

RAILWAY ACCIDENTS (COMPENSATION) RULES, 1989

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RAILWAY ACCIDENTS (COMPENSATION) RULES, 1989

In exercise of the powers conferred by Section 82-A of the Indian Railways Act, 1890 (IX of 1890) and in supersession of the Railway Accident (Compensation) Rules, 1950 except in respect of things done or omitted to be done before such supersession, the Central Government hereby makes the following rules namely :-

PART 1

Preliminary

1. Short title :-

(1) These rules may be called the Railway Accidents (Compensation) Rules, 1989.

(2) They shall come into force on the 'appointed day' within the meaning of clause (b) of Section 2 of the Railway Claims Tribunal Act, 1987 (54 of 1987).

2. Definitions :-

In these rules, unless the context otherwise requires :-

(a) "accident" means an accident of the nature described in Section

82-A of the Indian Railway Act, 1890 (9 of 1890) ;

(b) "Schedule" means the schedule to these rules.

(c) 'Claims Tribunal' means the Railway Claims Tribunal established under Section 3 of the Railway Claims Tribunal Act, 1987 (54 of 1987).

PART 2

Claims for compensation

3. Amount of compensation :-

(1) The amount of compensation payable in respect of death or injuries shall be as specified in the Schedule.

(2) The amount of compensation payable for an injury not specified in Part II of the Schedule but which, in the opinion of the Claims Tribunal is such as to deprive a person of all capacity to do any work, shall be rupees one lakh.

(3) The amount of compensation payable in respect of any injury (other than an injury specified in the Schedule or referred to in sub-rule (2) resulting in pain and suffering, shall be such as the Claims Tribunal may after taking into consideration medical evidence, besides other circumstances of the case, determine to be reasonable : Provided that if more than one injury is caused by the same accident, compensation shall be payable in respect of each such injury. Provided further that the total compensation in respect of all such injuries shall not exceed rupees twenty thousand.

(4) Where compensation has been paid for any injury which is less than the amount which would have been payable as compensation if the injured person had died and the person subsequently dies as a result of the injury, a further compensation equal to the difference between the amount payable for death and that already paid shall become payable.

(5) Compensation for loss, destruction or deterioration of goods or animals shall be paid to such extent as the Claims Tribunal may, in all the circumstances of the case, determine to be reasonable.

4. Limit of compensation :-

Notwithstanding anything contained in Rule 3, the total compensation payable under that rule shall in no case exceed rupees one lakh in respect of any one person.

SCHEDULE 1

1

PART

1

PART

2

PART

3