



कार्यालय महाप्रबन्धक
पूर्वोत्तर रेलवे, गोरखपुर-273 012 (उ०प्र०)
OFFICE OF THE GENERAL MANAGER
NORTH EASTERN RAILWAY
GORAKHPUR - 273 012 (U.P.)

CORRECTION SLIP NO.20 to Model Schedule of Powers-2018 (Model SOP-2018) adopted by NER

Sub.: Correction Slip No.20 to Model Schedule of Powers-2018 (Model SOP-2018) adopted by NER

- Ref.:** (i) Railway Board's Letter No.2018/Trans/01/Policy dt.24.07.2018
(ii) DGM(G)/NER/Gorakhpur's Letter No.Z/548/Model SOP/2018 dt.30.07.2018
(iii) Railway Board's Letter No.2018/TC-III/42/3 dt.03.04.2019
(iv) Railway Board's Letter No.2011/TC-III/27/29/ Ex-gratia dt.26.07.2012

Model Schedule of Powers-2018 (Model SOP-2018) circulated by Railway Board vide above referred letter dt.24.07.2018 delegating various Financial and Administrative powers across Zonal Railways/PUs has been implemented over NE Railway with immediate effect vide above referred letter dt.30.07.2018.

In terms of "Corrigendum to Part "E" Item Nos. 23(A), and 23(B), of Model SOP-2018 on Commercial Matters" issued by Dy. Director/Traffic Commercial-III railway board vide letter Nos. 2018/TC-III/42/3 dt.03.04.2019 (in 01 Pages) with concurrence of Finance Directorate of Ministry of Railway ; the provision contained in para 5(iv) of Railway Board's Letter No. 2011/TC-III/27/29/ Ex-gratia dt.26.07.2012 regarding Ex-gratia relief payable in case of death/injury of railway passengers in train accidents as defined under section 124 & 124-A of the Railways Act-1989 and to the road users in Manned Level Crossing gate accidents of Model SOP-2018 adopted by NER, stand modified / amended according to the enclosures (in 05 Pages) ; in place of the existing provision.

This is being issued with the approval of General Manager.

Enclosure: As above (in 01 + 04 = 05 Pages)

(Anand Rishi Srivastava)
Dy.General Manager/G
for General Manager, NER/GKP

No. Z/548/Model SOP/2018/CS

Dated: 02.01.2020

Copy forwarded for information & necessary action to:

AGM,	CAO/Con.	PCME,	PCE,	PCSTE,	PCMM,	PCEE,	PCCM
PCOM,	CSO,	PCPO,	SDGM,	PCSC/RPF,	PCMD,	PFA,	CPRO
Secy. to GM,	FA&CAO/Con.	Sr.AFA/PP,	Sr.DFM/IZN,	Sr.DFM/LJN,	Sr.DFM/BSB,	CWM/SWS-GKP	
DRM/IZN	DRM/LJN	DRM/BSB	CMW/IZN,	CWM/GKP,	CWM/BWS/GKP		
	CMS/IZN,	CMS/LJN,	CMS/BSB,	MD/LNMRH/GKP			

उप महाप्रबन्धक(सा०)
Dy. General Manager (G)
पूर्वोत्तर रेलवे, गोरखपुर
N. E. Rly., Gorakhpur

(Anand Rishi Srivastava)
Dy.General Manager/G
for General Manager, NER/GKP

उप महाप्रबन्धक(सा०)
Dy. General Manager

Proposed Modification:

	Nature of Power	PHOD/HOD	DRM	Divisional officers & Officers in Headquarters	Remarks
23	<p>(A) To make exgratia payments payable to persons seriously injured or dependents of persons killed in Railway accidents (as defined in Section-124) including Railway servants on duty or travelling as passengers</p> <p>(i) In case of death</p> <p>(ii) In case of grievous injury</p> <p>(iii) In case of simple injury</p> <p>(B) To make exgratia payments payable to persons seriously injured or dependents of persons killed in Untoward Incidents as defined in Section 124-A including Railway servants on duty or travelling as passengers</p> <p>(i) In case of death</p> <p>(ii) In case of grievous injury</p> <p>(iii) In case of simple injury</p>	<p>PHOD/CHOD/CCO Rs. 50,000/- per case</p> <p>PHOD/CHOD/CCO Rs. 25,000/- per case</p> <p>PHOD/CHOD/CCO Rs. 5,000/- per case</p> <p>PHOD/CHOD/CCO Rs. 15,000/- per case</p> <p>PHOD/CHOD/CCO Rs. 5,000/- per case</p> <p>PHOD/CHOD/CCO Rs. 5,00/- per case</p>	<p>Payment should be sanctioned / arranged preferably on the spot by a senior scale officer nominated by the DRM after making such enquiries as can be reasonably made on the spot after the immediate needs by way of medical attendance etc. to injured persons are attended to.</p> <p>DRM Rs. 50,000/- per case</p> <p>DRM Rs. 25,000/- per case</p> <p>DRM Rs. 5,000/- per case</p> <p>Payment should be sanctioned / arranged preferably on the spot by a senior scale officer nominated by the DRM after making such enquiries as can be reasonably made on the spot after the immediate needs by way of medical attendance etc. to injured persons are attended to.</p> <p>DRM Rs. 15,000/- per case</p> <p>DRM Rs. 5,000/- per case</p> <p>DRM Rs. 5,00/- per case</p>	<p>4/c back NIL page</p> <p>NIL 4/c back page</p>	<p>1. No finance concurrence is required</p> <p>2. The terms and conditions stipulated in RB's 2014/TC-III/1/2//IRCT(C)/Ch.IV dt. 07.11.2014 shall be followed</p> <p>3. For Sl. No. 23(A)(ii), (i) This is the lump-sum amount for hospitalization up to 30 days to take care of the initial expenses (ii) Thereafter, Rs. 300/- per day be released at the end of every 10-day period of discharge, whichever is earlier (iii) The maximum period for which ex-gratia is payable to the grievously injured passenger will be 12 months.</p> <p>4. For Sl. No. 23(B)(ii), (i) This is the lump-sum amount for hospitalization up to 30 days to take care of the initial expenses (ii) Thereafter, Rs. 1000/- per week or part thereof up to further 6 months of hospitalization. Rs. 500/- per week or part thereof the period of treatment up to further Five months of Hospitalization. (iii) The maximum period for which ex-gratia is payable to the grievously injured passenger will be 12 months</p> <p>Authority:</p> <p>1. Rly Board's letter No: 2002/TC-III/28/3 dt. 12.06.02</p> <p>2. Rly Board's Letter No: 2011/TC-III/27/29/Ex-Gratia dt. 26.07.2012</p> <p>3. Rly Board's Letter No: 2011/TC-III/27/29/Ex-Gratia dt. 07.05.2013</p> <p>4. Rly Board's Letter No: 2014/TC-III/1/2//IRCT(C)/Ch. IV dt. 07.11.2014</p> <p>5. Rly Board's Letter No: 2018/TC-III/42/3 dt 03-04-19</p>

वसुधैव कुटुम्बकम्
Sr. AFA Finance Estt.
पूर्वोत्तर रेलवे, गोरखपुर
N. E. Railway, Gorakhpur

20/1/19
[Signature]

23/1/19

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. 2018/TC-III/42/3

General Manager,
Central Railway,
CSTM, Mumbai.

Dated : 03.04.2019

Sub: Model SOPGEN 2018 (Commercial Matters).

Ref: PCCM's letter No. C194C/15/CPA/375/SOPGEN/2017 dated 06.11.2018.

Please refer to PCCM/CR's letter dated 06.11.2018 regarding alleged withdrawal of Division's powers in SOPGEN 2018 with regard to payment of ex-gratia to the victims/next of kin of the deceased in train accident/untoward incidents.

The matter has been examined in Board's office. It is clarified that as per extant instructions issued by Railway Board's Letter No. 2011/TC-III/27/29/Ex-gratia dated 26.07.2012 and 07.05.2013, power to sanction payment of ex-gratia for death/injury in train accidents/untoward incidents, have been given to GMs of all Zonal Railways. Further, as per Para 5 (iv) of said letter dated 26.07.2012, "Payments should be sanctioned/arranged preferably on the spot by a Senior Scale Officer nominated by the General Manager after making such enquiries as can be reasonably made on the spot after the immediate needs by way of medical attendance etc. to injured persons are attended to."

Further, Chairman, Railway Board in his Foreword of SOPGEN 2018 dated 23.07.2018 has also very clearly stated that, "I would like to emphasize that since Railways is a mammoth organization with different zones and divisions having their own unique requirements, so one centralized SOP document cannot address all the requirements of all the units. One size cannot fit all. However, a Model document like this will serve as a benchmark to be followed uniformly across units, suitably supplemented by additional delegations which may be introduced by the GMs in consultation with their PFAs as per specific local requirements in accordance with Government of India rules."

In view of the above, it is advised that with regard to grant of ex-gratia payments to the victims/next of kin of the deceased in train accidents/untoward incidents, Railways may themselves delegate powers to Officers in HQ of Zonal Railway or in Divisional Offices as per their local requirement. This may be done as per the provisions provided in the SOPGEN itself for amendments etc.

This issues with the concurrence of Finance Directorate of Ministry of Railways.

This disposes of Central Railway's letter referred above.

DA: Nil

Dy. Director/Traffic Commercial-III
Railway Board

COPY TO:- 1) PCCM, Central Railway.

2) General Managers, All Zonal Railways (except C. Rly) - For information and necessary action please. N.E. Railway, Gorakhpur.

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

Rail Bhawan, New Delhi - 110 001
July 26, 2012

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

The General Manager (Claims)
All Indian Railways

Sub : Ex-gratia relief payable in case of death/injury of railway passengers in Train Accidents as defined under Section 124 of the Railways Act, 1989 and to the road users in Manned Level Crossing gate accidents.

Reference is made to Board's letters No. 93/TC-III/122/1/Ex-gratia dated 21.8.1995 and 26.4.1996 prescribing inter alia the rates of ex-gratia to be paid to the dependents of dead and injured bona fide passengers involved in Train Accidents, No. 93/TC-III/122/1/Ex-gratia dated 18.11.1999 prescribing the rate of ex-gratia relief to be paid to the road users for death/injury in Manned Level Crossing Gate Accidents and also No. 2002/TC-III/28/3 dated 12.6.2002 circulating the consolidated instructions regarding grant of ex-gratia relief to the persons involved in train accident/untoward incidents and in the case of level crossing gate accidents.

2. It has now been decided to revise the amount of ex-gratia relief to be paid to the dependents of dead or injured passengers involved in only **Train Accidents** as defined under Sections 124 of the Railways Act, 1989 and to the road users who meet with an accident due to Railway's prima facie liability at **Manned Level Crossing Gate Accident**, which is as under:

	Type of accident	Amount of ex-gratia for Death	Amount of ex-gratia for Grievous Injury	Amount of ex-gratia for Simple Injury
1)	In case of Train Accident (as defined under Section 124 of the Act)	Rs. 50,000/- (Rupees Fifty Thousand only)	Rs. 25,000/- (Rupees Twenty Five Thousand only)	Rs. 5000/- (Rupees Five Thousand only)
2)	In case of Accident at Manned Level Crossing (due to Railway's prima facie liability)	Rs. 50,000/- (Rupees Fifty Thousand only)	Rs. 25,000/- (Rupees Twenty Five Thousand only)	Rs. 5000/- (Rupees Five Thousand only)

3. The rate of ex-gratia for death/injury in Untoward Incident, as defined Section 124-A of the Railways Act, 1989, will remain the same as prescribed in Bd letter No. 93/TC-III/122/1/Ex-gratia dated 21.8.1995 and 26.4.1996 and No. 2002 III/28/3 dated 12.6.2002, which is Rs. 15000/- (Rupees Fifteen Thousand only) in ca. death, Rs. 5000/- (Rupees Five Thousand only) in case of grievous injury and Rs. 5 (Rupees Five Hundred only) in case of simple injury.

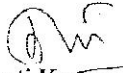
4. No ex-gratia relief is admissible in case of accident at Unmanned Level Crossing

5. The other instructions contained in Board's letter No. 93/TC-III/122/1/Ex. Grat dated 21.8.1995 would remain the same, which are reiterated as under :

- (i) No ex-gratia payment would be admissible to the trespassers, persons electrocuted by OHE and road users at unmanned level crossings.
- (ii) 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, if action is tenable against the Railways under the Law of Torts and an award is actually granted by a Court of Law.
- (iii) Ex-gratia payments should also be made to railway servants killed or injured by a moving train while performing their duty, for example, gangman working on track run over accidentally by a moving train.
- (iv) Payments should be sanctioned/arranged preferably on the spot by a Senior Scale Officer nominated by the General Manager after making such enquiries as can be reasonably made on the spot after the immediate needs by way of medical attendance etc. to injured persons are attended to.
- (v) These ex-gratia payments, except in case of road users at manned level crossings, are not to be taken into account at the time of formal claims for compensation.

These instructions will come into force from 1st August, 2012.

This issues with the concurrence of Finance Directorate.


(Kranti Kumar)
Joint Director Traffic Comm. (Claims)
Railway Board

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

July 26, 2012

Copy to : CCMs, CCOs, CSOs, All Zonal Railways for information and necessary action.



(Kranti Kumar)

Joint Director Traffic Comm. (Claims)
Railway Board

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

July 26, 2012

Copy forwarded to : (i) FA&CAOs, All Zonal Railways.
(ii) DAI (Railways) with 36 spares.



Financial Commissioner / Railways

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PSO/CRB, PSO/MT, PSO/MS, PSO/ML, Sr.PPS/ME, Sr.PPS/MM, PPS/FC
Adv(Safety), Director(PR), F(X)-I, F(C)-I & II, Accounts-II, E(LL), E(W),
Safety(A&R), Safety(Control), Comm.(Control) Branches of Railway Board.
Chairman, Konkan Railway Corp., Belapur House, New Mumbai-400614.