

Railways Claims Tribunal (Procedure) Rules, 1989

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Railways Claims Tribunal (Procedure) Rules, 1989

G.S.R.842 (E),dated 19th September, 1989 - In exercise of the powers conferred by Cls.(c) (e), (f) and (g) of sub section (2) of sec. 30 of the Railway Claims Tribunal Act, 1987 (54 of 1987), the Central Government hereby makes the following rules, namely:-

1. Short Title And Commencement :-

(1) These rules may be called the Railway Claims Tribunal (Procedure) Rules, 1989.(2). They shall come into force on the "appointed day " within the meaning of Cl. (b) of Section (2) of the Act.

2. Definitions :-

In these rules unless the context otherwise requires:

- (a) "Act" means the Railway Claims Tribunal Act, 1987 (54 of 1987);
- (b) "accident" means an accident of the nature described in section 82-A of the Indian Railways Act, 1980 (9 of 1890);
- (c) "applicant" means a person making an application to the Tribunal under section 16 of the Act;
- (d) "Form" means a form appended to these rules;
- (e) "legal practitioner" shall have the meaning assigned to it under Cl.(i) of section 2 of the Advocates Act, 1961 (25 of 1961);
- (f) "legal representative" means a person who in law

represents the estate of deceased.(g) "Registrar" means the person who is for the time being discharging the functions of the Registrar of the Tribunal and includes an Additional and Assistant Registrar;(h) "Registry" means the Registry of any Bench of the Tribunal;(i) "schedule" means schedule to these rules;(j) "section" means a section of the Act;(k) "transferred application" means a suit, claim or other legal proceeding which has been transferred to the Tribunal under section 24 of the Act;(l) "Tribunal" means the Railway Claims Tribunal established under section 3 of the Act;(m) Words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in that Act.

3. Territorial Jurisdiction Of The Bench :-

1. The number of Benches, the headquarters of each Bench and the territorial jurisdiction of every such Bench shall be as specified in Sch.1.2. If an application is received by a bench which does not have territorial jurisdiction to deal with the matter, the Registrar of the bench shall return the application to the applicant.3. Notwithstanding anything contained in sub-rule 2 the applicant may apply to the Chairman and the Chairman may thereupon for reason to be recorded in writing direct a Bench other than the bench before which an application has been filed to hear such application and issue such orders as may be necessary for the transfer of the application.

4. Language Of The Claims Tribunal :-

1. The pleadings before the Claims Tribunal may, at the option of the respective parties, be either in English or in Hindi.,2. All orders and judgements of the Claims Tribunal may, at the option of the claims Tribunal be either in Hindi or English.

5. Procedure For Filing Applications :-

1. An application to the Tribunal shall be presented in form 1 of form II or form III as the case may be either by the applicant in person or by an agent or by his duly authorised legal practitioner in the office of the Registrar or the Additional Registrar or the Assistant Registrar, as the case may be
2. An application referred to in sub rule 1 may also be sent by registered post in the office of the Registrar or the Additional

Registrar or the Assistant Registrar, as the case may be of the Bench concerned.2-A. An application sent by post under sub-rule 2 shall be deemed to have been presented to the Registrar on the day on which it is received in the Tribunal.3. The application under sub-rule 1 or sub-rule 2 shall be presented in triplicate.4. Where the number of respondent is more than one as many extra copies of the application as there are respondents, together with unused file size envelopes, bearing the full address of such respondents shall be furnished by the applicant.5. The applicant may attach to and present with his application, a receipt slip in (form 4) which shall be signed by the Registrar of the office receiving the application on behalf of the Registrar in acknowledgement.6. Every application including any misc. application, shall be typed legibly in double space on one side on thick paper of good quality.

6. Application Fees For Cases Other Than Compensation For Death Or Injury To Passengers :-

(1) Every application made under sub sec. 1 of section 16 for seeking relief in respect of matters, other than claim of compensation for death or injuries to passengers shall be accompanied by a fee as specified in Sch.II. (2) The amount of the fee as referred to in sub-rule (1) shall be payable by crossed demand draft on a nationalised bank drawn in favour of the Registrar of the concerned Bench or remitted through a crossed Indian Postal Order and drawn in favour of the Registrar of the concerned Bench.

7. Documents To Accompany The Application :-

(1) Every application for compensation in respect of loss, destruction, damage, deterioration or non-delivery of animals or goods or in respect of refund of fare or freight shall be accompanied by the following documents namely:-

(a) copy of the railway receipt/parcel way bill/luggage ticket ; (b) original sale invoice (Bijak), if any ; (c) copy of order or letter, if any, of the railway administration deciding the claim of the party ; (d) copy of the original certificate issued by the railway administration regarding loss, deterioration or damage to the goods, at the time of granting open delivery or assessment delivery ; (e) copy of the notice under Sec. 106 of the Railway Act, 1989. (f) copies of any other relevant document in possession of the applicant.

(2) The documents referred to in sub-rule (1) may be attested by a legal practitioner or by a Gazetted Officer of the Central Government or a State Government. (3) An application filed under sub-rule (1) of rule 5 by a legal practitioner shall be accompanied by a vakalatnama and that by an agent shall be accompanied by a document authorizing him to act as such. (4) When any document accompanying an application or reply appears to be defaced, torn, or in any way damaged or otherwise its condition or appearance requires special notice, a mention regarding its condition and appearance shall be made by the party producing the same in the index of such application or reply, as the case may be, and the same shall be verified by the Registrar."

8. Place Of Filing Application For Compensation In Accident Or Untoward Incident Claim :-

An application for compensation payable under section 124 Or 124 A of the Railways Act, 1989 may be filed before the Bench having territorial jurisdiction over the place from which the passenger obtains or purchases his pass or ticket or where the accident or untoward incident occurs or where the place of destination station lies or where the claimant normally resides."

9. Place Of Filing Application For Compensation For Loss, Damage, Destruction, Deterioration Or Non-Delivery Of Goods Or Animals :-

An application for compensation referred to in sub-clause (i) of Cl. (a) of sub-section (1) of Sec. 13 of the Act may be filed before the Bench having territorial jurisdiction over the place where-

(a) the goods or animals were delivered for carriage ; or (b) where the destination station lies ; or (c) the loss, destruction, damage or deterioration of goods or animals occurred.

10. Place Of Filing Application For Refund Of Fare And Freight :-

An application in respect of a claim for refund of fare or freight referred to in Cl. (b) of sub-section (1) of Sec. 13 of the Act may be filed before the Bench having territorial jurisdiction over the place at which such fare or (freight was paid or the place) where the destination station lies.

10A. Section 10A :-

Every application made under rule 9 to 10 shall be accompanied with a fee of ten rupees for each respondent for the service or execution of process."

11. Scrutiny Of Applications :-

(1) The Registrar, or the officer authorised by him, shall endorse on every application, the date on which it is presented or received through post under (rule 5) and sign the endorsement. (2) If, on scrutiny, the application is found to be in order, it shall be registered and given a serial number. (3) If the application, on scrutiny, is found to be defective and the defect noticed is formal in nature, the Registrar may allow the applicant to rectify the same in his presence, and if the defect is not formal in nature, the Registrar may allow the applicant such time to rectify the defect as he may deem fit. (4) If the applicant fails to rectify the defect within the time allowed under sub-rule (3), the Registrar may, by order and for reasons to be recorded in writing, decline to register the application and inform the applicant accordingly. (5) An appeal against the order passed under sub-rule (4) may be preferred by the person aggrieved within fifteen days from the date of such order to any Member and such appeal shall be dealt with and disposed of in Chamber by the Member whose decision thereon shall be final.

11A. Maintenance Of Cash Register :-

(1) All payments received by way of Indian postal orders or demand drafts or in cash by the Registrar shall be entered immediately by the Registration Clerk on their receipt side in a Cash Register Maintained in Form VI. (2) On every last working day of the week, the payments received during the week by way of Indian postal orders or demand drafts shall be transmitted by the Registration Clerk to the official incharge of the Cash Section, who after scrutiny and verification shall acknowledge the receipt of all moneys in the Cash Register. (3) The payments received in cash shall be transmitted by the Registration Clerk to the official incharge of the Cash Section on each day, who after verification shall acknowledge the receipt of all moneys in the Cash Register. (4) The official incharge of the Cash Section shall deposit all payments received by way of Indian postal order or demand draft or cash in the Bank account of the Tribunal."

12. Notice In Form Vii To Opposite Party :-

(1) The Tribunal shall issue notice in Form VII to the respondent to show cause against the application on a date of hearing to be specified therein. Such notice in Form VII shall be accompanied by a copy of the application. (2) If the respondent does not appear on the date specified in the notice in Form VII or appears and admits claim, the Claims Tribunal shall forthwith proceed to dispose of the application. (3) If the respondent contests the claim it may file a reply along with copies of such documents on which it relies on or before the date of hearing and such reply and copies of documents shall form part of the record.

13. Service Of Notices And Processes Issued By The Tribunal :-

(1) Any notice or process to be issued by the Tribunal may be served in any one of the following modes as may be directed by the Bench :

(a) by hand delivery through a process server ; (b) by registered post with acknowledgment due ; (c) Service by the party himself.

(2) Where a notice issued by the Tribunal is served by the party himself by "hand delivery" he shall file with the Registrar the acknowledgment together with an affidavit of service. (3) Notwithstanding anything contained in sub-rule (1), The Tribunal may, taking into account the number of respondents and their place of residence or work and other circumstances, direct that notice of the application shall be served upon the respondents in any other manner, including any manner of substituted service, as it appears to the Tribunal just and convenient. (4) A notice or process may also be served on the legal practitioner representing the applicant or the respondent, as the case may be, in any proceeding or on any person authorised to accept a notice or a process, and such service on the legal practitioner or on the authorised person shall be deemed to be proper service". (5) Where the Tribunal directs a service under sub-rule (3), such amount of charges, as may be determined by the Tribunal from time to time, but not exceeding the actual charges incurred in effecting the service, shall be deposited in the Tribunal."

14. Filing Of Affidavit :-

(1) The Tribunal may direct the parties to give evidence, if any, by affidavit. (2) Notwithstanding anything contained in sub-rule (1), where the Tribunal considers it necessary for just decision of the case, it may orders cross-examination of any deponent. (3) Every affidavit to be filed before the Tribunal shall be in Form VIII".

15. Filing Of Reply And Other Documents By The Respondents :-

(1) Each respondent may file his reply to the application and copies of the documents on or before the date of hearing. (2) In reply filed under sub-rule (1), the respondent shall specifically admit, deny or explain the facts stated by the applicant in his application and state such additional facts as may be found necessary in his reply. (3) When the respondent admits the facts stated in the application, the Tribunal may make order in this regard".

15A. Filing Of Rejoinder :-

The applicant intending to file rejoinder to the written reply filed by the respondent may do so with the permission of the Tribunal.

15B. Admission And Denial Of Documents :-

The Tribunal may, before framing issues ascertain from parties or their authorised representatives whether they admit or deny documents accompanying the application or reply, if any, and shall record such admission and denial.

15C. Marking Of Documents :-

The documents filed by the applicant shall be marked as "A series and the documents filed by the respondent shall be marked as "R" series and the Tribunal exhibits shall be marked as C series".

16. Summary Dismissal Of Application :-

The Tribunal, may after considering the application summarily dismiss the application, if for reasons to be recorded, the Tribunal is of opinion that there are not sufficient grounds for proceeding therewith.

17. Hearing Of Applications :-

The Tribunal shall notify to the parties the date and place of hearing of the application in such manner as the Chairman may, by general or special order, direct.

17A. Oath To The Witness :-

The Court Master or the Commission, as the case may be, shall administer the following oath to a witness :-

I do swear in the name of God that what I shall state shall be truth and nothing but the truth.

18. Action On Application For Applicants Default :-

(1) Where on the date fixed for hearing of the application or on any other date to which such hearing may be adjourned, the applicant does not appear when the application is called for hearing, the Tribunal may, in its discretion, either dismiss the application for default or hear and decide it on merit. (2) Where an application has been dismissed for default and the applicant files an application within thirty days from the date of dismissal and satisfies the Tribunal that there was sufficient cause for his non-appearance when the application was called for hearing, the Tribunal shall make an order setting aside the order dismissing the application and restore the same:

Provided, however, where the case was disposed of on merits the decision shall not be re-opened except by way of review.

19. Ex-Parte Hearing And Disposal Of Application :-

(1) Where on the date fixed for hearing the application or on any other date to which such hearing may be adjourned, the applicant appears and the respondent does not appear when the application is called for hearing, the Tribunal may, in its discretion adjourn the hearing or hear and decide the application Ex-parte. (2) Where an application has been heard ex-parte against a respondent or respondents, such respondent or respondents may apply to the Tribunal for an order to set it aside and if such respondent or respondents satisfy the Tribunal that the notice was duly served, or that he or they were prevented by any sufficient cause from appearing (when the application was called) for hearing the Tribunal may make an order setting aside the ex-parte hearing as against them or them upon such terms as it thinks fit, and shall

appoint a day for proceeding with the application :

Provided that where the ex-parte hearing of the application is of such nature that it cannot be set aside as against one respondent only, it may be set aside as against all or any of the other respondents also.

20. Procedure And Powers Of Tribunal :-

The Tribunal shall have, for the purposes of discharging its functions under this Act, the same powers as are vested in a Civil court under the Code of Civil Procedure, 1908, while trying suit, in respect of the following matters, namely :

(a) summoning and enforcing the attendance of any person and examining him on oath ; (b) requiring the discovery and production of document; (c) receiving evidence on affidavits; (d) subject to the provisions of Secs. 123 and 124 of the Indian Evidence Act, 1872, requisitioning any public record or document or copy of such record or document from any office; (e) issuing commissions for the examination of witnesses or documents; (f) reviewing its decisions; (g) dismissing an application for default or ex parte; (h) setting aside any order of dismissal of any application for default or any order passed by it ex-parte.

21. Framing And Determination Of Issues :-

(1) After considering the reply, the tribunal shall ascertain upon what material propositions of fact or of law the parties are at variance and shall thereupon proceed to frame and record the issues upon which the right decision of the case appears to it to depend. (2) In recording the issues, the Tribunal shall distinguish between those issues which in its opinion concern points of facts and those which concern points of law. (3) After framing the issues, the Tribunal shall proceed to record evidence thereon which each party may desire to produce.

22. Summoning Of Witnesses And Method Of Recording Evidence :-

(1) If an application is presented by any party to the proceedings for summoning of witnesses, the Tribunal shall issue summons for the appearance of such witnesses unless it considers that their appearance is not necessary for the just decision of the case. (2) The Tribunal shall make a brief memorandum of the substance of

the evidence of every witness as the examination of the witness proceeds and such memorandum shall form part of the record : Provided that if the Tribunal is prevented from making such memorandum, it shall record the reasons of its inability to do so and shall cause such memorandum to be made in writing from its dictation and shall sign the same, and such memorandum shall form part of the record. (3) Where summons re issued by the Tribunal under sub-rule (1) to any witness to give evidence or to produce any document, the person so summoned shall be entitled to such travelling and daily allowance sufficient to defray the travelling and other expenses as may be determined by the Registrar."

22A. Documents Not To Form Part Of Records :-

Unless duly permitted by the Tribunal, the following documents shall not form part of the records of the case-

(a) written statement filed after the expiry of time granted for the purpose; (b) rejoinder filed without leave of the Tribunal or after the expiry of time granted; (c) additional pleading filed without leave of the Tribunal or filed after expiry of time granted; and (d) documents not tendered into evidence."

23. Power To Issue Commission :-

Any Bench of the Tribunal may issue a commission for the examination or interrogatories or otherwise of any person who is unable to attend the Tribunal for any justifiable reason.

24. Procedure In Connected Cases :-

(1) Where two or more applications pending before a Tribunal arise out of the same facts and any issue involved is common to two or more such applications, such applications may so far as the evidence bearing on such issue is concerned, be heard simultaneously. (2) Where action is taken under sub-rule (1), the evidence bearing on the common issue or issues shall be recorded on the record of one application the Tribunal shall certify under its hand on the records of any such other application, the extent to which evidence so recorded applies to such other case and the fact that the parties to such other case had the opportunity of being present, and, if they were present for cross-examining the witnesses.

25. Calender Of Transferred Cases :-

Each Bench shall draw up a calendar for the hearing of transferred cases in such manner as the Chairman may, by general or special order direct and, hear and decide the cases according to the calendar.

26. Substitution Of Legal Representatives :-

(1) In the case of death of a party during the pendency of the proceedings before Tribunal, the legal representatives of the deceased party may apply within ninety days of the date of such death for being brought on record. (2) Where no application is received from the legal representatives within the period specified in sub-rule (1), the proceedings shall abate :

Provided that for good and sufficient reasons shown, the Tribunal may allow substitution of the legal representatives of the deceased.

27. Assessors :-

(1) In any enquiry into a claim, the Tribunal may call in the aid of assessors, not exceeding two in number, who possess any technical or special knowledge with respect to any matter before the Tribunal for the purpose of assisting the Tribunal. (2) An assessor shall perform such functions as the Tribunal may direct. (3) The remuneration, if any, to be paid to an assessor shall in every case be determined by the Tribunal and be paid by it.

28. Adjournment Of Hearing :-

If the tribunal finds that an application cannot be disposed of at one hearing it shall record the reasons which necessitate the adjournment and also inform the parties present of the date of adjourned hearing.

"Provided that no such adjournment shall be granted more than three times to a party during the proceedings before the Tribunal."

"Provided further that all the documents shall be filed by the parties along with pleadings and no adjournment shall be granted for filing documents at a later stage except in circumstances which are beyond the control of the concerned party".

29. Costs :-

The Claims Tribunal may, in its discretion, pass such orders in

respect of costs incidental to any proceedings before it, as it may deem fit.

30. Decision Of The Tribunal :-

The Tribunal shall decide every application as expeditiously as possible on perusal of documents, affidavits and other evidence, if any, and after hearing such oral arguments as may be advanced.

31. Order To Be Passed And Signed :-

(1) The Tribunal, after hearing the applicant and respondent, shall make and pronounce an order either at once or, as soon as thereafter as may be practicable but not later than twenty-one days from the final hearing".(2) An order made by the Tribunal shall be executable by the Tribunal as a decree of a Civil Court and the provisions of the Code of Civil Procedure, 1908, so far as may be, shall apply as they apply in respect of decree of a Civil Court.(3) Every order of the Tribunal shall be in writing and shall be signed by the Member or Members constituting the Bench which pronounced the order.

31A. Execution Of Order :-

An order of the Tribunal may be executed by the Bench which pass it if the respondent is within the territorial jurisdiction of the said Bench or by any other Bench or court to which it is sent for execution, when the respondent is having his office within the territorial jurisdiction of such Bench or court, as the case may be".

31B. Application For Execution :-

For execution the holder of an order shall make an application to the Tribunal in form IX.

31C. Issue Of Process Of Execution :-

(1) On receipt of an application under rule 31B, the Tribunal shall issue a process for execution of its order in Form X.(2) The Tribunal shall consider objection, if any, raised by the respondent and make such order as it may deem fit and shall issue attachment or recovery warrant in Form XI or XII, as the case may be.

32. Review Of Decision :-

(1) Any person considering himself aggrieved by any order of the Tribunal from which no appeal is allowed or from which appeal is allowed, but has not been preferred and who on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a review of the order made against him, may apply for review of a final order not being an interlocutory order, to the Tribunal.(2) Where it appears to the tribunal that there is not sufficient ground for a review, it shall reject the application.(3) Where Tribunal is of the opinion that the application for review should be granted, it shall grant the same : Provided that no such application shall be granted without previous notice to the opposite party to enable him to appear and be heard in support of the order, a review of which is applied for.

33. Publication Of Orders :-

Any order of the Tribunal deemed by it to be fit for publication in any authoritative report or other media may be released for such publication on such terms and conditions as the Chairman or Vice-Chairman or Member concerned may specify by general or special order.

34. Certified Copy Of The Order And Inspection Of Record :-

(1) If the applicant or the respondent to any proceeding requires a copy of any order passed by the Tribunal, the same shall be supplied to him on payment of rupees ten per order. "In the normal course of time within seven working days from the receipt of an application for the said purpose and on payment of rupees twenty on urgent basis within three working days from the receipt of an application for the said purpose". (2) The parties to any case or their counsel maybe allowed to inspect the record of the case on making an application in writing to the Registrar and payment of rupees ten per inspection.(3) Notwithstanding anything contained in sub-rule (1), in compensation cases relating to accident and untoward incidents, one copy of the order made by the Tribunal shall be sent within three working days by the Registrar to both the parties free of cost with an endorsement thereon Free copy.

35. Orders Or Directions By The Tribunal :-

The Tribunal may pass such orders or give such directions as may

be necessary or expedient to give effect to its orders or to prevent abuse of its process or to secure the ends of justice.

36. Registration Of Legal Practitioners Clerks :-

(1) No clerk employed by a legal practitioner shall act as such before the Tribunal or be permitted to have access to the records and obtain copies of the orders of a Bench of the Tribunal in which the legal practitioner ordinarily practises, unless his name is entered in the Register of Clerks maintained by the said Bench. Such clerk shall be known as a "Registered Clerk".(2) A legal practitioner desirous of registering his clerk shall make an application to the Registrar in Form V. On such application being allowed by the Registrar, his name shall be entered in the Register of clerks.(3) An identity card shall be issued in Form XIII to a Registered Clerk of the legal practitioner on payment of a fee of rupees fifteen by way of Indian postal order or demand draft drawn in favour of the Registrar."

37. Powers, Functions And Duties Of The Registrar :-

(1) The Registrar shall have the custody of the records of the Tribunal and shall exercise such other functions as are assigned to him under these rules or from time to time by the Chairman or the Vice-Chairman or the Member.(2) without prejudice to the foregoing sub-rule (1), the Registrar shall have the following powers and duties, subject to the general or special order of the Chairman, Vice-Chairman or Member, namely :

(i) to receive all applications and other documents including transferred applications under sub-rule (3) of rule 3;(ii) to decide all questions arising out of the scrutiny of the applications before they are registered in accordance with rule 11;(iii) to require any application presented to the Tribunal to be amended for compliance with any provision of the Act or the rules;(iv) subject to the direction of the respective Benches, to fix the date of hearings and to issue notices therefore;(v) to direct any formal amendment of records.(vi) to order grant of copies of documents to parties to the proceedings;(vii) to grant leave to inspect the records of the tribunal;(viii) to dispose of all matters relating to the service of notices or other processes, applications for the issue of fresh notices and for extending the time for filing such applications and to grant time not exceeding 30 days for filing reply or rejoinder, if any, and to place the matter before the Bench for appropriate orders after

the expiry of the aforesaid period;(ix) to requisition or transfer of any records of such suit, claim or other legal proceeding as are transferred to the claims tribunal from any Court, claims Commissioner or other authority under Cl.(a) of sub-section (2) of Sec. 24 of the Act;(x) to receive and dispose of applications for substitution, except where the substitution would involve setting aside an order of abatement;(xi) to receive and dispose of applications by parties for return of documents.(xii) to supply to the Central Government the information in Form XIV;(xiii) to dismiss the application for default in case the applicant or his legal practitioner does not appear before him on the date fixed for hearing of the case;(xiv) to dismiss the application in case the applicant fails to serve the opposite party with the notice; and(xv) to restore the application, if he is satisfied that there are sufficient reasons for non-appearance or for not serving the opposite party."

(3) The office seal shall be kept in the custody of the registrar.(4) subject to any general or special direction by the Chairman, the seal of the Tribunal shall not be affixed to any order, summons or other process save under the authority in writing of the registrar.

(5) The seal of the Tribunal shall not be affixed to any certified copy issued by the Tribunal save under the authority in writing of the Registrar.(6) The Registrar of each Bench shall make out, every month a brief summary of the important decisions given by that bench during the previous month and send it to the Registrar of the Principal Bench who shall after suitable editing, circulate it to all the Benches of the Tribunal in the country and to all Chief Claims Officers of Zonal Railways for their information.

38. Working Hours Of The Tribunal :-

Except on Saturdays, Sundays and other public holidays, the office of the tribunal shall, subject to any order made by the Chairman, remain open from 9-30 to 6-00 p.m.

39. Sitting Hours Of The Tribunal :-

The sitting hours of the Tribunal shall ordinarily be from 10-30 a.m. to 1-0 p.m. and 2-30p.m. to 4-30 p.m. subject to any general or special order made by the Chairman or by Vice-Chairman or Member concerned with the prior approval of the Chairman.

40. Seal And Emblem :-

The official seal and the emblem of the Tribunal shall be such as the Central Government may specify.

41. Sittings Of The Tribunal Outside The Headquarters :-

The Tribunal and any of the benches may hold its sittings at its Headquarters or at any other place as it may find convenient for the better transaction of business.

42. Headquarters Of The Tribunal :-

The Tribunal shall have its Headquarters at New Delhi.

43. Preservation Of Record :-

All necessary documents and records relating to applications dealt with by the Tribunal shall be kept in a record room and shall be preserved for a period of three years after the passing of the final order.

44. Inherent Powers Of The Tribunal :-

Nothing in these rules shall be deemed to limit or otherwise affect the inherent powers of the Tribunal to make such orders as may be necessary for the end of justice or to prevent abuse of the process of the Tribunal.

45. Monthly Progress Report Of Tribunal :-

The Tribunal shall furnish every month to the Central Government in form XIV, the information with regard to institution, disposal and pendency of claims cases, accident cases and other information relating to the functioning of the Tribunal and its Benches.

46. Maintenance Of Order Sheets :-

The Registrar shall attach to every application an order sheet in duplicate in form XV.

47. Maintenance Of Court Diary :-

The Court Master shall maintain a court diary in Form XVI for recording the proceedings of the Tribunal for each working day with respect to all applications listed in the daily cause list.

48. Preparation And Publication Of Daily Cause List :-

The Court Master shall on each working day prepare for the next working day, the cause list in Form XVII and fix a copy of the same on the Notice Board of the Tribunal.

49. Retention, Preservation And Destruction Of Records :-

(1) The Record Keeper shall be responsible for the records consigned to the Record Room. He shall scrutinize the records received by him within three days and prepare an index.(2) If on scrutiny, any deficiency is found in the records, the Record Keeper shall return the records back to the concerned branch or Section.(3) On the expiry of the period for preservation of the records prescribed under rule 43, the Registrar shall weed out the record."