

No. 89/TC.III/49/2 (1)

New Delhi/dt. 14.1.50

The General Managers,
All Indian Railways.

Sub: Report of a Study made by Department of
Administrative Reforms and Public
Grievances & Pensions - Recommendations
for improvement in the procedure and
settlement of claims by the Railways.

Following have been recommended in the report
by Department of Administrative Reforms & Public Grievances:-

"4.13 - It is suggested that Law Assistants
as far as possible should deal with cases
commodity wise and target date for disposal
of claims cases should be fixed.

4.23 - The Central Vigilance Commission had
asked to examine whether there is a case/need
for any system made in the matter of engagement
of lawyers/advocates by the Railways in the
disputes arising out of claims preferred by
private individuals/agencies. During the
course of this study and during the course
of discussion with the Legal Adviser it has
been found that at present there are no norms
prescribed for the minimum eligibility of the
of the candidature for the empanelment of the
lawyers. One of the criteria which the Railway
Board may wish to adopt could be in terms
of minimum experience of, say 10 years for the
purpose of empanelment of lawyers. Similarly,
at present the names of the candidates are
collected by the zonal railways on the basis of
independent enquiries made by them. These are
cross checked with Heads of the Branches of
the Union Ministry of Law & Justice/Sr. Central
Government Counsels; President of the Bar
Council/Bar Associations, etc. Thus, the
size of the source of collection of names
appears to be restricted. To the extent
feasible the Railway Board may like to
invite applications through a well advertised
bill. The names received could then be
appropriately evaluated and the decision
taken. The Railways would thus have a wider
choice.

2. This Ministry have accepted the above recommendations, partially as under and desire that these should be implemented with immediate effect, if not, in practice already.

So far as recommendation at 4.13 about Law Assistants of the zonal railways are concerned, due to paucity of Law Assistants it may not be possible to assign them commodity-wise for the disposal of claim cases. However, keeping in view the objective of Railway Administration for expeditious disposal of claim cases a target of 42 days has already been fixed. Keeping in view this target the zonal railways should assign a corresponding target for the Law Assistants for disposal of claim cases.

Regarding recommendation No. 4.23, it is desired for laying down a norm of the minimum experience of 10 yrs. for eligibility of the candidates to be placed on the panel of the lawyers are implemented. You are, therefore, advised to call for applications for selecting the candidates to be expeditiously. The applications should be screened by a Committee of Sr. Railway Officers.

Receipt of the letter may please be acknowledged.

(Pramod Uniyal)
Director, Traffic Commercial (Claims),
Railway Board.