

Bill Summary

The Railways (Amendment) Bill, 2014

- The Railways (Amendment) Bill, 2014 was introduced in the Lok Sabha on August 7, 2014 by the Minister of Railways, Mr. D.V. Sadanada Gowda. It seeks to amend the Railways Act, 1989.
- The Statement of Objects and Reasons of the Bill states that the Bill seeks to prevent people from filing multiple claims from the Railways for accidents and defines ‘accidental falling’ to exclude negligence on part of the passengers.
- Under the Act, claims for compensation in case of an accident could be made by passengers against the railway administration of their origin or destination station or where the accident occurred. The Bill amends this provision to make the railway administration where the accident occurred, a party before the Claims Tribunal,
- Under the Act, accidental falling of a passenger from a train was included in the definition of ‘untoward incident’. The Bill defines ‘accidental falling’ to exclude (i) passengers falling from train while trying to enter or leave a moving train, (ii) passengers falling from the train while standing near the door or opening the door of a moving train, (iii) any person endangering the safety of other passengers willfully or by neglect, or (iv) any person travelling on roof, step or engine of a train or any part not meant for passengers even after being warned by a railway official.
- The Bill adds a provision on compensation to be provided for any cases of ‘accidental falling’.
- The Bill states that in cases of accidental falling, irrespective of neglect or wrongful act on part of the Railways the railway administration will be liable to pay compensation to such extent as may be prescribed. The compensation will be for loss due to death of or injury the passenger as a result of such accidental falling. However, the compensation shall not be payable if the passenger dies or suffers injury due to (i) a suicide or such attempt, (ii) self-inflicted injury, (iii) his own criminal acts, (iv) own carelessness, or (v) acts committed in a state of intoxication or insanity.

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