant at the close of the previous half year shall be carried forward to the next half year subject to the leave so carried forward plus the credit for the half year do not exceed the maximum limit of 300 days.

(c) A period spent in foreign service shall count as duty for purpose of this rule, if contribution towards leave salary is paid on account of such period.

(d) The following procedure for crediting LAP on 1st Jan./1st July w.e.f. 01.07.1997 in respect of Railway employees may be adopted:--

(i) In case of Railway employees, having at their credit leave on Average Pay of 285 days or less as on 1st January/1st July of a year, LAP of 15 days or proportionately less in respect or retiring persons of those leaving service during the next half year may continue to be credited to their leave account in advance as at present.

(ii) In cases where the Leave on Average Pay at credit as on 1st January/1st July is 300 days or less but more than 285 days, credit of LAP for 15 days may be kept separately and first adjusted against any LAP that the Railway servant may take during the ensuing half year and the balance, if any, credited to the LAP account at the close of the half year subject to the ceiling of 300 days . If the LAP taken during the half year is more than 15 days the amount in excess of 15 days will, however, have to be debited to the leave account.

(Authority:- Railway Board's letter No. E(P&A)I-2000/CPC/LE-3 dt.1.8-2000)

2. Subject to the provisions of rules 503,541 as well as this rule, the maximum leave on average pay that may be granted at a time to a railway servant shall be 180 days.

524. Calculation of leave on average Pay.

(1) Leave on Average pay shall be credited to the leave account of a railway servant at the rate of 2½ days for each completed calendar month of service which he is likely to render in a half year in which he is appointed.

(2)(a) The credit for the half year in which a railway servant is due to retire or resigns from the service shall be afforded only at the rate of 2½ days per completed calendar month upto the date of retirement or resignation.

(b) When a railway servant is removed or dismissed from service or dies while in service, credit of earned leave shall be allowed at the rate of 2½ days per completed calendar month upto the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.

(3) If a railway servant has availed of extraordinary leave and/or some period of absence has been treated as dies non during the previous half year, the credit to be afforded to his leave account at the commencement of the next half year shall be reduced by 1/10th of the period of such leave and/or dies non subject to a maximum of 15 days.

(1) While affording credit of Leave on Average Pay fraction of a day shall be rounded off to the nearest day.

(Authority:- Railway Board's letter No. E(P&A)I-2000/CPC/ALE-5 dt.7.2-97)

Railway Ministry's decision.- Concession to Railways servants on the North-East Frontier Railway. Once in a calendar year, the staff proceeding on leave on average pay to or via Calcutta, Lucknow or Patna will be granted additional leave, not debitable to their leave account on the following scale:-

(i) Staff headquarters at Siliguri station or at stations west of Siliguri 2 days

- (ii) Staff headquarters at stations last of Siliguri but on the North Bank of Brahmaputra , including Darjeeling-Himalaya Section and at Pandu (Guwahati). 4 days
- (iii) Staff head quarters at stations to the east of Pandu
(Railway Ministry's letter No.E(G)58AD-I-dt. 15-2-1958). 6 days

526. Leave on half average pay.

(1)(a) A railway servant, permanent or temporary, including who is serving in a railway school, shall be entitled to leave on half average pay of 20 days in respect of each completed year of service.

(b) The leave due under clause (a) may be granted on medical certificate or on private affairs.

(c) The amount of leave on half average pay that cab be availed of in one spell irrespective of its being combined with any other kind of leave or not shall be limited to 24 months.

(2) If a railway servant is on leave on the day on which he completes a year of service, he shall be entitled to half pay leave without having to return to duty.

(3) The leave on half-average pay will be credited to the leave account of Railway servant on 1st January and 1st July each as indicated below:

(1) The account of leave on half average pay of every railway servant including Railway School Teachers and other staff (such as Lab. Assistants, Assistant and Librarian in Railway Schools) shall be credited with leave on half average pay in advance, in two instalments of ten days each on the first day of January and July of every calendar year.

(2) The leave shall be credited to the leave account at the rate of $5/3$ days for each completed calendar month of service which the railway servant is likely to render in the half-year of the calendar year in which he/she is appointed.

(3) The credit for half-year in which the railway servant is due to retire or resigns from service shall be allowed at the rate of $5/3$ days per completed month upto the date of retirement resignation.

(4) When a railway servant is removed or dismissed or dies while in service, credit of leave on half-average pay shall be allowed at the rate of $5/3$ days per completed calendar month upto the end of calendar month preceding the calendar month in which the railway servant is removed or dismissed from service or dies while in service.

(5) Leave on half-average pay under these rules may be granted on medical certificate or on private affairs provided that in the case of railway servants, not permanently employed, no leave on half-average pay shall be granted unless the authority competent to grant leave has reasons to believe that the railway servant will return on its expiry , except in the case of a railway servant who has been declared completely or permanently incapacitated for further service by a medical authority.

(6) While calculating the completed months of service the month may be rounded off to the next higher if it exceeds more than 15 days (For example if a railway servant has completed a year's service as on 11th May 1986, he may be given the benefit of L.H.A.P. from May since it exceeds 15 days to December 1985 for 13 days viz. $5/3 \times 8 = 13\frac{1}{2}$).

(7) Where a period or absence for suspension of a Railway servant has been treated as "dies-non" in a half year, the credit to be afforded to his half-pay leave account at the

commencement of next half-year, shall be reduced by one-eighteenth of the period of 'dies-non', subject to a maximum of ten days.

(Authority Board's letter No. E(P&A)I-2003/CPC/LE4 dated 19-06-2003)

(8) While affording credit of half pay leave, fraction of a day may be rounded off to the nearest day.

EXPLANATION:

Sub-clauses (7) & (8) under Sub-rule (3) of Rule 526 of Indian Railway Establishment Code, Volume I (1985 Edition) have been incorporated with the President's approval effective from 4-7-1987. Incorporation of these Rules have been necessitated due to amendments made by the Department of Personnel & Training in the Central Civil Services (Leave) Rules, 1972 vide their Notification No. 13014/1/87 Estt. (L) dated 17-7-1987. It is certified that retrospective effect given to these rules will not adversely affect any employee to whom these rules apply.

Railway Ministry's decision.—It is not necessary that a railway servant should return to duty before availing of half-average pay leave which he has earned during this spell of leave. As the half-average pay leave becomes due on completing a year's service which term include extraordinary leave, the leave account can be credited with the amount of such leave, as soon as it is earned. If a railway servant who is already on leave, subsequently applies for an extension of leave, his application can be treated as a fresh application for leave and in such circumstances there is no objection to the grant of half pay leave in continuation of the leave already granted to him. There is also no objection to the grant of such leave during a spell of leave already granted to a railway servant provided he submits his application or formally requests for the conversion of the leave already granted to him into half pay leave. In such cases it will be necessary to revise the original leave account and subsequent leave will have to be granted according to the amended leave accounts.

(Railway Board's Letter No. E(G)56-CPC/LR/8 dated 13-1-1958.)

527. Commuted leave. Commuted leave not exceeding half the amount of leave on half-average pay due may be granted on medical certificate to railway servant to the following conditions:--

(a) the authority competent to grant leave is satisfied that there is reasonable prospect of the railway servant returning to duty on its expiry;

(b) when commuted leave is granted, twice the amount of such leave shall be debited against the leave on half-average pay due;

(c) there is no limit to the number of days of commuted leave to be availed of during the entire service;

(d) leave on half average pay upto a maximum of 180 days shall be allowed to be commuted during the entire service where such leave is utilised for an approved course of study which is certified to be in the public interest by the leave sanctioning authority;

(e) where a railway servant who has been granted commuted leave and resigns from service or at his request is permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as leave on half average pay and the difference between

the leave salary in respect of commuted leave and leave on half average pay shall be recovered.

Provided that no such recovery shall be made if the retirement is compulsorily thrust upon him by reason of ill health incapacitating the railway servant for further service or in the even of his death.

(f) commuted leave may be granted at the request of the railway servant even when leave on average pay is due to him .

528. Leave not due.

(1) Leave not due may be granted to a railway servant in permanent employment subject to the following conditions:--

(i) leave not due shall be limited to the leave on half average pay he is likely to earn thereafter;

(ii) leave not due during the entire service shall be limited to a maximum of 360 days, on medical certificate;

(iii) leave not due shall be debited against the half pay leave he is likely to earn subsequently.

(2) (a) Where a railway servant who has been granted leave not due resigns from service or at his request permitted to retire voluntarily without returning to duty the leave not due shall be cancelled, his resignation or retirement taking effect from the date on which such leave had commenced and the leave salary shall be recovered.

(b) where a railway servant who having availed himself of leave not due returns to duty but resigns or retires from service before he has earned such leave he shall be liable to refund the leave salary to the extent the leave has not been earned subsequently.

Provided that no leave salary shall be recovered under clause (a) or clause (b) if the retirement is compulsorily thrust upon him by reason of ill health incapacitating the railway servant for further service or if he is retired compulsorily on disciplinary grounds or due to pre-matured retirement under para 620 of Manual of Pension Rules or the provisions relating to compulsory retirement of non-pensionable Railway servants on rendering 30 years of service or in the even of his death.

529. Leave not due to temporary railway employees.

Subject to the provisions of clause (i) and clause (iii), to rule 528(1), leave not due may be granted to temporary railway servants who are suffering from T.B., Leprosy, cancer or mental illness, for a period not exceeding 360 days during the entire service on medical certificate if the railway servant concerned has put in at least one year's railway service:

Provided that the post from which the railway servant proceeds on leave is likely to last till his return to duty; and the request for leave is supported by a medical certificate.

Note.—Leave not due, under Rules 528 and 529 , is leave admissible under the Rules and where it can be granted, the grant of Extraordinary Leave under Rule 530 will be irregular unless specifically applied for by the Railway servant in writing.

530. Extraordinary Leave.

- (1) Extraordinary leave may be granted to a railway servant in special circumstances—
 - (a) when no other leave is admissible, and
 - (b) When other leave is admissible, but the railway servant applies in writing for the grant of extraordinary leave.
- (2) Unless the President in view of the exceptional circumstances of the case otherwise determines, no temporary railway servant shall be granted extraordinary leave on any one occasion in excess of the following limits:--
 - (a) three months, without a medical certificate.
 - (b) Six months where the railway servant has completed 1 year's continuous service on the date of expiry of leave of the kind due and admissible under these rules including three months extraordinary leave under clause (a) and his request for such leave is supported by a medical certificate as required by these rules.
 - (c) Eighteen months where the railway servant has completed one year's continuous service and is undergoing treatment for—
 - (i) pulmonary tuberculosis or pleurisy of tubercular origin, in a recognized sanatorium, Railway Hospital and Railway Chest Clinics.
 - (ii) tuberculosis of any other part of the body by a qualified T.B. Specialist/Civil Medical Officer.
 - (iii) leprosy in a recognized leprosy institution or hospital recognized by the State Administrative Medical Officer concerned.
 - (iv) cancer or for mental illness in an institution recognized for the treatment of such disease or by a Medical officer or Specialist of railway or government.
 - (d) twenty four months where the leave is required for the purpose of prosecuting studies certified to be in public interest provided the railway servant concerned has completed three years continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months extraordinary leave under clause (a).
- (3) (a) Where a railway servant is granted extraordinary leave in relaxation of the provisions contained in clause (d) of sub-rule (2), he shall be required to execute a bond (Annexure II) undertaking to refund to the railway during such leave plus that incurred by other agency with interest thereon in the event of his not returning to duty on the expiry of such leave or quitting the service before a period of 3 years after return to duty.
 - (b) The bond shall be supported by sureties from two permanent railway servants having a status comparable to or higher than that of the railway servant.
- (4) Two spells of extraordinary leave, if intervened by any other kind of leave, shall be treated as one continuous spell of extraordinary leave for the purpose of sub-rule (2).
- (5) The authority competent to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

Note 1.—The concession of extraordinary leave upto 18 months will be admissible also to a railway servant suffering from pulmonary tuberculosis, who receives, treatment at his residence under a tuberculosis specialist recognized as such by the State Administrative Medical Officer concerned and produces a certificate signed by that specialist to the effect that he is under his treatment and that he has reasonable chances of recovery on the expiry of the leave recommended.

Note 2.—Institutions recognized by the Government of India for the purpose of treatment of Central Government servants and their families will be deemed as recognized for the purpose of grant of extraordinary leave.

(Railway Board's Letter No. F(E)52/LE-2/3 dated 15-6-60.)

Note 3.—No limit in case of permanent Railway servants, but all kinds of leave together shall not exceed 5 years in one spell.

Note 4.—Where a temporary railway servant fails to resume duty on the expiry of the maximum period of extraordinary leave granted to him/her or where he/she is granted a lesser amount of extraordinary leave than the maximum amount admissible, and remains absent from duty for period which, together with the period of extraordinary leave granted, exceeds the limit upto which he/she could have been granted such leave under sub-rule (1) above, he/she shall unless the President in view of the exceptional circumstances of the case otherwise determines be removed from service after following the procedure laid down in the discipline and Appeal Rules for railway servants.

531. Leave to probationers and a railway servant on probation.

(1) (a) A railway servant on probation including a probationer under training for a post in Railway service Group A shall be entitled to leave under these rules as if he had held his post substantively otherwise than on probation.

(b) If, for any reason, it is proposed to terminate the services of a probationer, any leave which may be granted to him shall not extend--

(i) beyond the date on which the probationary period as already sanctioned or extended expires; or

(ii) beyond any earlier date on which his services are terminated by the orders of an authority competent to appoint him.

(2) A person appointed to a post on probation shall be entitled to leave under these rules as a temporary or permanent railway servant according as his appointment is against a temporary or a permanent post.

Provided that where such person already holds a lien on a permanent post before such appointment, he shall be entitled to leave under these rules as a permanent railway servant.

532. Leave to Special Class Railway Apprentices.

Special Class Railway Apprentices may be granted leave on full stipend for a period not exceeding one month in any year of apprenticeship provided that except on grounds of ill health, the leave shall not be granted to an apprentice if it would interfere with his training. Leave in excess of one month in any year may be granted on grounds of ill health and when the excess leave is so granted, the apprentice shall not be eligible for any stipend for the excess period.

533. Leave to Apprentice Mechanics.

Apprentice Mechanics in Railway Workshop may be granted leave on full stipend for a period not exceeding 16 days and on half stipend on medical certificate for a period not exceeding 20 days in any year of apprenticeship.

Note 1.—Journeymen and similar other apprentices/trainees recruited for initial training on the Railways before they are appointed against the working posts in Group C service, during the period of their training may be granted leave under this rule.

Note 2.—Leave to probationary Assistant Station Masters and Commercial clerks and all others who are trained for employment and are not put on the time scale during the period of training shall be regulated under this rule.

534. Leave to Trade apprentices.

Trade apprentices may be granted leave on full stipend for a period not exceeding 12 days and leave on half stipend on medical certificate for a period not exceeding 15 days in any year of apprenticeship.

535. Leave to other apprentices.

Apprentices under training for Group C posts in all other departments who are posted to supervisory posts after training such as Apprentice Train Examiners, Apprentice Permanent Way Inspectors, Stores apprentices etc. may be granted leave like Apprentice Mechanics mentioned in rule 533. Apprentices who are appointed as skilled workmen after training may be granted leave like trade apprentices mentioned in rule 534.

536. Leave to apprentices.

Apprentices, other than special class apprentices, may be granted by the General Manager extraordinary leave (without stipend) under the rules applicable to temporary railway servants. The General Manager may re-delegate his powers under this rule to the Heads of Departments and officers in not below Junior Administrative grade.

537. General conditions for grant of leave to apprentices.

(1) In all cases mentioned in rules 531 to 536 leave will be non-accumulative and no leave shall be granted if it would interfere with the training.

(2) On subsequent absorption, without a break, if the period of apprenticeship or training as probationer, is treated as service, recalculation of leave may be allowed as is permissible under the normal operation of the rules.

538. Leave to persons re-employed after retirement.

(1) In the case of person re-employed after retirement the provisions of these rules shall apply as if he had entered railway service for the first time on the date of his re-employment.

(2) (a) If a railway servant, who quits the public service on compensation or invalid pension or gratuity, is re-employed and if his gratuity is thereupon refunded or his pension held wholly in abeyance his past service thereby becoming pensionable on ultimate retirement he may at the discretion of the authority sanctioning the re-employment and to such extent as that authority may decide count his former service towards leave.

(b) A railway servant who is dismissed or removed from the public service but is reinstated on appeal or revision is entitled to count his former service for leave.

539. Leave to Workshop staff.

(1) Skilled artisans as also semi-skilled and un-skilled workman will earn leave on average pay, half average pay and commuted leave and leave not due in accordance with these rules.

(2) Workshop staff may be allowed to take leave with pay, if due, or without pay, for periods not less than half a day. For this purpose leave for half a day means authorized absence from duty for over half an hour either during the first period before interval or the second period of any day on which the workshop remains open for both the periods. This concession however, is restricted to six occasions in a year.

Railway Ministry's decision.—The practice of granting half a day's leave against leave account to staff other than those employed in workshops may be allowed to continue where it is covered by express orders on the subject.

(Rly. Ministry's letter No. F(E)49LE 2/5 dated 5-9-1949.)

540. Leave preparatory to retirement.

A railway servant not desirous of encashment of leave on average pay at his credit at the time of retirement on superannuation may be permitted by a competent authority to take leave preparatory to retirement to the extent of leave on average pay due not exceeding 180 days together with half pay leave due subject to the conditions that such leave extends up to and includes the day preceding the date of retirement.

Note.—The leave granted as leave preparatory to retirement shall not include extraordinary leave.

PASS RULES

I. Definitions

1. Family

- Sons below 21 years
- Sons above 21 years provided they are
 - Bonafide students
 - Doing research
 - Article clerk under C.A
 - Invalid person
- Unmarried daughter of any age earning or not
- Widow daughter dependant on the Rly.employee
- Legally divorced daughter dependant on the Rly.employee

2. Dependants

- Mother including divorced mother
- Unmarried / widowed / legally divorced sister
- Brother / step brother under 21 years
- Invalid brother of any age
- Brother above 21 years provided he is a bonafide student
- Widowed mother in law in C.G appointments only.

II. Pay limits for entitlement of passes

S. No	Category	Class of Pass / PTO
1	Gr. A & B (Gazetted)	I A
2	Gr. C & Gr. B (Non-Gazetted)	
	(A) Those appointed prior to 01.8.1968	
	(i) Drawing pay of Rs. 4900/- or above provided they are in the scale the max. of which Rs.6000/- or above	I class
	(ii) Others	II / Sleeper
	(B) Those appointed during the period from 01.8.1968 to 10.11.1987	
	(i) Drawing pay of Rs. 5375/- or above provided they are in the scale the max. of which Rs.7000/- or above	I class
	(ii) Others	II / Sleeper
	(C) Those appointed during the period from 10.11.87 to 01.02.99	
	(i) Drawing pay of Rs.7250/- or above or those who are in the pay scales the min of which is 6500/- and above	I class
	(ii) Others	II / Sleeper
	(D) Appointed after 01.02.99	
	(i) those who are in the pay scales the min. of which is 6500/- and above	I class
	(ii) Those drawing pay of Rs.7600/- and above	I class
	(iii) Those who are in pay scales of 5000-8000 & 5500-9000 and drawing pay of Rs.7250/- above but less than 7600/-	II A class

	(iv) Others	II / Sleeper
3	Group D	II / Sleeper

III. Kinds of passes

1. Duty pass
2. Privilege pass / PTO
3. Residential Card pass
4. School pass
5. School card pass
6. Post retirement passes
7. Widow pass
8. Special passes

1. Duty Pass:

It is issued for performing journey while on duty.

(a) Gold Pass:

- It is issued to CRB, Members Rly.Bd., FC, CRS, GMs, Heads of Institutions and units equivalent to GMs rank and all other officers in scale Rs.24050- 2600 and above who directly report to Rly.Bd.
- Can travel in any class over Indian Railways with family subject to two berths in I AC or 4 berths in other than I AC

(b) Silver Pass:

- Issued to SAG Officers / HODs of Rly.Admn
- Pass Holder alone can travel in any class
- With family in any class other than I AC subject to 4 berths
- Can travel in I AC with family subject to 2 berths on payment of 1/3 difference of fare between II AC & I AC

(c) Bronze Pass:

- Issued to JA grade Officers and all other officers of Zonal Rly.
- Can travel in any class other than I AC with family subject to 4 berths
- JA grade officers over IR and other officers over their Zone only.
- JA grade officers with pay of Rs.14300/-and above can travel in IAC with family on payment of 1/3 of difference of fare.

(d) Card Pass:

- Other officers of Rly.Bd.are issued with card pass for I A class.
- They can travel over IR between the stations and during such periods as mentioned.
- Can travel in any class other than I AC with family subject to 4 berths.
- Group C & D staff is issued with same class as entitled on privilege account .Holder alone can travel on duty pass.

(e) Check Pass:

- All other officers of Zonal Rly.and Rly.Bd. can be issued with cheque pass for I AC class
- Can travel in any class other than I AC with family subject to max. of 4 berths
- Group C & D officers are issued with same class of check pass as entitled on privilege account between the stations mentioned therein. Holder alone can travel.

Note: General rules relating to duty pass:

- Return pass for family if Group A & B officer is required to cut short his tour and return to Hqrs. leaving behind his family. The family is eligible for return pass of the same class as on privilege account.
- Family members of probationary officers may be included in the duty pass.
- Members including CRB & FC to be provided with one standard gauge saloon for his exclusive use and family can travel free of cost. If any other person other than bonafide traveler is traveling he shall pay I class ticket charges.
- Cycle / Motor Cycle may be permitted on duty pass if justified in the interest of official work

Rules of duty card pass

- One attendant in II / SL class is allowed on Metal, I A. and I Class duty passes
- Should surrender metal pass / card pass or pay penalty for the loss before demitting office on superannuation or otherwise. No objection certificate from pass section.

2. Privilege Passes:

Group A & B officers

- I A class pass white in colour
- 6 sets of passes, 4 / 6 sets of PTOs in a year. Those appointed after 30.6.87 4 sets of PTOs only. For others depending up on their option.
- Can travel in any class other than I AC in any train except Rajadhani / Shatabthi Exp.
- 40 Kg free luggage for each adult member and 75 Kg. for each child.
- One attendant in II / Sleeper class
- Can travel in I AC.on payment of 1/3 difference of fare between I ac and I class

Group C officers

- One set of pass during the first 5 years, 3 sets of passes after 5 years of service
- 4 / 6 sets of PTOs in a year
- I class holder is eligible for one attendant in II class, 70Kg for adult & 35 Kg for child
- II / SL class holder can carry 50 Kg. per adult 25 kg.per child 7 attendant 50Kg.
- I class pass holder can travel in I AC on payment of full difference.

Rules regarding PTOs

- Can carry one attendant on payment of 1/3 of fare.
- Can travel in higher class on payment of 1/3 of the fare of the class entitled and full difference of fare between the entitled class and class of travel
- Break journey, distance restriction and luggage are same as that of privilege pass.

General rules relating to passes and PTOs:

1. Invalid person- Disability of mind or physically crippled or handicapped and is unfit to earn. Certificate by MO not below the rank of DMO. To be produced once after every 3 years.
2. School certificate-Should be submitted once in a year at the beginning of the academic year.
3. Step sons and step daughters may be included in the pass on specific request.
4. Blind member if traveling alone one companion in the same class is allowed.
5. Pass / PTO is admissible during all kinds of leave including EOL
6. Family members can also apply for Pass / PTO in case the employee is on temporary transfer, TA camp etc,
7. Unmarried daughter even if earning can be included
8. Pass / PTO once issued shall be debited even if not availed except under special circumstances to be recoded in writing by the pass issuing authority.
9. One pass/PTO may be issued in advance of 60 days if all passes are availed in the year to be debited in the next year account. If officiating in higher post, entitled with reference to that higher post.
10. Higher pass to out standing sports persons- Group C & D employees who are recipients of Arjuna Award, Presidents Award, Padmasri or Gold Medal winners in international competitions may be given I class pass .
11. Higher class to physically handicapped – Group C & D employees can be given higher class in I Class(only 1 set) provided they forego 3 sets of passes in II Class. If they become eligible for I Class, they can have the option of availing only two sets with escort in the same class foregoing one set.
12. Gazetted PH employees – 3 sets with an escort in the same class – 3 sets to be surrendered. (12 & 13 are allowed only on recommendation of DMO and where the employee has no eligible family member for inclusion in the pass).
13. Pass / PTO may be issued in favour of more than one legally married wives provided separate Pass / PTO is issued and counted against the pass account.
14. If an employee is unable to accompany his family or dependants a separate pass may be issued to him onward or return or both only on production of evidence to the satisfaction of the pass issuing authority. Both passes are counted as one set only. Reasonable time limit of one month may be imposed.
15. Apprentices are eligible for Pass / PTOs but family members can not be included. The period will count for pass purpose.
16. Officials deputed to Rlys- as admissible to Rly. Employees.
17. Not more than two dependants can be included in the Pass / PTO. If any dependant is included in the pass, total No. of persons in the pass / PTO shall not

- exceed five. However, the limit is not applicable when only family members are included in the pass.
18. Privilege pass for single journey and return journey is available for 4 months.
19. PTOs are valid for 4 months both out ward & return journey are permitted via direct route. However longer route is permitted in the following cases.
- i. i) When two alternate routes are available.Ex. Bombay to culcutta- via Nagapur or via Alhabad; Bombay to Delhi- via C.Rly or via W.Rly
 - ii. Distance of longer route does not exceed by 15% of the shorter route.
 - iii. The longer route is quicker than shorter route.
20. Both husband and wife are Rly. Employees both are eligible on each other account.

3. School Pass

- Issued to each student member of the family on production of bonafide certificate if he is studying away from the Hqrs. For the purpose of admission, joining, submitting forms, during vacation of not less than 3 days, and writing Exams.
- Issued between the places at which either of the parent is residing to the place where school/college is situated.
- 3 sets of passes or 6 single sets in a calendar year.
- Can be issued to a place other than the residence of either of the parent if the distance does not exceed with the approval of the gazetted officer for the reasons to be recorded in writing.
- A parent or guardian may be included in the pass if the pass issued is girl student or PH boy student of any age or boy student under 18 years of age.

4. School Card Pass:

- To travel between residence station and the station where school/college is situated on daily basis. The distance limit is 150 Kms. Class of entitlement same as privilege pass.

5. Residential Card pass:

- Issued to the Rly.employees who live away from the place of work and have to travel to the place of work Class of entitlement same as in the case of privilege account.

6. Post retirement Complimentary passes:

- Issued to the retired employees with min. of 20 years of qualifying service. Only family members can be included in the PRC.
- W / Mother, legally divorced sister and widowed sister can be included in the PRC provided they are wholly dependant on the Rly.sevant.

Sl.No	Category	Years of Service	No.of Sets
1	Group A &B (Gaz)	20 to 25 yrs	2 Sets
		25 and above	3 Sets
2	Group C	20 to 25 yrs	1 Set
		25 and above	2 Sets
3	Group D	20 years and above	1 Set

- Provision of companion in lieu of attendant to Sr.citizens(65yrs &above) of I Cl & I A Cl. Pass holders in II / SL Class. Allowed in the same class on payment of full difference of fare.
- Weightage of 5 yrs of service in medically decategorised case only
- Dismissed / removed employees are not eligible for PRCs. If CG/CA is allowed they are eligible for PRCs. Compulsory retirees with cent percent cut in pension are not eligible for PRCs.
- Periods of service in non Rly.Depts will not count for PRCs
- If requested to be sent by regd post on Rly.cost.
- One set of PRC shall be disallowed for each month of unauthorized occupation of Rly.Qrs.
- Entitlement of escort in PRCs of PH retirees
 - I A - 3 passes or 2 Passes with escort
 - 2 passes or 1 pass with escort
 - I class - 2 passes or 1 pass with escort
 - 1 pass or ½ set with escort
 - II class - 1 or 2 sets or 1 set in I class with escort

No family members; DMO certification

Sr.subordinates in scale Rs.5000-8000 and above and who are independent charge of a unit may sign for PRC of I A also.

7. Widow pass

Eligibility

- Widows of those Rly. Servants who were in service on 12.3.87 and opted for widow pass scheme
- Widows of those Rly. Servants who joined service on or after 12.3.87 who are compulsorily governed under widow pass scheme.
- Widows of Rly.servant who were on service prior to 12.3.87 will be eligible for widow pass on one time payment of Rs.250/-
- Widows of Rly.servants who had opted out of widow pass scheme will also be admitted to the scheme on one time payment of Rs.250/-
- Rly.servants who got permanently got absorbed in public sector undertakings prior to 12.3.87 and were in receipt of PRC passes , their widows wii also be admissible to the scheme on payment of Rs.250/-s

- Widows are eligible for half the No. of PRC passes the retired employee was receiving.
- Widows of Gr.D employees are eligible for one set in alternate year.
- Widows of Rly. Servants who die while in service shall be eligible to a min. of one set of pass every alternate year.
- In case of more widows passes are issued on rotation basis
- CL with temp. status are not eligible for widow pass unless they are absorbed against regular post.
- This facility is available to the widower also.

THE RAILWAY SERVANTS (DISCIPLINE & APPEAL) RULES, 1968

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules, namely: -

THE RAILWAY SERVANTS (DISCIPLINE & APPEAL) RULES, 1968,

PART-I

GENERAL

1. Short title and commencement

- a. These rules may be called The Railway servants (Discipline & Appeal) Rules, 1968.
- b. They shall come into force on the 1st day of October, 1968.

2. Definitions:

- (1) In these rules, unless the context otherwise requires-
 - (a) 'Appointing authority' in relation to Railway servant means-
 - (i) The authority empowered to make appointments to the Service of which the Railway servant is, for the time being, a member or to the grade of the Service in which the Railway servant is for the time being included or
 - (ii) The authority empowered to make appointment to the post which the Railway servant, for the time being holds, or
 - (iii) The authority which appointed the Railway servant to such Service, grade or post, as the case may be, or
 - (iv) Where the Railway servant has been a permanent member of any other Service or having substantively held any other permanent post, has been in continuous employment under the Ministry of Railways, the authority which appointed him to that Service or to any grade in that Service or to that post whichever authority is the highest authority.
 - (b) 'Commission' means the Union Public Service Commission.
 - (c) 'Disciplinary authority' means-
 - (i) in relation to the imposition of a penalty on a Railway servant, the authority competent, under these rules, to impose on him that penalty;
 - (ii) In relation to Rule 9 and clauses (a) and (b) of sub-rule (1) of Rule 11 in the case of any gazetted Railway servant, an authority competent to impose any of the penalties specified in Rule 6;
 - (iii) in relation to Rule 9 in the case of any non-gazetted Railway servant, an authority competent to impose any of the major penalties specified in Rule 6;

- (iv) In relation to clauses (a) and (b) of sub-rule (1) of Rule 11, in the case of a non-gazetted Railway servant, an authority competent to impose any of the penalties specified in Rule 6.
 - (d) 'Head of the department' for the purpose of exercising the powers as appointing, disciplinary, appellate or revising authority, means the authority declared to be head of the department in terms of clause (21) of Rule 103 of Volume 1 of the Indian Railway Establishment code (Fifth edition –1985);
 - (e) 'Railway servant' means a Railway servant as defined in clause 43 of Rule 103 of Volume I of the Indian Railway Establishment Code (Fifth Edition 1985) and includes any such Railway servant on foreign service or whose services are temporarily placed at the disposal of any other department of the Central Government or a State Government or a Local or other authority;
 - (f) 'Service' means a service under the Ministry of Railways.
 - (g) 'Schedule' means a schedule appended to these rules.
2. All other words and expressions used but not defined in these rules and defined in the Indian Railways Act 1890 shall have the meaning respectively assigned to them under that Act.

3. **Application:**

- (1) These rules shall apply to every Railway servant but shall not apply to-
 - (a) any member of the All India Services
 - (b) any member of the Railway Protection Force as defined in the Railway Protection Force Act, 1957 (23 of 1957)
 - (c) any person in casual employment and
 - (d) any person for whom special provision is made, in respect of matters covered by these rules by or under any law for the time being in force or by or under any agreement entered into by or with the previous approval of the President before or after the commencement of these rules, in regard to matters covered by such special provisions.
- (2) Notwithstanding anything contained in sub-rule (1), the President may, by order, exclude any class of Railway servants from the operation of all or any of these rules.

PART-II

SUSPENSION

4. Authorities competent to place a Railway servant under suspension-

The classes of Railway servants who may be placed under suspension and the authorities by whom they may be so placed, shall be as specified in Schedules I, II and III.

Provided that, in exceptional circumstances, any authority specified in any of the Schedules may place any subordinate Railway servant specified therein, under suspension

Provided further that where any action is taken under the foregoing proviso, the authority concerned shall forthwith report to the authority competent to place such Railway servant under suspension, the circumstances, in which the order was made and obtain his approval. V V

Explanation- For the purposes of this rule, in respect of a Railway servant officiating in a higher post, the competent authority shall be determined with reference to the officiating post held by such Railway servant at the time of taking action.

5. Suspension

(1) A Railway servant may be placed under suspension-

- (a) Where a disciplinary proceeding against him is contemplated or is pending; or
 - (b) Where, in the opinion of the authority competent to place a Railway servant under suspension, he has engaged himself in activities prejudicial to the interest of the security of the state, or
 - (c) Where a case against him in respect of any criminal offence, is under investigation, inquiry or trial
- (2) A Railway servant shall be deemed to have been placed under suspension by an order of the competent authority-
- (a) With effect from the date of his detention, if he is detained in custody whether on a criminal charge or otherwise, for a period exceeding forty-eight hours.
 - (b) With effect from the date of his conviction, if in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

Explanation - The period of forty eight hours referred to in clause (b) of this sub-rule, shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.

- (3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Railway servant under suspension, is set aside in appeal or on revision under these rules and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.
- (4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Railway servant, is set aside or declared or rendered void in consequence of or by a decision of a court of law and the disciplinary authority on consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement, was originally imposed, the Railway servant shall be deemed to have been placed under suspension by the competent authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.

Provided that no such further inquiry shall be ordered unless it is intended to meet a situation where the court has passed an order purely on technical grounds without going into the merits of the case.

- 5)
 - (a) an order of suspension made or deemed to have been made under this rule, shall continue to remain in force until it is modified or revoked by the authority competent to do so.
 - (b) Where a Railway servant is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise) and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the authority competent to place him under suspension may, for reasons to be recorded by him in writing, direct that the Railway servant shall continue to be under suspension until the termination of all or any of such proceedings.
 - (c) An order of suspension made or deemed to have been made under this rule, may at any time be modified or revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.

PART-III

PENALTIES AND DISCIPLINARY AUTHORITIES

6. Penalties

The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on a Railway servant, namely-

Minor Penalties-

- i. Censure,
- ii. Withholding of his promotion for a specified period;
- iii. Recovery from his pay of the whole or part of any pecuniary loss caused by him to the Government or Railway Administration by negligence or breach of orders;
- iii. a. Withholding of the Privilege Passes or Privilege Ticket Orders or both;
- iii.b Reduction to a lower stage in the time scale of pay for a period not exceeding three years, without cumulative effect and not adversely affecting his pension
- iv. Withholding of increments of pay for a specified period with further directions as to whether on the expiry of such period this will or will not have the effect of postponing the future increments of his pay;

Major Penalties-

- v. Save as provided for in clause (iii-b) reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay.
- vi. Reduction to a lower time scale of pay, grade, post, or service, with or without further directions regarding conditions of restoration to the grade or post or service from which the Railway servant was reduced and his seniority and pay on such restoration to that grade, post or service,
- vii. Compulsory retirement;
- viii. Removal from service which shall not be disqualification for future employment under the Government or Railway Administration;
- ix. Dismissal from service, which shall ordinarily be disqualification for future employment under the Government or Railway Administration.

Provided that in cases of persons found guilty of any act or omission which resulted or would have, ordinarily, resulted in collision or Railway trains, one of the penalties specified in clauses (viii) and (ix) shall, ordinarily, be imposed and in cases of passing Railway signals at danger, one of the penalties specified in clauses (v) to (ix)

shall, ordinarily be imposed and where such penalty is not imposed, the reasons therefor shall be recorded in writing.

Provided further that in case of persons found guilty of possessing assets disproportionate to known sources of income or found guilty of having accepted or having obtained from any person any gratification, other than legal remuneration, as a motive or reward for doing or forbearing to do any official act, one of the penalties specified in clauses (viii) or (ix) shall ordinarily be imposed and where such penalty is not imposed, the reasons therefor shall be recorded in writing.

Explanation- The following shall not amount to a penalty within the meaning of this rule namely-

- (i) Withholding of increments of pay of a Railway servant for failure to pass any departmental examination in accordance with the rules or orders governing the Service to which he belongs or post which he holds or the terms of his appointment;
- (ii) Stoppage of a Railway servant at the efficiency bar in the time scale of pay on the ground of his unfitness to cross the bar.
- (iii) Non-promotion of a Railway servant, whether in a substantive or officiating capacity, after consideration of his case, to a Service, grade or post for promotion to which he is eligible,
- (iv) Reversion of a Railway servant officiating in higher Service, grade or post to a lower Service, grade or post, on the ground that he is considered to be unsuitable for such higher Service, grade or post, or on any administrative ground unconnected with his conduct;
- (v) Reversion of a Railway servant, appointed on probation to any other Service, grade or post, to his permanent Service, grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing such probation;
- (vi) Replacement of the services of a Railway servant, whose services had been borrowed from any other Ministry or Department of the Central Government or a State Government or an authority under the control of the Central Government or State Government, at the disposal of the Government or the authority from which the services of such Railway servant had been borrowed;
- (vii) Compulsory retirement of a Railway servant in accordance with the provisions relating to his superannuation or retirement;
- (viii) Termination of the services-
 - a. of a Railway servant appointed on probation, during or at the end of the period of his probation in accordance with the terms of his appointment or the rules and orders governing such probation, or
 - b. of a temporary railway servant in accordance with rule 301 contained in Volume I of the Indian Railway Establishment Code (Fifth Edition 1985) or

- c. of a Railway servant employed under an agreement in accordance with the terms of such agreement.
- (ix) Discharge of Railway servants-
 - a. for inefficiency due to failure to conform to the requisite standard of physical fitness.
 - b. On reduction of establishment.

7. Disciplinary Authorities:-

- (1) The President may impose any of the penalties specified in Rule 6 of any Railway servant.
- (2) Without prejudice to the provisions of sub-rule (1), any of the penalties specified in Rule 6 may be imposed on a Railway servant by the authorities specified in Schedules I, II and III.
- (3) The disciplinary authority in the case of a Railway servant officiating in a higher post shall be determined with reference to the officiating post held by him at the time of taking action.

(8) Authority to Institute Proceedings-

- (1) The President or any other authority empowered by him, by general or special order may-
 - (a) Institute disciplinary proceedings against any Railway servant;
 - (b) Direct a disciplinary authority to institute disciplinary proceedings against any Railway servant on whom that disciplinary authority is competent to impose, under these rules any of the penalties specified in Rule 6.
- (2) A disciplinary authority competent under these rules to impose any of the penalties specified in clauses (I) to (iv) of Rule 6 may, subject to the provisions of clause (c) of sub rule (1) of Rule 2 institute disciplinary proceedings against any Railway servant for the imposition of any of the penalties specified in clauses (v) to (ix) of Rule 6, notwithstanding that such disciplinary authority is not competent, under these rules, to impose any of the latter penalties.

PART-IV

9. PROCEDURE FOR IMPOSING MAJOR PENALTIES.

- (1) No order imposing any of the penalties specified in clause (v) to (ix) of Rule 6 shall be made except after any inquiry held, as far as may be, in the manner provided in this rule and Rule 10, or in the manner provided by the Public Servants (Inquiries) Act, 1850 (37 of 1850) where such inquiry is held under that Act.
- (2) Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against a Railway servant, it may itself inquire into, or appoint under this rule or under the

- provisions of the Public Servants (Inquiries) Act, 1850, as the case may be, a Board of Inquiry or other authority to inquire into the truth thereof.
- (3) Where a Board of Inquiry is appointed under sub-rule (2) it shall consist of not less than two members, each of whom shall be higher in rank than the Railway servant against whom the inquiry is being held and none of whom shall be subordinate to the other member or members as the case may be, of such Board.
 - (4) Where the Board of Inquiry consists of two or more than two members, the senior member shall be the Presiding Officer.
 - (5) Every decision of the Board of Inquiry shall be passed by Majority of votes, and where there is an equality of votes on the findings, the finding of each member shall be incorporated in the report prepared under clause (I) of sub-rule (25).

Explanation- Where the disciplinary authority itself holds the inquiry, any reference in sub rule (12) and in sub rules (14) to (25), to the inquiring authority shall be construed as a reference to the disciplinary authority.

- (6) Where it is proposed to hold an inquiry against a Railway servant under this rule and Rule 10, the disciplinary authority shall draw up or cause to be drawn up: -
 - (i) the substance of the imputations of misconduct or misbehavior into definite and distinct articles of charge;
 - (ii) a statement of the imputations of misconduct or misbehaviour in support of each article of charge which shall contain-
 - (a) a statement of all relevant facts including any admission or confession made by the Railway servant;
 - (b) a list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained.
7. The disciplinary authority shall deliver or cause to be delivered to the Railway servant a copy of the articles of charge, the statement of the imputations of misconduct or misbehavior and a list of documents and witnesses by which each article of charge is proposed to be sustained and shall require the Railway servant to submit a written statement of his defence within ten days of such further time as the disciplinary authority may allow.

Note: - If copies of documents have not been delivered to the Railway servant along with the articles of charge and if he desire to inspect the same for the preparation of his defence, he may do so, within 10 days from the date of receipt of the articles of charge by him and complete inspection within ten days thereafter and shall state whether he desires to be heard in person.

8. The Railway servant may, for the purpose of his defence submit with the written statement of his defence, a list of witnesses to be examined on his behalf.

Note: - If the Railway servant applies in writing for the supply of copies of the statements of witnesses mentioned in the list referred to in sub-rule (6), the disciplinary authority shall furnish him with a copy of each of such statement as early as possible and in any case not later than three days before the

commencement of the examination of the witnesses on behalf of the disciplinary authority.

9. (a) (i) On receipt of the written statement of defence, the disciplinary authority shall consider the same and decide whether the inquiry should be proceeded with under this rule.
- (ii) Where the disciplinary authority decides to proceed with the inquiry it may itself inquire into such of the articles of charge as are not admitted or appoint under sub-rule (2) a Board of Inquiry or other authority for the purpose.
- (iii) Where all the articles of charge have been admitted by the Railway servant in his written statement of defence, the disciplinary authority shall record its findings on each charge, after taking such further evidence as it may think fit and shall act in the manner laid down in Rule 10.
- (iv) If the disciplinary authority, after consideration of the written statement of defence, is of the opinion that the imposition of a Major penalty is not necessary it may drop the proceedings already initiated by it for imposition of major penalty, without prejudice to its right to impose any of the minor penalties, not attracting the provisions of sub-rule (2) of Rule 11. Where the disciplinary authority so drops the proceedings but consider it appropriate to impose any of the minor penalties, not attracting the provisions of sub-rule (2) of Rule 11, it may make an order imposing such penalty and it will not be necessary to give the Railway servant any further opportunity of making representation before the penalty is imposed.
- b. If no written statement of defence is submitted by the Railway servant, the disciplinary authority may itself inquire into the articles of charge or may, if it considers it necessary to do so, appoint, under sub-rule (2) an inquiring authority for the purpose and also inform the Railway servant of such appointment.
- c. Where the disciplinary authority itself inquires into an article of charge or appoints a Board of Inquiry or any other inquiring authority for holding an inquiry into such charge, it may, by an order in writing, appoint a railway or any other Government servant to be known as Presenting Officer to present on its behalf the case in support of the articles of charge.
9. The disciplinary authority shall, where it is not the inquiring authority, forward to the inquiring authority-
 - (i) a copy of the articles of charge and the statement of the imputation of misconduct or misbehavior.
 - (ii) a copy of the written statement of defence, if any, submitted by the Railway servant.
 - (iii) A copy of the statement of witnesses, if any referred to in sub-rule (6);
 - (iv) Evidence providing the delivery of the documents referred to in sub-rule (6) to the Railway servant;
 - (v) A copy of the order appointing the Presenting Officer, if any; and
 - (vi) A copy of the list of witnesses, if any, furnished by the Railway servant.

10. The Railway servant shall appear in person before the inquiring authority on such day and at such time within ten working days from the date of receipt by the inquiring authority of the order appointing him as such, as the inquiring authority may, by a notice in writing, specify in this behalf, or within such further time not exceeding ten days, as the inquiring authority may allow.
11. The inquiring authority shall, if the Railway servant fails to appear within the specified time, or refuses or omits to plead, require the Presenting Officer if any, to produce the evidence by which he proposes to prove the articles of charge and shall adjourn the case to a later date not exceeding thirty days, after recording an order that the Railway servant may for the purpose of preparing his defence, give a notice within ten days of the order or within such further time not exceeding ten days as the inquiring authority may allow for the discovery or production of any documents which are in possession of Railway Administration but not mentioned in the list referred to in sub-rule (6).

Note: The Railway servant shall indicate the relevance of the documents required by him to be discovered or produced by the Railway Administration.

13.(a) The Railway servant may represent his case with the assistance of any other Railway servant (including a Railway servant on leave preparatory to retirement) working under the same Railway Administration, subject to whose jurisdiction and control he is working. He cannot engage a legal practitioner for the purpose, unless the Presenting Officer appointed by the disciplinary authority is a legal practitioner or the disciplinary authority having regard to the circumstances of the case, so permits. If the Railway servant is employed in the office of the Railway Board, its attached office or subordinate office, he may present his case with the assistance of any other Railway servant (including a Railway servant on leave preparatory to retirement), employed in the office of the Railway Board, attached office or subordinate office, as the case may be, in which he is working.

(b) The Railway servant may also present his case with the assistance of a retired Railway servant, subject to such conditions as may be specified by the President from time-to-time by general or special order in this behalf.

Note: (1) A non-gazetted Railway servant may take the assistance of an official of a Railway Trade Union, recognized by the Railway Administration under which the Railway servant is employed, to present his case before an inquiring authority but shall not engage a legal practitioner for the above purpose except in the circumstances brought out in clause (a) An official of a Railway Trade Union shall not be allowed to appear on behalf of an alleged delinquent railway official in connection with a disciplinary case pending against that official, to present his case favorably before an inquiring authority unless he has worked as such in a recognized Railway Trade Union for a period of at least one year continuously prior to his appearance before an inquiring authority for the above purpose and subject to the condition that he takes no fees.

(2) Nomination of an assisting Railway servant or an official of a recognized Railway Trade Union shall be made within 20 days from the date of the appointment of the inquiring authority and it shall not be accepted if at the time of nomination the assisting Railway servant or the official or a recognized Railway Trade Union has more than three pending disciplinary cases in which he has to assist.

14. After the nomination of the assisting Railway servant or the official of a Railway Trade Union and other necessary steps preliminary to the inquiry are completed, a date ordinarily not exceeding one month from the date of appointment of the inquiring authority shall be fixed for the inquiry and the Railway servant informed accordingly.

15. The inquiring authority shall, on receipt of the notice for discovery or production of documents, forward the same or copies thereof to the authority in whose custody or possession the documents are kept with a requisition for the production of the documents by such date as may be specified in such requisition.

Provided that the inquiring authority may, for reasons to be recorded by it in writing, refuse to requisition such of the documents as are, in its opinion, not relevant to the case.

16. On receipt of the requisition referred to in sub-rule (15), every authority having the custody or possession of the requisitioned documents shall produce the same before the inquiring authority by the specified time.

Provided that if the authority having the custody or possession of requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any such documents would be against the public interest or security of the State, it shall inform the inquiring authority accordingly and the inquiring authority shall, on being so informed, communicate the information to the Railway servant and withdraw the requisition made by it for the production or discovery of such documents.

17. On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved, shall be produced by or on behalf of the disciplinary authority. The witnesses shall be examined by or on behalf of the Presenting Officer, if any, and may be cross examined by or on behalf of the Railway servant. The Presenting officer, if any shall be entitled to re-examine the witnesses on any points on which they have been cross examined, but not on any new matter without the leave of the inquiring authority. The inquiring authority may also put such questions to the witnesses as it thinks fit.

18. If it shall appear necessary before the close of the case on behalf of the disciplinary authority, the inquiring authority may, in its discretion, allow the Presenting Officer, if any, to produce evidence not included in the list given to the Railway servant or may itself call for new evidence or recall and re-examine any witness and in such cases the Railway servant shall be entitled to have, if he demands it, a copy of the list of further evidence proposed to be produced and an adjournment of the inquiry for three clear days before the production of such new evidence exclusive of the day of adjournment and the day to which the inquiry is adjourned. The inquiring authority shall give the Railway servant an opportunity of inspection such documents before they are taken on the record. The inquiring authority may also allow the Railway servant to produce new evidence if it is of the opinion that the production of such evidence is necessary in the interest of justice.

Note: New evidence shall not be permitted or called for or any witness shall not be recalled to fill up any gap in the evidence. Such evidence may be called for only when there is an inherent lacuna or defect in the evidence, which has been produced originally.

19. When the case for disciplinary authority is closed, the Railway servant shall be required to state his defence orally, or in writing, as he may prefer. If the defence is made orally it shall be recorded and the Railway servant shall be required to sign the record. In either case a copy of the statement of defence shall be given to the Presenting officer, if any.
20. The evidence on behalf of the Railway servant shall then be produced. The Railway servant may examine himself in his own behalf, if he so prefers. The witnesses produced by the Railway servant shall then be examined by or on behalf of him and shall be cross-examined by or on behalf of the Presenting Officer, if any. The Railway servant shall be entitled to re-examine the witnesses on any point on which they have been cross-examined but not on any new matter, without the leave of the inquiring authority. The inquiring authority may also put such questions to the witnesses as it thinks fit.
21. The inquiring authority may, after the Railway servant closes his case, and shall, if the Railway servant has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the Railway servant to explain any circumstances appearing in the evidence against him.
22. The inquiring authority may, after the completion of the production of evidence, hear the Presenting Officer, if any, and the Railway servant, or permit them to file written briefs of their respective cases, if they so desire.
23. If the Railway servant, to whom a copy of the articles of charge has been delivered does not submit the written statement of defence on or before the date specified for the purpose or does not appear in person before the inquiring authority may hold the inquiry ex parte.
24. Whenever any inquiring authority, after having heard and recorded the whole or any part of the evidence in an inquiry ceases to exercise jurisdiction therein and is succeeded by another inquiring authority which has, and which exercise, such jurisdiction, the inquiring authority so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor, and partly by itself:
Provided that if, the succeeding inquiring authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interest of justice, it may recall, examine, cross-examine any such witnesses as hereinbefore provided.
- 25(i) after the conclusion of the inquiry, a report shall be prepared and it shall contain-
 - a. The articles of charge and the statement of imputations of misconduct or misbehavior.
 - b. The defence of the Railway servant in respect of each article of charge,
 - c. An assessment of the evidence in respect of each article of charge and
 - d. The findings on each article of charge and the reasons therefore

Explanation- If in the opinion of the inquiring authority the proceedings of the inquiry establish any article of charge different from the original articles of charge, it may record its findings on such article of charge.

Provided that the findings on such article of charge shall not be recorded unless the Railway servant has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

- (ii) The inquiring authority, where it is not itself the disciplinary authority, shall forward to the disciplinary authority the records of inquiry which shall include-
 - a. The report prepared by it under clause(I)
 - b. The written statement of defence, if any, submitted by the Railway servant;
 - c. The oral and documentary evidence produced in the course of the inquiry;
 - d. Written briefs, if any, filed by the Presenting Officer, if any, or the Railway servant or both during the course of the enquiry; and
 - e. The orders, if any, made by the disciplinary authority in regard to the inquiry.

10. Action on the inquiry report:

- (1) If the disciplinary authority:
 - (a) After considering the inquiry report, is of the opinion that further examination of any of the witnesses is necessary in the interests of justice, it may recall the said witness and examine, cross examine and re-examine the witness;
 - (b) Is not itself the inquiry authority may, for reasons to be recorded by it in writing, remit the case to the inquiring authority for further inquiry and report and the inquiring authority shall thereupon proceed to hold further inquiry according to the provisions of Rule 9, as far as may be.
- (2) The disciplinary authority –
 - (a) Shall forward or cause to be forwarded a copy of the report of the inquiry, if any, held by the disciplinary authority or where the disciplinary authority is not the inquiring authority a copy of the report of the inquiring authority, its findings on further examination of witnesses, if any, held under sub-rule (1)(a) together with its own tentative reasons for disagreement, if any, with findings of the inquiring authority on any article of charge to the Railway servant, who shall be required to submit, if he so desires, his written representation or submission to the disciplinary authority within 15 days, irrespective of whether the report is favorable to the Railway servant;
 - (b) Shall consider the representation if any, submitted by the railway servant and record its findings before proceeding further in the matter as specified in sub-rule (3), (4) and (5).
- (3) Where the disciplinary authority is of the opinion that the penalty warranted is such as is not within its competence, he shall forward the records of the inquiry to the appropriate disciplinary authority who shall act in the manner as provided in these rules.
- (4) If the disciplinary authority having regard to its findings on all or any of the articles of charges, is of the opinion that any of the penalties specified in clauses (i) to (iv) of Rule 6 should be imposed on the Railway Servant, it shall, notwithstanding anything contained in rule 11 make an order imposing such penalty:

Provided that in every case where it is necessary to consult the Commission, the record of the inquiry shall be forwarded by the disciplinary authority to the Commission for its

advice shall be taken into consideration before making any order imposing any penalty on the Railway Servant.

- (5) If the disciplinary authority, having regard to its findings on all or any of the articles of charges and on the basis of the evidences adduced during the inquiry, is of the opinion that any of the penalties specified in clauses (v) to (ix) of Rule 6 should be imposed on the Railway Servant, it shall make an order imposing such penalty and it shall not be necessary to give the railway servant any opportunity of making representation on the penalty proposed to be imposed:

Provided that in every case where it is necessary to consult the Commission, the record of the inquiry shall be forwarded by the disciplinary authority to the Commission for its advice and such advice shall be taken into consideration before making any order imposing any such penalty on the railway servant.

11. Procedure for imposing minor penalties

(1) Subject to the provisions of sub-clause (iv) of clause (a) of sub-clause (9) or Rule 9 and of sub-rule (4) of Rule 10, no order imposing on a Railway Servant any of the penalties specified in clauses (i) to (iv) of Rule 6 shall be made except after –

- (a) informing the Railway Servant in writing of the proposal to take action against him and of the imputations of mis-conduct or mis-behaviour on which it is proposed to be taken, and giving him a reasonable opportunity of making such representation as he may wish to make against the proposal;
- (b) holding an inquiry in the manner laid down in sub rules (6 to (25) of Rule 9, in every case in which the disciplinary authority is of the opinion that such inquiry is necessary;
- (c) taking the representation, if any, submitted by the Railway servant under clause (a) and the record of inquiry, if any, held under clause (b) into consideration;
- (d) recording a finding on each imputation of misconduct or misbehavior and
- (e) consulting the Commission where such consultation is necessary.

(2) Notwithstanding anything contained in clause (b) of sub-rule (1), if in a case, it is proposed, after considering the representation, if any, made by the Railway Servant under clause (a) of that sub-rule to withhold increments of pay and such withholding of increments is likely to affect adversely the amount of pension or special contribution to Provident Fund payable to the Railway Servant or to withhold increments of pay for a period exceeding three years or to withhold increments of pay with cumulative effect for any period, an inquiry shall be held in the manner laid down in sub-rules (6) to (25) of Rule 9, before making any order imposing on the Railway any such penalty.

- (3) Deleted.

- (4) The record of proceedings in cases specified in sub-rules (1) and (2) shall include-
- (i) a copy of the intimation of the Railway servant of the proposal to take action against him;
 - (ii) a copy of the statement of imputations of misconduct or misbehaviour delivered to him;
 - (iii) his representation, if any,
 - (iv) the evidence produced during the inquiry, if any;
 - (v) the advice of the Commission, if any,
 - (vi) the findings on each imputations of misconduct or misbehaviour; and
 - (vii) the order on the case together with reasons therefore.

12. Communication of orders:-

Orders made by the disciplinary authority which would also contain its findings on each article of charges, shall be communicated to the Railway Servant who shall also be supplied with a copy of the advice, if any, given by the Commission, a brief statement of the reasons for such non acceptance.

Common proceedings:-

(1) Where two or more Railway Servants are concerned in any case, the President or any other authority competent to impose the penalty of dismissal from service on such Railway servants, may make an order directing that disciplinary action against all of them may be taken in a common proceedings.

Note:- If the authorities competent to impose the penalty of dismissal on such Railway servants are different, an order for taking disciplinary action in a common proceedings may be made by the highest of such authorities with the consent of the others.

- c. Any such order shall specify –
- (i) the authority which may function as the disciplinary authority for the purpose of such common proceedings;
 - (ii) the penalties specified in Rule 6 which such disciplinary authority shall be competent to impose; provided that such authority shall not impose the penalties specified in clauses (vii) to (ix) of that rule if that authority is subordinate to the Appoint Authority; and
 - (iii) Rule 9 and Rule 9 or Rule 10 shall be followed in the proceedings.

12. Special provisions in certain cases:-

Notwithstanding anything contained in Rules 9 to 13-

- (i) where any penalty is imposed on a Railway servant on the ground of conduct which has led to his conviction on a criminal charge, or
- (ii) where the disciplinary authority is satisfied, for reasons to be recorded by it in writing, that it is not reasonably practicable to hold an inquiry in the manner provided in these rules,
- (iii) where the President is satisfied that in the interest of the security of the State

it is not expedient to hold an inquiry in the manner provided in these rules,
the disciplinary authority may consider the circumstances of the case and make such orders as it deems fit

Provided that the Railway servant may be given an opportunity of making representation on the penalty proposed to be imposed before any order is made in a case falling under clause (i) above.

Provided further that the Commission shall be consulted where such consultation is necessary, before any orders are made in any case under this rule.

13. Provisions regarding Railway servants lent to State Governments, etc.:-

(1) Where the services of a Railway servant are lent to any other Minister of Department of the Central Government or to a State Government or an authority subordinate thereto or to a local or other authority (hereinafter in this rule referred to as “the borrowing authority”), the borrowing authority shall have the powers of the authority competent to place the railway servant under suspension for the purpose of placing him under suspension and of the disciplinary authority for the purpose of conducting disciplinary proceedings against him.

Provided that the borrowing authority shall forthwith inform the authority which lent the services of the Railway Servant (hereinafter in this rule referred to as “the lending authority”) of the circumstances leading to the order of his suspension or the commencement of the disciplinary proceedings, as the case may be.

(2) In the light of the findings in the disciplinary proceedings conducted against the Railway servant-

(i) if the borrowing authority is of the opinion that any of the penalties specified in clauses (i) to (iv) of Rule 6 should be imposed on the Railway servant, it may, after consultation with the lending authority, make such orders on the case as it deems necessary.

Provided that in the event of a difference of opinion between the borrowing authority and the lending authority, the services of the Railway servant shall be replaced at the disposal of the lending authority.

(ii) if the borrowing authority is of the opinion that any of the penalties specified in clause (v) to (ix) of Rule 6 should be imposed on the Railway servant, it shall replace his services at the disposal of the lending authority and transmit to it the proceedings of the inquiry and thereupon the lending authority may, if it is the disciplinary authority, pass such orders thereon as it may deem necessary or if it is not the disciplinary authority, submit the case of the disciplinary authority which shall pass orders on the case as it may deem necessary.

Provided that before passing such orders, the disciplinary authority shall comply with the provisions of sub-rule (4) and (5) of rule 10

Explanation:- The disciplinary authority may make an order under this clause on the record of the inquiry transmitted to it by borrowing authority, or after holding such further inquiry as it may deem necessary, as far as may be, in accordance with Rule 9.

14. Provisions regarding officers borrowed from Central or State governments, etc.

(1) Where the services of a Government servant from any Ministry or Department of the Central Government other than the Ministry of Railways, or a State Government, or an authority subordinate thereto, or of a person from a local or other authority (hereinafter in this rule referred to as “the lending authority”) are borrowed for appointment to a service or post under the Ministry of Railways, the authority which appointed him to that service or post (hereinafter in this rule referred to as “the borrowing authority”) shall have the powers of the lending authority for the purpose of placing such Government servant or person under suspension or for conducting disciplinary proceedings against him;

Provided that where an order suspending such Government servant or person is made or a disciplinary proceedings is conducted against such Government servant or person, the borrowing authority shall forthwith inform the lending authority of the circumstances leading to the order of suspension or, as the case may be, the commencement of the disciplinary proceedings against such Government servant or person.

(2) In the light of the findings in the disciplinary proceedings conducted against such government servant or person -

(i) If the borrowing authority is of the opinion that any of the minor penalties specified in the rules by which such government servant or person is governed, should be imposed on him, it may, after consultation with the lending authority, pass such orders on the case as it deems necessary, in accordance with the said rules.

Provided that in the event of a difference of opinion between the borrowing authority and the lending authority, the services of such government servant or person shall be replaced at the disposal of the lending authority.

(ii) if the borrowing authority is of the opinion that any of the major penalties specified in the rules by which such Government servant or person is governed, should be imposed on him, it shall replace his services at the disposal of the lending authority and transmit to it the proceedings of the inquiry and thereupon the lending authority may pass such orders thereon as it may deem necessary.

PART V

APPEALS

15. Orders against which no appeal lines:

Notwithstanding anything contained in this part, no appeal shall lie against –

- (i) any order made by the President,
- (ii) any order of an interlocutory nature or of the nature of step-in-aid of the final disposal of a disciplinary proceedings, other than an order of suspension
- (iii) any order passed by an inquiring authority in the course of an inquiry under Rule 9.

16. Orders against which appeal lies:-

Subject to the provisions of Rule 17, a Railway servant may prefer an appeal against all or any of the following orders, namely –

- (i) an order of suspension made or deemed to have been made under rule 5.
- (ii) an order imposing any of the penalties specified in Rule 6 whether made by the disciplinary authority or by an appellate or revising authority.
- (iii) An order enhancing any penalty imposed under rule 6.
- (iv) An order which –
 - (a) denies or varies to his disadvantage his pay, allowances, pension, Provident fund benefits, service gratuity or other conditions of service as regulated by rules or by agreement, or
 - (b) interprets to his disadvantage the provisions of any such rule or agreement.
- (v) an order -
 - (a) stopping him at the efficiency bar in the time scale of pay on the ground of his unfitness to cross the bar;
 - (b) reverting him while officiating in a higher service, grade or post to a lower service, grade or post otherwise than as a penalty;
 - (c) reducing or withholding the pension or denying the maximum pension admissible to him under the rules, if he is a pensionable Railway servant.
 - (d) Reducing or withholding the Government contribution to Provident Fund or Gratuity admissible to him under the State Railway Provident Fund Rules, and Gratuity admissible to him under the State Railway Provident Fund Rules, and Gratuity Rules, if he is a non-pensionable Railway servant;

- (e) Determining the subsistence and other allowances to be paid to him for the period during which he is deemed to be under suspension or for any portion thereof;
- (f) Determining his pay and allowances:-
 - (i) for the period of suspension, or
 - (ii) for the period from the date of his dismissal, removal or compulsory retirement from service to the date of his reinstatement.
- (g) determining whether or not the period from the date of his suspension or from the date of his dismissal, removal or compulsory retirement to the date of his reinstatement shall be treated as a period spent on duty for any purpose.

Explanation – in this rule

- (i) the expression ‘Railway Servant’ includes a person who has ceased to be in Railway service.
- (ii) the expression ‘pension’ includes additional pension, gratuity and any other retirement benefit.

19. **Appellate Authorities –**

- (1) A Railway servant, including a person who has ceased to be in Railway service, may prefer an appeal against all or any of the orders specified in Rule 18 to the authority specified in this behalf either in the Schedules or, where no such authority is specified –
 - (i) where a penalty is imposed by a revising authority under Rule 25, to the authority to which it is immediately subordinate.
 - (ii) where a penalty is enhanced, either in appeal or on revision, to the authority to which the authority making the order immediately subordinate.
 - (iii) In the case of an appeal against an order specified in clause (iv) of Rule 18, relating to a rule, to the authority which appointed the appellant or the authority which made the rule to which the order under appeal relates, whichever of them may be the higher authority, and in the case of an appeal relating to an agreement, to the authority which appointed the appellant.
 - (iv) In case of an appeal against an order specified in clause (v) of Rule 18 –
 - (a) in respect of a Railway servant on whom the penalty of dismissal from service can be imposed only by the President, to the President, and

- (b) in respect of any other Railway servant, to the authority to which the authority making an order is immediately subordinate.
- (2) Notwithstanding anything contained in sub-rule (1)
 - (i) an appeal against an order in a common proceeding held under Rule 13, shall lie to the authority to which the authority functioning as the disciplinary authority for the purpose of that proceeding, is immediately subordinate.
 - (ii) Where the person who made the order appealed against becomes , by virtue of his subsequent appointment or otherwise, the appellate authority in respect of such order, an appeal against such order shall lie to the authority to which such person is immediately subordinate. Provided that in a case where the appellate authority is the Railway Board, the appeal shall be dealt with by any Member of the Railway Board, who has not made the order appealed against
- (3) A Railway servant may prefer an appeal against an order imposing any of the penalties specified in Rule 6 to the President, where no such appeal lies to him under sub-rule (1) or sub-rule(2), if such penalty is imposed by any authority other than the President, on such Railway servant in respect of his activities connected with his work as on office bearer of an association, federation or union participating in the Joint Consultation and Compulsory Arbitration Scheme.

20. **Period of limitation for appeals**

No appeal preferred under this part, shall be entertained unless such appeal is preferred within a period of forty-five days from the date on which a copy of the order appealed against, is delivered to the appellant.

Provided that the appellate authority may entertain the appeal, after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

21. **Form and contents and submission of appeal**

- (1) Every person preferring an appeal shall do so separately and in his own name. An appeal forwarded through or counter-signed by a legal practitioner or an assisting Railway servant or a Railway Trade Union Official shall not be entertained but shall be returned with the direction to submit it under the signature of the appellant only.
- (2) The appeal shall be presented to the authority to whom the appeal lies, a copy being forwarded by the appellant to the authority which made the order appealed against. It shall contain all material statements and arguments on which the appellant relies, shall not contain any disrespectful or improper language and shall be complete in itself.
- (3) The authority which made the order appealed against, shall, on receipt of a copy of the appeal, forward the same with its comments thereon together with the relevant records to the appellate authority without any avoidable delay and without waiting for any direction from the appellate authority.

22. **Consideration of appeal**

- (1) In the case of an appeal against an order of suspension, the appellate authority shall consider whether in the light of the provisions of Rule 5 and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order accordingly.
- (2) In the case of an appeal against an order imposing any of the penalties specified in Rule 6 or enhancing any penalty imposed under the said rule, the appellate authority shall consider:-
 - (a) whether the procedure laid down in these rules has been complied with, and if not, whether such non-compliance has resulted in the violation of any provisions of the Constitution of India or in the failure of justice.
 - (b) Whether the findings of the disciplinary authority are warranted by the evidence on the record and
 - (c) Whether the penalty or the enhanced penalty imposed is adequate, inadequate or severe and pass orders –
 - (i) confirming, enhancing, reducing or setting aside the penalty or
 - (ii) remitting the case to the authority which imposed or enhanced the penalty or to any other authority with such directions as it may deem fit in the circumstances of the case.

Provided that –

- (i) the Commission shall be consulted in all cases where such consultation is necessary
 - (ii) if the enhanced penalty which the appellate authority proposed to impose is one of the penalties specified in clauses (v) to (ix) of Rule 6 and an inquiry under Rule 9 has not already been held in the case, the appellate authority shall, subject to the provisions of Rule 14, itself hold such inquiry or direct that such inquiry be held in accordance with the provisions of Rule 9 and thereafter, on a consideration of the proceedings of such inquiry, make such orders as it may deem fit.
 - (iii) If the enhanced penalty which the appellate authority proposes to impose, is one of the penalties specified in clauses (v) to (ix) of Rule 6 and an inquiry under Rule 9 has already been held in the case, the appellate authority shall, make such orders as it may deem fit.
 - (iv) Subject to the provisions of Rule 14, the appellate authority shall –
 - (a) where the enhanced penalty which the appellate authority proposes to impose, is the one specified in clause (iv) of Rule 6 and falls within the scope of the provisions contained in sub-rule(2) of Rule 11, and
 - (b) where an inquiry in the manner laid down in Rule 9, has not already been held in the case, itself hold such inquiry or direct that such inquiry be held in accordance with the provisions of Rule 9 and thereafter, on a consideration of the proceedings of such inquiry, pass such orders as it may deem fit, and
 - (v) no order imposing an enhanced penalty shall be made in any other case unless the appellant has been given a reasonable opportunity, as far as may be, in accordance with the provisions of Rule 11, or making a representation against such enhanced penalty
- (3) In an appeal against any other order specified in Rule 18, the appellate authority shall consider all the circumstances of the case and make such orders as it may deem just and equitable.

23. **Implementation of orders in appeal**

The authority which made the order appealed against, shall give effect to the orders passed by the appellate authority.

24. **Special provisions for non-gazetted staff**

- (1) where the penalty of dismissal, removal, compulsory retirement, reduction or withholding of increment has been imposed, the appellate authority may, as its discretion and if it considers it necessary, give the

non-gazetted Railway servant a personal hearing before disposing of the appeal. At this personal hearing, the Railway servant may be accompanied, if he so chooses, by another Railway servant employed on the same Railway Administration. Office of the Railway Board, its attached office or subordinate office as the case may be, in which the appellant was or is working or an official (who is not a legal practitioner) of a Railway Trade Union recognized by the Railway Administration on which the appellant was or is employed.

- (2) A Group 'C' Railway servant who has been dismissed, removed or compulsorily retired from service may after his appeal to the appropriate appellate authority has been disposed of, and within 45 days thereafter, apply to the General Manager for a revision of the penalty imposed on him. In this application, he may, if he so chooses, request the General Manager to refer the case to the Railway Rates Tribunal for advice before he disposes of the revision petition. On receipt of such a request, the General Manager shall refer the case to the Chairman, Railway Rates Tribunal for advice sending all the relevant papers.

On receipt of the revision application by the General Manager, or on receipt of advice from the Railway Rates Tribunal, as the case may be, the General Manager shall dispose of the application in accordance with the procedure laid down in Rule 25 and pass such orders as he may think fit.

Provided that the procedure mentioned in this sub-rule shall not apply in cases where the General Manager or the Railway Board are the Appellate Authority.

Provided further that where a revision application has been disposed of by the General Manager under this sub-rule, no further revision shall lie under Rule 25.

- (3) A Group 'D' Railway servant, who has been dismissed, removed or compulsorily retired from service may, after his appeal to the appropriate appellate authority has been disposed of and within 45 days thereafter, apply to the Divisional Railway Manager and where he is not under the control of any Divisional Railway Manager to the senior-most Administrative Grade Officer under whose control he may be working for a revision of the penalty imposed on him. The Divisional Railway Manager or the senior-most Administrative Grade Officer, as the case may be, shall thereafter dispose of the revision application in accordance with the procedure laid down in Rule 25 and pass such orders as he may think fit.

Provided that the procedure mentioned in this sub-rule shall not apply where the Divisional Railway Manager or the senior-most Administrative Grade Officer or any higher authority as the case may be, is the appellate authority.

Provided further that where a revision application has been disposed of by the Divisional Railway Manager or the senior-most

Administrative Grade Officer under this sub-rule, no further revision shall lie under Rule 25.

PART VI

REVISION AND REVIEW

25. Revision

- (1) Notwithstanding anything contained in these rules –
 - (i) the President, or
 - (ii) the Railway Board, or
 - (iii) the General Manager of a Railway Administration or an authority of that status in the case of a Railway servant serving under his control, or
 - (iv) the appellate authority not below the rank of a Divisional Railway Manager in cases where no appeal has been preferred, or
 - (v) any other authority not below the rank of Deputy Head of Department in the case of a Railway servant serving under his control –

may at any time, either on his or its own motion or otherwise, call for the records of any inquiry and revise any order made under these rules or under the rules repealed by Rule 29, after consultation with the Commission, where such consultation is necessary, and may –

- (a) confirm, modify or set aside the order; or
- (b) confirm, reduce, enhance or set aside the penalty imposed by the order, or impose any penalty where no penalty has been imposed; or
- (c) remit the case to the authority which made the order or to any other authority directing such authority to make such further inquiry as it may consider proper in the circumstances of the case, or
- (d) pass such orders as it may deem fit.

Provided that –

- (a) no order imposing or enhancing any penalty shall be made by any revising authority unless the Railway servant concerned has been given a reasonable opportunity of making a representation against the penalty proposed.
- (b) Subject to the provisions of Rule 14, where it is proposed to impose any of the penalties specified in clauses (v) to (ix) of Rule 6 or the penalty specified in clause (iv) of Rule 6 which falls within the scope of the provisions contained in sub-rule

(2) of Rule 11 or to enhance the penalty imposed by the order under revision to any of the penalties specified in this sub-clause, no such penalty shall be imposed except after following the procedure for inquiry in the manner laid down in Rule 9, unless such inquiry has already been held and also except after consultation with the Commission where such consultation is necessary

- (2) No proceeding for revision shall be commenced until after –
- (i) the expiry of the period of limitation for appeal, or
 - (ii) the disposal of the appeal where any such appeal has been preferred

Provided that the provisions of this sub-rule shall not apply to the revision of appeal under these rules

- (3) An application for revision shall be dealt with in the same manner as if it were an appeal under these rules

- (4) No power of revision shall be exercised under this rule –

- (i) by the appellate or revising authority where it has already considered the appeal or the case and passed orders thereon, and
- (ii) by the revising authority unless it is higher than the appellate authority where an appeal has been preferred or where no appeal has been preferred and the time limit laid down for revision by the appellate authority has expired.

Provided that nothing contained in clauses (i) and (ii) above, shall apply to revision by the President.

- (5) No action under this rule shall be initiated by –

- (a) an appellate authority other than the President, or
- (b) the revising authorities mentioned in item (v) of sub-rule(i) after more than six months from the date of the order to be revised in cases where it is proposed to impose or enhance a penalty or modify the order to the detriment of the Railway servant, or more than one year after the date of the order to be revised in cases where it is proposed to reduce or cancel the penalty imposed or modify the order in favour of the Railway servant.

Provided that when revision is undertaken by the Railway Board or the General Manager of a Zonal Railway or an authority of the status of a General Manager in any other Railway unit or Administration when they are higher than the appellate Authority and by the President even when he is the appellate authority, this can be done without restriction of any time limit.

Explanation – for the purposes of this sub-rule the time limits for revision of cases shall be reckoned from the date of issue of the orders proposed to be revised. In cases where

original order has been upheld by the appellate authority, the time limit shall be reckoned from the date of issue of the appellate orders.

25-A. Review – The President may at any time either on his own motion or otherwise review any order passed under these rules when any new material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case has come or has been brought to his notice.

Provided that no order imposing or enhancing any penalty shall be made by the President unless the Railway servant concerned has been given a reasonable opportunity of making a representation against the penalty proposed or where it is proposed to impose any of the major penalties specified in Rule 6 or to enhance the minor penalty imposed by the order sought to be reviewed to any of the major penalties and if an enquiry under Rule 9 has not already been held in the case, no such penalty shall be imposed except after inquiring in the manner laid down in Rule 9, subject to the provisions of Rule 14 and except after consultation with the Commission where such consultation is necessary.

PART –VII

Miscellaneous

26. Service of orders, notices etc – Every order notice and other process made or issued under these rules, shall be served in person on the Railway servant concerned or communicated to him by registered post.

26-A Service of orders, notices etc. on behalf of the Railway Board or President – Any of the following officers in the Ministry of Railways shall be competent to sign on behalf of the Railway Board or President any notice, process, order etc. made or issued under these rules

- (i) Secretary, Railway Board/Joint Secretary/Deputy Secretary
- (ii) Executive Director / Director/Joint Director

27. Power to relax time limit and to condone delay – Save as otherwise expressly provided in these rules, the authority competent under these rules to make any order may, for good and sufficient reasons or if sufficient cause is shown, extend the time limit specified in these rules for anything required to be done under these rules or condone any delay.

28. Supply of copy of Commission's advice - Wherever the Commission is consulted as provided in these rules, a copy of the advice by the Commission and, where such advice has not been accepted also a brief statement of the reasons for such non-acceptance, shall be furnished to the Railway servant concerned along with a copy of the order passed in the case, by the authority making the order.

29. Repeal and saving –

(1) The Discipline and Appeal Rules for Railway servant other than those employed in the Railway Protection Force, in force with effect from the 1st August, 1961 and any orders issued there under in so far as they are inconsistent with these rules, are hereby repealed.

Provided that –

- (a) such repeal shall not affect the previous operation of the said rules, or any order made, or anything done, or any action taken, there under, and
- (b) any proceedings under the said rules, pending at the commencement of these rules, shall be continued and disposed of, as far as may be, in accordance with the provisions of these rules, as if such proceeding were proceedings under these rules

(2) Nothing in these rules shall be construed as depriving any person to whom these rules apply, of any right of appeal which had accrued to him under the rules or orders in force before the commencement of these rules.

(3) An appeal pending at the commencement of these rules against an order made before such commencement, shall be considered and orders thereon shall be made, in accordance with these rules, as if such orders were made and the appeal were preferred under these rules.

(4) As from the commencement of these rules any appeal or application for revision and/or review against any orders made before such commencement shall be preferred or made under these rules as if such orders were made under these rules.

Provided that nothing in these rules shall be construed as reducing any period of limitation for any appeal or revision and/or review provided by any rule in force before the commencement of these rules.

30. Removal of doubts – If any doubt arises as to the interpretation of any of the provisions of these rules, the matter shall be referred to the President through the Railway Board and the President shall decide the same.

31. Right to submit petitions to the President – Nothing in these rules shall operate to deprive a Railway servant from exercising his right of submitting a petition to the President in accordance with the instructions contained in Appendix II to the Indian Railway Establishment Code, Volume I (Fifth Edition – 1985).