

SOUTHERN RAILWAY

No.P(R)723/P/EGLC

Headquarters Office  
Personnel Branch  
Chennai - 600 003  
Dated: 23-05-2013

PBC No: 55 / 2013

All PHODs / DRMs / CWMs / CEWE / CAO / CPM / Dy.CPOs / Sr.DPOs /  
DPOs / SPOs / WPOs / APOs of HQ / Divisions / Wokshops / other Units,  
etc., (As per mailing list –'A' )

Sub: Payment of Ex-gratia Lumpsum Compensation (EGLC) to the families of Railway employees who die in harness due to accidents in performance of bonafide official duties- reg.

Ref: **Railway Board's letter Nos:**

1. E(W)2006/CP-1/37 dt.1-05-2007 (RBE No.71 / 2007)  
(PBC No. 88/2007)
2. E(W)1999/CP-1/1 dt.05-11-1999 (RBE No.285 /1999)  
(PBC No. 236/1999)
3. E(W)2006/CP-1/1 dt.08-02-2006 (RBE No.14 / 2006)  
(PBC No. 42/2006)

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Recently while sanctioning Ex-gratia Lumpsum Compensation (EGLC) to a family of Railway employee who died due to accident while performing duty in one of the Divisions, General Manager has expressed his unhappiness about the inordinate delay of more than two years in processing such proposal and has observed with anguish that “ the basic purpose behind an Ex-gratia Lumpsum Compensation to one of our expired employees loses its meaning if it is delayed for such a long time ”. Hence, GM has desired to institute an iron clad procedure to minimize the period of process of such proposals and has desired to ensure that EGLC is paid to the family of bereaved employee within a period of one month.

2. In terms of provisions contained vide Railway Board's letter dated 01-05-2007 cited above, the General Manager of Zonal Railway is a competent authority to accord personal sanction to grant EGLC to the family of Railway employee who die in harness during the performance of the bona fide official duties under various circumstances as outlined earlier vide Board's letter dated 05-11-1999 and 08-02-2006 subject to the condition that personal concurrence of FA&CAO shall be obtained in each case. Board have further stated in the letter dated 01-05-2007 that the case should be settled within a maximum period of 3 (three) months so as to cause minimum hardship to the

claimants and should be subject to careful examination with reference to the extant instructions, conditions, etc.

3. After detailed examination of the issues involved in certain cases of EGLC, it is noticed that much period of time is taken by the claimant to submit her/ his application with the required documents which eventually leads to delay of processing of such cases. The applicants claiming EGLC in almost all cases prefer/submit proper claims only after a lapse of 6 to 8 months from the date of death of Railway employees. This is happening due to spending considerable time in obtaining vital documents in support of their claim viz. Copy of FIR from Police, copy of Post-mortem report, Death certificate from Corporation / Municipal authorities, Legal Heir certificate from Revenue authority,, etc. Basically, it is very difficult to make a claim for EGLC without these important documents. On the other hand, it is the paramount responsibility on the part of Railway Administration to mitigate the sufferings of family members of the Railway employees who die unexpectedly in accidents, and is to ensure that the proper compensation is extended to such family members within a reasonable period of time in such situation so that the day to day affairs of the family could be run without much hardship.

4. The Ex-Gratia Lumpsum Compensation (EGLC) is permissible only when the Railway employee die in harness while performing bona fide official duties under **specific circumstances as outlined vide Board's letter dt. 5-11-1999 and 8-02-2006.** The cases of such issues will first attract compensation under the statutory provisions of Workmen Compensation Act ( now Employees Compensation Act [ECA] ) unless the employee is not covered under ECA. As per the provisions of ECA, claims should be completed within a period of one month, failing which the administration is liable to pay 12% interest on the ECA compensation. To give more importance to the statutory provisions, it is desired that ECA claims should be completed & payment made on top priority. Simultaneously the settlement dues of Pensionary and other allied benefits on account of death of Railway employee are also to be arranged on top priority within a possible time. Once the settlement dues are received, the family of the Railway employee will generally prefer claim for appointment under Compassionate grounds to one of their eligible family members. It is expected that these measures would alleviate the sufferings of family members. However, while processing these benefits / compensation separately, the claim for payment of EGLC should also be processed simultaneously on top priority.

5. The following documents are very essential for considering claim for grant of EGLC and the Personnel Officer who deals with this subject should ensure that these documents are submitted by the applicant claiming for EGLC with the application.

- i) Copy of FIR from Police.
- li) Post-mortem report.
- lii) Inquest report from Police.
- iv) Death certificate of Railway employee obtained from the Municipal authority.
- v) Legal heir certificate obtained from competent Revenue authority.

It is on the part of the applicant to obtain and produce the above documents. However, S&WIs should guide properly wherever necessary to the family of late Railway employee as to the legal / administrative procedure in getting the abovementioned documents.

6. Once the information about the death of Railway employee is received by Sr DPO/DPO from the open line work spot through the concerned supervisory official, one of the S&WIs should be deputed to visit the spot of such occurrence and also to meet the family members of the Railway servant and S&WI is required to submit preliminary report about the occurrence of death of Railway employee without any further delay. On receipt of such a preliminary report from S&WI, a separate individual case file is to be opened irrespective of the fact that whether the family member is submitting immediately a claim for EGLC or not and this will ease the process of such claim at a subsequent date when a proper claim is received for further processing. As per extant instructions, payment of funeral advance is to be arranged to the family without any delay. After a gap of 2 weeks from the date of such occurrence of death, the S&WI should visit the family preferably after the completion of formal ritual formalities and the family members should be briefed about the assistance/compensation likely to get from Railway administration.

7. On receipt of preliminary report submitted by the nominated S&WI as required in para 6 above, Sr DPO/DPO/WPO is required to decide initially about the unfortunate event of such accident involving death of a Railway employee based on the preliminary report of S&WI and also in consultation with the concerned Branch Officer, wherever necessary. Once it is prima facie established that the accident resulted in a death of Railway employee while performing bona fide duties, it should be ensured that all the required assistances needed by the bereaved family are provided on top priority. S&WI should visit the bereaved family and guide them properly as to the legal/administrative procedures in getting the required documents. A copy of application form claiming for EGLC should also be handed over to such bereaved family by S&WI in person and all assistance should be rendered for filling up the application form. In any other assistance for the family for getting relevant documents from Police and Medico-legal reports should also be rendered and any delay and difficulty in this regard should be brought to notice of Sr.DPO/DPO/WPO without delay. The divisional administration, **therefore must monitor such cases of EGLC on " day to day " basis and ensure that** steps are taken without any undue delay in addition to the simultaneous steps taken by Personnel Branch to provide immediate relief under Rly Act, relief under SSS (if any) , compensation under ECA , claim for EGLC, arranging pensionary benefits, providing appointment on Compassionate Grounds, etc., Unless otherwise any specific confirmation is required on a particular aspect, the benefits of these assistance/entitlements are to be processed independently & separately without clubbing together. While primary aim & intention of Sr DPO/DPO is to help the bereaved family and ensure the family to receive the EGLC & other benefits in time without any delay, any rival claim or legal litigation is anticipated or encountered from the side of bereaved family, S&WI should bring out such circumstances immediately to

the notice of Sr DPO/DPO who will in turn decide further course of action to be taken legally & as per Rule. He/She can also order for an enquiry by APO or S&WI, if warranted.

8. Once the application claiming for EGLC is received from the applicant, the Personnel Officer should call for the following documents from the Supervisors of concerned Depot/Unit under whom the employee was working.

- i) Injury report from the Railway Doctor.
- ii) Co-worker's statement.
- iii) Copy of Muster roll / Attendance register.
- iv) General Report of the Depot/Unit Supervisor.
- v) A copy of separate note of certification of Depot/Unit Supervisor and acceptance of concerned Divisional Controlling Officer recorded therein itself to the effect that the deceased employee had died in the course of an accident while performing bona fide official duty narrating the circumstances under which the death occurred with the circumstantial and direct evidences (as required in Para 9 below)
- vi) Joint report of S&WI & Depot Supervisor.
- vii) Accident enquiry report submitted by the Committee, if any.

9. The responsibility lies with the Depot Supervisor to furnish the above documents. The main condition to be satisfied for the payment of EGLC in the specified circumstances is that the death of the employee concerned should have occurred due to accident in the actual performance of bona fide official duties. In other words, a causal connection should be established between the occurrence of death and government service. When the nexus and causal connection with the government service would need to be adequately established in determining the entitlement to the EGLC in deciding this issue, it is the primary responsibility on the part of Depot Supervisor to certify that the deceased employee died in the course of an accident while performing bona fide official duty. This certification is to be accepted by the Branch Controlling Officer. Obtaining this certification rests with the Depot Supervisor only. The Personnel Officer while considering the claim for EGLC is to ensure that above specific certification is obtained from Depot Supervisor before process commences.

10. Based on the above documents and also the documents produced by the applicants viz., FIR report, Post-mortem report, Inquest report and Death Certificate, the Personnel Officer should examine judiciously the cause and circumstances leading to the death of the employee and also the liability on the part of Railways has to be ascertained and decided based on the documentary proof provided by the depot supervisor and applicant and the eligibility for grant of EGLC should be determined accordingly. While determining the eligibility, the guidelines and instructions issued by Railway Board should also be adhered to scrupulously. In this connection it is pointed out that it is not necessary that the cases covered under ECA will be covered by EGLC provisions. On the other hand, it is also not necessary that cases covered under EGLC provisions will have to be covered under ECA also. As per extant orders of Railway

Board, the EGLC is permissible only in the event of death occurred due to accidents in the course of performance of bona fide official duties. Therefore, the cases covered under notional extension theory of ECA will not come under the purview of EGLC provisions. The Personnel Officers dealing with the claims of EGLC should make careful examination of the claims of EGLC with reference to the extant instructions, conditions etc., issued by Railway Board from time to time.

11. In order to avoid any communication gap, or delay on the part of administration, and also speed up the process of EGLC and other benefits, the communication system available with administration should be utilized to the maximum to help the bereaved family members. It will be more useful to such family if the Landline phone No., CUG mobile Nos, Office Fax Nos, e-mail IDs, of Sr DPO/DPO/APOs & nominated S&WI are provided to the bereaved family members. This type of gestures will boost the level of confidence among them and also it will become easy for them to keep in touch with the administration to avail the permissible benefits. Likewise, S&WI should also collect the mobile phone numbers or any other communication facility or the present postal address from the bereaved family and to keep it on record for communication purposes.

12. Sr DPO/DPOs should maintain a time table to monitor such cases of death and also to ensure about the measures to be taken for grant of EGLC to the bereaved family. In this connection, a time schedule incorporating 9 important stages to be monitored & to be followed for early payment of EGLC is enclosed as Annexure - 'A'. The time schedule indicating 9 stages should be followed and adhered to strictly without any delay. Any slippage from this time schedule shall attract a very serious view from General Manager. Sr DPO/DPO are therefore advised to adhere the time schedule strictly without any deviation or slippage.


13. In order to avoid any delay in the matter of processing of claim for EGLC submitted by the family of such Railway employees, the following instructions in addition to the above are issued for strict adherence at all levels:

- a. The eligible family member of the Railway employee who died due to accidents while performing official duties should submit the claim for grant of EGLC only in the prescribed format of application (copy enclosed) along with the required copies of documents/details. The applicant should submit application ( in duplicate) directly to Sr DPO / DPO / WPO / Dy CPO in divisions / workshops / other units and one copy is to be retained in division and another application is to be forwarded to Hd Qrs along with the proposal and required copies of documents.
- b. The time limit of 3 (three) months prescribed by Railway Board will start from the date of receipt of such application by Sr.DPO/DPO/WPO/Dy.CPO in Divisions/ Workshops /Units.

- c. Once the application is received, it is to be processed on a day to day basis on top priority.
- d. The details regarding number of such claims received in the prescribed application format date wise, action taken, present status of case with reasons for delay are to be shown in the periodical Monthly Appreciation report from the month in which such applications are received.
- e. Wherever delay takes place on the part of the eligible claimant in submission of any corrected / proper documents are required for processing, the claimant of such cases should be contacted in person or over phone to complete the required formalities.
- f. .As the issue of grant of EGLC is monitored keenly by GM, Sr.DPO/DPOs should conduct periodical review meetings with S & WI and other staff who deals with the subject and they should ensure that no delay takes place in the process of such proposals.
- g. While forwarding the proposal for grant of EGLC to this office, all the documents mentioned in para No. 5 & 8 above together with the application submitted by the applicant should be enclosed. While forwarding such proposal the particulars required in the Top Sheet (format enclosed) should also be furnished.
- h. In order to avoid rival claim / bogus claim of EGLC, the Personnel Officer should show much caution on this issue and correct identity of claimant is to be established based on the documents available with the administration and other documents enclosed to the application and discreet enquiry may also be conducted wherever required.
- i. In view of GM's orders above, it is advised that Sr.DPO/DPO should take immediate appropriate action to expedite and clear all the pending cases of EGLC, if any, without any further delay. Sr DPO/DPOs may undertake a special drive to speed up the process of such cases of EGLC.

This issues with the approval of CPO.

Encl: as above



( R.Mohanraja ) 23/05/2013

Chief Personnel Officer / Admn.  
for CHIEF PERSONNEL OFFICER

Copy to :

The Genl.Secy. SRMU  
The Genl.Secy. AISCSTREA  
The Genl.Secy. AIOBCREA

APPLICATION FOR CLAIMING OF PAYMENT OF EX-GRATIA LUMP SUM COMPENSATION (EGLC) TO THE FAMILY OF RAILWAY EMPLOYEE WHO DIED DUE TO ACCIDENT IN THE COURSE OF PERFORMANCE OF BONAFIDE DUTIES.

[For official use only]

( Affix a recent passport size photograph of applicant claiming EGLC )

I hereby apply for grant of Ex-Gratia Lumpsum Compensation (EGLC) being an eligible claimant and furnish the required particulars below:

1. Name of applicant claiming payment of EGLC (in BLOCK letters) :
2. Name of Father & Mother of the applicant : i)  
ii)
3. Date of Birth of applicant :
4. Name of the Railway Employee who died in harness on duty :
5. Indicate relationship of applicant to the Railway employee :
6. Indicate the service details of of Railway employee :
  - a. **Father's name of** Railway employee :
  - b. Designation of Railway employee :
  - c. PF No. / PPA No. of the employee :
  - d. Date of birth of Railway employee :
  - e. Date of death of Railway employee :
  - f. Place of death :

- g. Cause of death :
- h. Place/Station/Depot of duty :
- i. Designation of the controlling supervisor under whom the railway employee was working at the time of death :
7. Indicate the residential address of the applicant at the time of death of Railway employee :
8. Indicate present residential address of applicant for communication :
9. Indicate two personal identification marks of applicant : i)  
ii)
10. Indicate the Telephone/Mobile number for communication : Telephone No. :  
Mobile No. :  
e- Mail ID, if any :
11. Details of Savings Bank Account of Applicant  
a. Account No. :  
b. Name of the Bank :  
c. Address of the Bank :
12. Details of family members dependent on the Railway Employee :
13. Indicate the present employment details of applicant in Govt. Services, if any :
14. Indicate the details of compensation, if any, received from any Govt. Sector (other than from Railways) for the death of Railway employee :



15. Indicate whether all the required Documents as indicated at the end of this application have been enclosed :

DECLARATION

The particulars/details furnished by me above are true, complete & correct to the best of my knowledge and I have not suppressed any material facts. I declare that I am the eligible claimant for payment of EGLC. Further, I declare that I am not a party to any judicial proceedings pending before any Court of Law on the issue of claiming of EGLC in regard to the death of Railway employee mentioned above.

Place: Signature of applicant : .....

Date: Name : .....

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List of Copy of documents required to be enclosed along with this application claiming EGLC.

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1. Copy of FIR from Police.
  2. Copy of Post-Mortem Report.
  3. Inquest report from Police
  4. Death Certificate of Railway employee obtained from Municipal authority.
  5. Legal heir certificate obtained from concerned Revenue Authority.
  6. Copy of Photo Identity Card of applicant viz., Election Voters identity Card, PAN Card, Driving License, Aadhar Card, Passport, Office Identity Card, if any of these two, issued by the Govt.
  7. Copy of Family Ration Card issued by the State Government.
  8. Copy of Savings Bank account Book.
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## TOP SHEET

(Statement indicating date of stagewise events in the Chronological order)

(This Statement should be prepared by the staff who deals with the claim for payment of EGLC in P.Branch)

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1. Name of the employee who died due to accident while performing bona fide duty -
2. Designation & Station / Unit -
3. Date of Death -
4. Cause of death -
5. Date on which first information about the death of employee received in the Personnel Branch -
6. Date of on which the following copy of Under mentioned Documents received - from Depot / Unit
  - 1) Injury report of Sr.DMO -
  - 2) Depot / Unit Supervisors report about the death of employee. -
  - 3) Preliminary report of S&WI about the Death of employee.
7. Date on which Copy of application for EGLC handed over / sent by registered Post to the applicant. -
8. Date on which S&WI visited the family of employee and briefing made to the Family -
9. Date of receipt of application claiming EGLC from the applicant -
10. Date of communication of Compensation under ECA sanctioned if any, and forwarded to Labour Commissioner. -

11. Date on which recommendation Of Sr.DPO/DPO obtained for making Proposals of ECLC to Accounts for Vetting. -
12. Date on which the proposal for claiming of payment of EGLC sent to Accounts for Vetting. -
13. Date of receipt of Accounts vetting. -
14. Date on which recommendation of officers obtained for the Proposal to forward to CPO/MAS -
 

}	Sr DPO/DPO	-
}	Branch Officer	-
}	DRM	-
15. Date of forwarding of EGLC proposal to CPO/MAS -

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Brief reasons for delay:

(Wherever any unreasonable delay taken place during every stage of event mentioned above, a brief reason for the same is to be indicated here below.)

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In HQ/PB/MAS (To be filled by Staff at HQ/PB/MAS)

1. Date on which the proposal for EGLC received in HQ/PB/MAS from Division / Unit -
2. Date of forwarding of EGLC proposal to FA&CAO/MAS. -
3. Date of receipt of Concurrence from FA&CAO/MAS for the above proposal.

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Brief reasons for delay:

(Wherever any unreasonable delay taken place during every stage of event mentioned above, a brief reason for the same is to be indicated here below.)

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## TIME SCHEDULE

(Sr DPO/DPO is to maintain the following time schedule covering 10 important stages mentioned below.)

1	To get preliminary report from the nominated S&WI about the death of employee	within 3 days from the date of death.
2	To provisionally decide by Sr DPO/DPO whether employee had died due to accident while performing his/her bonafide duties based on the preliminary report of S&WI	within 7 days from the date of death of employee.
3	To ensure that S&WI had visited bereaved family and briefed them about the various assistances available and hand over a copy of application for claiming EGLC.	within 3 weeks from the date of death of employee
4	To ensure that all the reports/documents are received from the Depot/Unit Supervisor	within 30 days from the date of death
5	To ensure that S&WI had assisted the family to obtain the vital documents from Competent Authorities and to ensure that the bereaved family is applying for claim of EGLC, pensionary benefits, CG Appointment etc.,	within 30 to 60 days from the date of death
6	To take a decision whether the employee had died due to accident while performing bonafide duties based on the report of Depot Supervisor/Branch Officer & other related documents.	within 7 days from the date of receipt of report from the Depot Supervisor
7	To ensure that Accounts vetting for the proposal to grant EGLC is obtained	within 14 days from the date of receipt of proposal by Accounts from P. Branch
8	To ensure that the proposal for EGLC is getting recommendation of DRM	within 7 days from the date of receipt of Accounts vetting
9	To ensure that the proposal of EGLC with complete set of documents is forwarded to CPO/MAS	within 3 days of approval obtained from DRM

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