

POLICY AND PROCEDURE FOR ALLOTMENT OF BOOTHS HAVING STD/ISD/LOCAL CALL/FAX/INTERNET FACILITY

Board's letter No. 2001/TGIV/10/PCO/Policy dtd 22.4.02.

Board's letter No. 2001/TGIV/10/PCO/Review dtd 29/30.10.02.

Board's letter No. 01/TGIV/10/PCO/Review dtd 14.05.04.

1. OBJECTIVE

1.1 To provide easy and user friendly access to passengers to communicate in emergency or otherwise.

2. SCALE AND NUMBER OF BOOTHS

2.1 For the purpose of providing booths having STD/ ISD/ Local call/ FAX/ Internet facility, stations will be classified into various categories as per Board's letter No. 94/LM(B)/2/175 dtd 28.9.99 which lays down as under :-

Category 'A' Non-suburban stations with an annual passenger earnings of Rs. 6 crores and above.

Category 'B:I' Non-suburban stations with an annual passenger earnings between Rs. 3 crores to Rs.6 crores.

Category 'B:II' Stations of tourism importance, or an important junction station (to be decided by General Manager).

Category 'C' : All Suburban stations

Category 'D' : Non-suburban stations with an annual passenger earnings between Rs. 1 crores to Rs.3 crores.

Category 'E' : Non-suburban stations with earnings less than Rs. 1 crores.

Category 'F' : Halts.

2.2 At 'A' class stations upto 2 booths having STD/ ISD/ Local call/ FAX/ Internet facility will be provided at each platform.

Combined platform will be called a single platform for this purpose. In case of important stations serving metropolitan towns, State

Capitals etc. where there is a sizeable traffic, this facility will also be provided in the concourse and the circulating area and the

number of booths to be provided at these places will be decided by the Divisional Railway Manager.

2.3 At 'B' and 'C' class stations one booth will be provided at each platform.

2.4 At 'D' class stations 2 such booths will be provided.

2.5 At 'E' and 'F' class stations, one Booth shall be provided if considered justified by the Division.

2.6 If there is a ban on the allotment of additional booths at any station but there is a justification for provision of these booths, the ban may be lifted with approval of Divisional Railway Manager. However, number of booths at any platform shall not exceed the prescribed number as mentioned above.

2.7 At stations, which are heavily congested or stations where need for providing booths having STD/ ISD/ Local call/ FAX/ Internet facility, as per the norms prescribed above, is not felt, lesser number of booths may be provided with specific approval of Divisional Railway Manager.

2.8 Divisional Railway Manager will assess the requirements of Booths having STD/ ISD/ Local call/ FAX/ Internet facility for each

category of stations on the division as per the norms mentioned above.

2.9 Places where this facility will be located will be identified in such a way that it does not hamper passenger movement but at the same time is accessible to the passengers.

2.10 The Telephones shall be provided by BSNL/ MTNL or any other authorized service provider duly selected in that State and operating under regulations of TRAI.

3. **OPERATION OF BOOTHS:-** These booths will be operated by duly selected booth operators who should provide good quality of customer service.

4. **ELIGIBILITY CRITERIA FOR SELECTION OF BOOTH OPERATORS**
(FOR ALL CATEGORY OF APPLICANTS/ STATIONS)

I-> The booth operators should be educated unemployed persons. No educational qualification is necessary for reserved categories

such as SC/ST/OBC/women/physically handicapped including blind persons.

II-> The applicants should not be less than 18 years of age on the date of opening of tender. There is no upper limit.

III-> **EDUCATIONAL QUALIFICATIONS**

The educational qualification requirement for allotment shall be as under :-

- (i) At least matric or high school and above for urban areas.
- (ii) 8th or middle pass and above for rural areas.

IV-> **ANTECEDENTS**

Before awarding of the licence, the antecedents of the applicants should be got verified by police.

V-> In case of D, E & F category stations, the applicant should be a local resident of the area. The residence would be treated as local

residence if it is located within the same district in which the station, where the booth is proposed to be allotted, is also located. For

this, the applicant will be required to submit a certificate of local residence from the DM/ ADM of the district in which the station is

located or Voter Identity Card. (para added as per Board's letter No. 01/TGIV/10/PCO/Review dtd 14.05.04.)

5. **VERTICAL AND HORIZONTAL RESERVATION IN ALLOTMENT**

The booths will be divided into 3 broad categories i.e. educated unemployed youth, physically handicapped and women. There will be quotas within this broad category as under :

5.1 The vertical and horizontal reservation percentage in allotment of the STD/ISD/Local call/FAX/Internet booths at stations will be as under :-

Category	Total percentage	Percentage reserved for various categories			
		Scheduled caste	Scheduled Tribe	Other Backward Class	General (unreserved)
Educated Unemployed Youth	50%	15% of 50% i.e. 7.5%	7.5% of 50% i.e. 3.75%	27% of 50% i.e. 13.5%	50.5% of 50% i.e. 25.25%
Physically Handicapped (including Blind Disability)	25%	15% of 25% i.e. 3.75%	7.5% of 25% i.e. 1.875%	27% of 25% i.e. 6.75%	50.5% of 25% i.e. 12.625%

40% and above)					
Women including War widows and Railway employees widows)	25%	15% of 25% i.e. 3.75%	7.5% of 25% i.e. 1.875%	27% of 25% i.e. 6.75%	50.5% of 25% i.e. 12.625%
Total	100%	15%	7.5%	27%	50.5%

5.2 The quota as specified above shall be maintained at Divisional basis.

5.3 For the purpose of working out number of booths to be allotted to various categories of persons at various categories of stations, the following procedure shall be adopted :-

"The number of stations located on a Division will be segregated Category-wise i.e. A, B, C, D, E, & F. after this has been done, a serial number should be given to each booth at the station e.g. at Nagpur station, the booths will be numbered as NGP1, NGP2, etc. the number of booths assessed for all 'A' class stations on the Division will be clubbed and thereafter distributed by adopting principle of vertical and horizontal reservation. The same procedure will be adopted for 'B' and 'C' class stations. The total requirement at 'D', 'E' & 'F' class stations will be clubbed together for entire division and this will be treated as one block and thereafter the same principle as mentioned above, will be adopted. To illustrate, if there are 100 booths to be allotted at all 'A' class stations of a particular Division, 25 will be allotted to Physically handicapped persons, 25 to ladies and 50 to unemployed youth. Amongst the 25 booths allotted to physically handicapped persons, 15% will be allotted to Sc, 7.5% to ST and 27% to OBC and the remaining 50.5% to the general public. The same method will be adopted in case of women and unemployed youth. The category of persons to which these booths will be allotted, will be determined through a draw of lots to be done by any child separately for A, B & C category of stations and on combined basis for D, E, & F stations. For one-time identification of booths, a committee of 3 officers at Assistant/ Senior Scale level should be constituted by the DRM. In this manner, each booth will be allotted a specific number and category of person for allotment which is to be called its booth ID. (modified as per Board's letter No.01/TGIV/10/PCO/Review dtd 14.05.04.)

5.4 After the present contract is over or in case of termination of contract etc. the booths should be allotted to the person belonging to the category as per the booth 'ID'. Moreover, future tenders will be booth specific only. In case, due to construction of new platforms etc., additional booths are to be set up, the identification for these booths will be done through a draw of lots to be done by any child based on the remaining category of persons of the table, as per the procedure prescribed above. (modified as per Board's letter No. 01/TGIV/10/PCO/Review dtd 14.05.04.)

6. PROCEDURE FOR SELECTION:-

6.1 For allotment of booths at 'A', 'B' & 'C' category of stations, two packet tendering system will be followed. For 'D', 'E' and 'F' category of stations, the allotment will be done by the DRM on the basis of draw of lots to be done by any child. The detailed procedure will be as under :- (modified as per Board's letter No. 01/TGIV/10/PCO/Review dtd 14.05.04.)

6.1.1 PROCEDURE FOR 'A', 'B' AND 'C' CATEGORY OF STATIONS

Offers shall be invited by the division concerned through advertisements in the National/ State level/ Local Newspaper etc. Two packet tender system viz Packet 'A' and Packet 'B' should be followed.

6.1.2 Packet 'A' containing the technical offer will be opened first and should interalia have the following documents :

- i) Authenticated documents showing educational qualification of the applicant,
- ii) Affidavit declaring assets and liabilities. (modified as per Board's letter No. 01/TGIV/10/PCO/Review dtd 14.05.04.)
- iii) Documents showing that the party has the requisite financial resources to pay the necessary MTNL/ BSNL charges etc. for getting the connection as well as constructing/ installing a booth at the earmarked site and capacity to pay Railway License fee, as also for employing staff to man the Booth.
- iv) Earnest money as stipulated.

6.1.3 Packet 'B' which is the financial offer shall be opened after short listing on the basis of Packet 'A' and shall contain the financial bids only and no other document. The financial bid shall have two components. The first one shall comprise an undertaking for paying the land licence fee as notified by the Railway Administration from time to time. The second component shall be an offer in terms of percentage of the commission payable to him by the telephone service provider i.e. BSNL, MTNL or any other authorized service provider which shall in no case be less than 10% of the commission payable to him. The maximum will also not be quoted more than 100% in the tender. If any tenderer quotes more than 100% commission, the tender will be treated as invalid. This should be specifically mentioned in the tender papers. (modified as per Board's letter No. 01/TGIV/10/PCO/Review dtd 14.05.04.)

6.1.4 After the bids have been received, a Tender committee comprising three officers of appropriate level including one from Commercial, Civil and Finance Department respectively will scrutinize the Packet 'A' and shortlist those who qualify in technical offer and reject summarily all those applications which are not accompanied by any of the documents stated for Packet 'A'. Thereafter, Packet 'B' of only those bidders who qualify for opening of their financial bids in Packet 'A' will be opened. The highest offer received should be considered for acceptance by the approving authority i.e. Divisional Railway manager. However, as the highest bid has been restricted to 100% of the commission, there will be a draw of lots to be done by any child if there are more than one candidate offering same highest bid; Candidates should be advised the date, time and venue of the draw by Courier/ Regd. AD to enable them to attend it if they so desire. (modified as per Board's letter No. 01/TGIV/10/PCO/Review dtd 14.05.04.)

6.1.5 The commission together with land license fee will be paid by booth operators to Railway authority. Applications for each booth will be called for and considered separately.

6.2 PROCEDURE FOR SELECTION FOR 'D', 'E' & 'F' CATEGORY STATIONS

6.2.1 The two packet tender system will not be followed for these categories of stations. Applications will be called for by the division by giving suitable advertisements in the National/ State level/ local news papers etc. The eligibility criteria will be decided as per Para 4 and the applicants shall also enclose documents as specified in Para 6.1.2 (i to iv) above.

6.2.2 After the applications have been received, a screening committee of the Division consisting of officers of appropriate level including one from Commercial, Civil and Finance Deptt. shall scrutinize and shortlist the eligible offers. The allotment of booth will then be made by the DRM through a draw of lots & the draw of lots should be done by any child. All the eligible candidates should be advised the date, time and venue of the draw through Courier/ Regd. AD so that they may attend the draw if they so desire. (modified as per Board's letter No. 01/TGIV/10/PCO/Review dtd 14.05.04.)

7. LICENSE FEE AND OTHER CHARGES

The following charges will be realized from the booth operator:

7.1 Land License fee at a uniform rate of 20% of the notified cost of the land price prevailing at the stations as notified by the Railway from time to time will be paid in respect of all category of stations and the same will be increased by 10% every year. Exact amount of land licence fee will be worked out and mentioned in the tender document. (modified as per Board's letter No. 01/TGIV/10/PCO/Review dtd 14.05.04.)

7.2 Commission :

(i) The percentage as agreed upon shall be the commission payable in case of A, B, C type of stations. (this percentage shall be in no case be less than 10% of the commission payable to the booth operators by the service provider i.e. BSNL/MTNL/or any other authorized service provider.

(ii) In case of D, E, F category of stations, minimum 10% of commission payable to the booth operators by the service provider i.e. BSNL/MTNL/ or any other authorized service provider is payable to Railways. The percentage of commission to be charged for each station falling under D, E, F categories of stations will however be fixed by the division in consultation with their Associate Finance subject to minimum of 10%.

8. TERMS AND CONDITIONS FOR ALLOTMENT:-

8.1 Only one booth would be allotted to one person. An undertaking should be obtained that applicant is not operating another STD/ISD/PCO/FAX/Internet booth on the Indian Railway premises.

8.2 The maximum size of the booth will be 5' x 6'.

8.3 Two telephone lines will be permitted in one booth.

8.4 The booth holders will be permitted to install FAX facility within the space allotted and in case FAX facility is installed, an additional telephone connection may be permitted. The booth holders shall also be permitted to install internet kiosk for which 10% space of the area be given extra on payment of additional land license fee. However, care should be taken not to congest the platforms.

8.5 (a) For operating the booth, the licensee will pay one year's annual land license fee in advance before construction permission is granted.

(b) Commission shall be paid by the licensee to the railways based on commission payable to him by MTNL/BSNL to the licensee.

(c) The initial land license fee decided at the time of signing of the agreement will be increased @ 10% for every subsequent year.

8.6 The earnest money deposit will be retained by Railways as part of the security deposit. Security deposit of 6 months land license fee shall be deposited by the successful bidder.

8.7 The period of contract would be for a period of five years. This would be extended for another five years, by the competent authority on the recommendations of Divisional commercial Manager/ Senior Divisional Commercial Manager with finance concurrence provided the performance of the booth operator is satisfactory and full license fee is regularly deposited during the tenure. License will be for a maximum period of 10 years including extension period and no further extension shall be permitted. Railways should take timely action to call fresh bids well in advance (preferably six months in advance) and not renew any of the contracts after the expiry of contractual period of 10 years including extension.

8.8 MTNL/BSNL/or any other authorized service provider bills would form the basis for realising the commission for all facilities given to the licensees.

8.9 No subletting of premises/ booth will be allowed.

8.10 In case of death of the licensee during the tenure of the contract, the license may be transferred in the name of his/her spouse for the unexpired period only irrespective of the fact whether he/she belongs to the category under which the license was accorded but subject to conditions that he/she will get the telephone booth transferred in his/her favour from the BSNL/MTNL or any other service provider on the request of his/her spouse or legal heir as stated above. However, if the spouse is not available the booth shall be allotted afresh after following due procedure. (modified as per Board's letter No. 2001/TGIV/10/PCO/Review dtd 29/30.10.02)

8.11 For easy identification of PCO booth by the rail users, yellow colour with black border should be used. They should conform to standardized design made by Railways.

8.12 In order to ensure that the facility is availed only by the person in whose favour, the license has been granted, it would be mandatory for the licensee to operate the booth personally at least in one shift of 8 hours.

8.13 The party who has been allotted booth will have to start the booth within one month of allotment failing which his/her allotment may be cancelled and earnest money forfeited.

9 MONITORING OF PERFORMANCE/PAYMENT

- (i) feed back about performance from the users of the facility should be gathered.
- (ii) There should be a periodical check on the service being provided.
- (iii) Quarterly paid statement should be prepared by accounts department and given to commercial department. Details to include the confirmation about the timely payment by the party and the position of outstanding dues, if any.
- (iv) separate dossier to be maintained for recording performance of the party.
- (v) An Officer should be nominated at Divisional/Zonal Railway Headquarter to monitor.
 - (1) Timely payment.
 - (2) Satisfactory performance of service etc.

10. The Administration (i.e. Divisional Railway Manager or General Manager) will have the right to terminate the license if the licensee is not conforming to the conditions laid down by the Railways and if there are complaints against him/her for overcharging , etc. the contract will be terminated after issuing due notice. The Licensee shall be liable to pay such penalty as Administration may inflict for complaints against the licensee for overcharging etc. Without prejudice to the other remedial measures which may be available under the Agreement, the licensee shall be liable to pay, at the sole discretion of the Administration, also a penalty not exceeding Rs. 500/- for any action in contravention of the clause of this agreement. (modified as per Board's letter No. 2001/TGIV/10/PCO/Review dtd 29/30.10.02)

11. A copy of the draft Agreement to be entered into is enclosed. This can be suitably modified depending upon the category under which the booth is allotted.

12. The above changes will be applicable to the SRD/PCO/ISD/FAX/Internet booths to be allotted in future. In respect of booths which have been allotted or are in the process of being finalized as per Board's policy guidelines dated 22.4.02, these will be governed by existing guidelines i.e. of 22.4.02 & 29.10.02.

PROCEDURE FOR LICENSING OF RAILWAY LAND FOR COMMERCIAL PLOTS

Licensing of ordinary commercial plot connected with Railway working will be done with approval of GM of the Zonal Railway. Such Railway working are indicated as under:

Types of Plots

- a) Railway related activities such as City Booking offices, Out Agencies etc.
- b) Ordinary Commercial Plots 'without structures
- c) Ordinary Commercial Plots 'with temporary structures for stacking/storing
 - i) Covered area
 - ii) Open area
- d) Steel Yards/ Coal dumps, Bulk Oil installations etc.
- e) Land used to lay private sidings
- f) Shops/Retail Depots etc.*

• The proposal for the commercial plots as indicated above, are submitted to Sr.Divisional Commercial Manager/Divisional Commercial Manager who in turn submits the same to Headquarter Standing Committee along with the following documents:

- a) Sketch Plan of proposed land.
- b) District Registrar's & Revenue Departments circular regarding commercial value of proposed land.
- c) Calculation sheet of License fee.
- d) Minutes sheet of Divisional Committee alongwith DRM's approval on it.

• Once General Manager approves the proposal, in each case of licensing, proper agreement must be executed between the Railway administration and the licensees before the licensee is given the possession of the land/plot.

* Temporary licensing of railway land to private individuals for the purpose of setting up shops, commercial offices, vending stalls clinics etc. not connected with the Railway working has been stopped.

• The other terms and conditions/policies issued in this regard by Railway Board time to time will be applicable.

Rates of license fee

License fee of plots will be fixed as a percentage of the land value. The percentage applicable w.e.f 1.4.2004 to various types of plots will be as under:

Item no.	Types of Plot	Annual License Fee as a percentage of Land value
(a)	Railway related activities such as	6%

	City Booking offices, Out Agencies etc.	
(b)	Ordinary Commercial Plots â€ without structures	6%
(c)	Ordinary Commercial Plots â€ with temporary structures for stacking/storing	i) 7.5%
	i) Covered area	ii) 6%
	ii) Open area	
(d)	Steel Yards/ Coal dumps, Bulk Oil installations etc	7.5%
(e)	Land used to lay private sidings	6%
(f)	Shops/Retail Depots etc	10%

A standing committee of three HODs will be set up at the Head Quarters of each Zonal Railway. The standing committee consisting of CE, CCM and FA&CAO shall examine fresh cases connected with Railway working as indicated at item (a) to (e) shown above and submit its recommendations to GM for approval.

Periodical Review

The periodical review will however be done by DRM on the recommendation of Divisional Heads of Engineering, Commercial and Finance departments. The committee will review annually whether the traffic commitments by the licenses of the commercial plots have actually materialized or not and in case of any deviation, initiate suitable corrective action including de-licensing and vacation as necessary.

Fixing of land value

i) A market value will be required to be taken to serve as a base value for working out rental fee payable. This shall be fixed on the basis of the land value of the surrounding area as on 1.1.1985, as determined from the Revenue Authorities and or Evaluation of Town Planning Department, Actuals as per PWD and CPWD transactions, Actual Transactions, as per documents filed in the Office of Sub Registrar, Value of land as assessed by professional evaluators of the State and Central Governments.

ii) The land value as worked out shall be increased every year on the 1st of April, starting from 1.4.1986, at the rate of 10% over the previous year's land value to arrive at the land value for the following year based on which the annual license fee shall be fixed. **From 1.4.2004 onwards, the land value shall be increased at the rate of 7% every year over the previous year's value.**

iii) Fresh cases of licensing of plots, for any purpose(s) defined in '**Rates of License fee'** (a) to (e) above, **the license fee shall be fixed after obtaining the current value of land.** In very rare cases where it is not possible to obtain the current cost (reasons for which should be brought on record), the updated cost based on 1.1.1985 land price should be adopted.

iv) For the Metropolitan towns of Mumbai, Kolkata, Delhi and Chennai if the HOD's Committee feel that the land rates are widely varying within the City, two or more rates can be utilized for the city.

Minimum license fee

The minimum license fee in respect of plots covered under this should be Rs.1000/- per annum. For the purpose of determining the minimum license fee, the maximum size of a plot shall be taken as 100 sq.metres. For instance, in case licensing of a plot measuring 250 sq.mts. is involved, the minimum license fee chargeable shall be relevant to three plots of 100 sq.meters each and will work out to Rs.3000/- per annum.

Revision of license fee

As the notional land value will increase by 7% over the previous year's land value as mentioned at 'Fixing of land value' item (ii), the license fee will automatically go up by 7% over the previous year's fee from the 1st April every year. Suitable provisions, with Schedule of payment due, shall be incorporated in the Agreement.

The termination/renewal date of the Agreement should always be the Financial year.

Powers of licensing and renewal

Fresh cases of licensing of plots connected with Railway working and mentioned at (a) to (e) of 'Rates of license fee' above will be approved by General Manager on recommendation of HOD's Committee. As regards plots mentioned at (f) viz. shops, retail oil depots etc. as already stated the existing ban on fresh licensing for purposes unconnected with Railway working will continue. Renewal of licenses of railway land not connected with Railway working can be done at GM's level with Finance concurrence.

Security Deposit and Liquidated damages

Instructions contained in para 1025,1026 and 1027 of Indian Railways Code for the Engineering Department (1999) will be applicable.

FOOD PLAZA

Food Plazas, Food Courts and Fast Food Units are under the control of IRCTC.

For further details click www.irctc.com

Guidelines for advance stacking at Railway premises.

- 1 Advance stacking of goods at railway premises may be permitted by Zonal Railways without levy of any charge for this purpose.
- 2 DRMs will notify detailed instructions for advance stacking at stations on their divisions in accordance with the guidelines prescribed herein. Such instructions should inter alia include names of stations/goods sheds where advance stacking will be permitted, number of days for which stacking can be permitted, type of commodities which can be stacked/restricted etc.
- 3 Permission for advance stacking will be granted to such rail users only, who have indented for the wagons.
- 4 Rail users desirous of availing the facility of advance stacking, will apply for advance stacking inter alia mentioning the details of indent and giving an undertaking that the stacking will be done at their own risk and responsibility. No claims for loss, damage etc. arising out of stacking will be admissible.
- 5 Advance stacking will be permitted upto such maximum period as specified in the detailed instructions issued by the Division in terms of Para 7.2 above. Divisions may specify different stacking periods for different stations depending upon the number of rakes handled, but in no case the stacking period will exceed five days.
- 6 Sr.DCMs, in consultation with Sr.DOMs will be authorized to grant permission for advance stacking upto a maximum period of five days. Permission for advance stacking may be granted keeping in view the traffic pattern, number of rakes handled, availability of space etc. at the station/goods shed concerned. Advance stacking should not lead to hold up of other inward and outward traffic.

6.1 However, in exceptional cases where additional traffic and additional earnings will accrue, permission may be granted for advance stacking for more than five days on case to case basis. Permission for advance stacking for period upto ten days may be granted with the approval of DRM on recommendation

of Sr.DCM and Sr.DOM and for the period beyond ten days with the approval of GM on recommendation of CCM and COM.

- 7 Wagons will be supplied against the registered indent only after expiry of the permitted time for advance stacking or completion of stacking, whichever is earlier. After supply of wagons and expiry of free time for loading, rules for levy of wharfage charge will apply.
- 8 Once advance stacking permission has been granted, cancellation of indents will not be permissible upto fifteen days from the 1st day of advance stacking. In case rail users cancels the indent within aforesaid period, stacking charge will be levied for the whole period of stacking.
- 9 However, if a rail user cancels his indent after fifteen days from the 1st day of advance stacking and the wagons have not been supplied till such time, no stacking charge will be levied. In such a case, consignment should be removed within 24 hours of the cancellation of indent, else it will attract levy of wharfage charge for period beyond 24 hours of the cancellation of indent.
- 10 Records of particulars (e.g.date, time etc.) should be maintained in all cases where advance stacking has not been permitted.
- 11 No stacking charge will be levied till the supply of wagons even if supply is not done immediately after completion of stacking or lapse of advance stacking period.
- 12 Stacking charge will be levied at the rates of wharfage charge, as prescribed from time to time.
- 13 Extant rules for waiver of wharfage charge will continue to apply in the case of waiver of stacking charge also.

PROCEDURE FOR AWARDING HANDLING CONTRACT

- Handling Contracts are work contract generally awarded for handling of Parcels and Goods at Originating, transshipment points, intermediate stations etc. These contracts are being awarded as the loading, unloading and otherwise handling of Parcels and goods (at transshipment points) to be managed by Railways. These contracts may be awarded for a particular station or for a group of stations.
- The nature of the work which the Contractor has to perform at the railway stations, yards and premises of the Railway Administration will include;
Loading/unloading of goods, loading/unloading of goods from transshipment point, sick and damaged wagons etc. into railway wagons. Loading and unloading of parcels/luggages from section road vans Tranship trains. Loading and unloading goods and parcels into and from all trains passengers, goods, parcel and mixed. Loading and unloading smalls received and dispatched by SR Vans/SQT/Tranship trains incharge of guards. All minor operations necessary for the effective performance of the foregoing operations. Handling of unconnected wagons.

In addition to the above, the contractor will be required to perform general station duties as included in the tender conditions.

The contractors will also supply labour during emergency such as accidents, breach on line etc. for which the railways will pay 'Rate per man per day' basis.

- The preference is given to the bonafide registered co-operative labour societies of actual workers within the area of operation as laid down in bye – laws of the Society. Such society should indicate 'The area of operation' while participating in the tender process in case where there more than one society in the area of operation.
- The notice for handling work tender is published in the leading/local news papers by the concerned divisions and also by placing the NIT on the Railway's website 30 days in advance from the date of opening of tender.
- Two packet tendering system is followed for award of Handling contract i.e Pocket 'A' which contains technical bid and Pocket 'B' contains the financial bid.
- No indication about rates should be given by the Tenderer in his technical bid otherwise his offer is liable to be rejected.
- The technical bid i.e Pocket 'A' will contain;
 - i) Earnest money must be deposited as stated in the tender condition.
 - ii) Valid income tax clearance certificate in requisite form
 - iii) Certificate of experience /credentials, if any
 - iv) Partnership deed in original or its true copy authenticated by Notary Public or Magistrate accompanied by a certificate from the Registrar of firms if the tenderer is a partnership firm. The registration certificate should be in original or its true copy certified by the Assistant Registrar of firms or Notary Public or Magistrate.
 - v) Details of experience.
- The financial bid contains rates only. The financial bid will be opened only after the decision on the technical bid has been taken.
- The complete tender documents in two pockets viz Pocket 'A' technical bid and Pocket 'B' financial bid shall be sealed in two separate envelopes super scribing as Pocket 'A' Technical bid and Pocket 'B' Financial bid and sealing in a large envelop super scribing

‘Tenders for the Contract for handling goods, Parcel and luggage work indicating the specification of the work.

- The detailed information/rules in regard to labourers, Contractor remuneration, bills, security deposits, responsibility for loss/damages, demurrage charges, cess charges, medical charges, water charges etc. will be contained in the tender conditions of each work. The contractor shall be bound to follow the provisions of Contract Labour Act, Payment of wages Act, Workmen Compensation Act and any other statutory law in vogue.
- The rules and regulations for handling of goods and parcels as advised by Railway Board time to time shall also be applicable to the contractors.

Please click the below link for further details in claims:

www.claims.indianrail.gov.in

APPLICATION FORMAT

RULES

INDIAN RAILWAY COMMERCIAL MANUAL

VOLUME II

(Extract)

REFUNDS OF OVERCHARGES

2157. Claims for refund of overcharge.—To ensure that the number of claims for refund of overcharge, is kept as low as possible, the staff employed on booking of passengers, luggage, other coaching and goods traffic must see that fares, freight and other charges are calculated correctly. For this purpose, all tariff passenger fare notebooks; for through tariffs (Para 261), goods rate registers (Para 1438), etc., must be kept up-to-date. All notifications issued by the railway administration inviting attention to common errors resulting in overcharges must be carefully studied and acted upon.

2158. Refund of overcharges due to error in rate, classification, or computation of freight, at the time of delivery.—(a) Station Masters should allow refund of overcharges at the time of delivery in the case of consignments booked freight To-pay, where it is clear that the charges invoiced are incorrect due to any of the following reasons provided the consignment tallies with the description shown in the invoice / way-bill :—

(1) Error in rate not affected by description or condition of carriage.

(2) Error in classification, i.e., an error where a consignment as mentioned in the tariff is correctly described on the invoice or way-bill but charged under a wrong class. Overcharges claimed in respect of goods not specifically mentioned in the tariff, and regarding which doubt exists as to the correct class chargeable, do not come under this head.

(3) Error in calculation.

Note -In the case of error in calculation no overcharge is to be allowed or refunded without first carefully rewriting the consignment with a view to ensuring that the error do not really exist in the entry of weight.

(b) The following examples illustrate the cases to which Station Masters are authorized to allow refunds :—

(1) A consignment of haberdashery in Wagon load classified at class 180 weighing 130 quintals is booked 'To-pay' ex. Bombay (Carnac Bridge) to New Delhi and charged at the rate of Rs. 66.47 instead of Rs. 6637. This is a case of error in rate and the overcharge can, therefore, be refunded by the Station Master at the time of delivery.

(2) A consignment of "Jeera Seed, white" in wagon loads, classified to be charged at class 140, booked 'To-pay' and erroneously classified at class 180 and charged as "Jeera Seed black" under main head "Spices" this is a case of error in classification and the Station Master is authorised to allow refund of the overcharge at the time of delivery.

(3) The freight charges on a consignment weighing 20 quintals booked To-pay at the rate of Rs. 10.20 per quintal are computed at Rs. 240.00 instead of Rs. 204.00. This is a case of error in calculation and the Station Master is authorized to allow refund of the overcharge at the time of delivery.

2159. Procedure of refund of an overcharge by Station Master.--(a)

When, in terms of the preceding Para, a refund of an overcharge is admissible, only the net amount due should be recovered from the consignee (endorsee who should be requested to record the actual amount paid by him in the delivery book over his signatures. The consignee's acknowledgement for the amount refunded to him should also be obtained on the back of the relevant railway receipt and in the refund list (see Para 2160). Such acknowledgement in any of the regional languages other than Hindi should be rendered into Hindi or English by the staff granting the refund.

(b) original amount of the freight charges (as entered on the invoice / way-bill) and the amount refunded should be entered in the appropriate columns of the delivery books and relevant abstracts and summaries; the amount refunded should also be entered in the overcharge column of the relevant invoice / way-bill if the same is still on hand.

(c) As excess refund allowed at the time of delivery will be debited by the Traffic Accounts Office in a similar manner as undercharges, adequate care should be taken to ensure that the refund is correctly due.

2160. List of refund of overcharges allowed to the time of delivery.—

Overcharge due to error in rate, classification or computation of freight allowed at the time of delivery of goods or parcels should be entered in the 'List of overcharges allowed at the time of delivery'. These lists should be prepared in duplicate, by carbon process, in Form Com. |R-12 Rev. separately for goods and parcels, and local and through traffic. At the end of the month, total of column 'Amount refunded' should be cast and special credit for it taken in the relevant balance sheet. One copy of each list should be submitted along with the balance sheet in support of the credit claimed and the other copy retained as station record. In the case of goods traffic received from Government railways, for which the original invoices are not required to be submitted separately to the Traffic Accounts Office (see Para 2060), the relevant invoices or Transit invoices should be attached with the refund list before it is submitted along with the balance sheet. In other cases, the refund lists should be accompanied by copies of the relevant invoices / way-bills.

2161. Refund of overcharges by Chief Commercial Superintendent.—

Refund of overcharges in all cases other than those referred to in Para 2158 can only be allowed by the Refunds branch in the Headquarters Office. These refunds include—

- (i) error in weight, description or routing of traffic;
- (ii) error in rate, classification or computation of freight, claimed after delivery of goods |parcels;
- (iii) amount twice paid; and
- (iv) overcharges of 'Paid' consignments.

In all such cases, the Refund branch will call for an overcharge sheet (From Com|0-7 Rev.) from the station collecting the freight. It should be ensured by the Station Master that the overcharge sheet complete in all respects is submitted to the Refunds branch without delay.

2162. A remark about its submission to the Refunds branch should invariably be entered against the relevant entry in the cash book / goods outward book or delivery book, as the case may be, to prevent the possibility of a second overcharge sheet being passed in respect of the same consignment.

2163. Overcharges due to error in weight.—If there is an error in weight and the refund is claimed at the time of delivery the whole consignment should be re-weighed except at large depots with a gazetted officer in charge, where it will be sufficient to reweigh ten per cent of bagged consignments of not fewer than thirty bags provided that (i) reweighments are made under the personal supervision of the officer in charge or his designated assistant officer and (ii) the bags are certified by the same authority, to be of uniform size and in good condition. At stations where there are no means of weighing consignments, a reference should be made to the Station Master of the forwarding station or the station en route, at which the consignment was weighed.

Full details of weighment should be given on the reverse of the overcharge sheet. When the result of weighment has been communicated by the forwarding or any other station, the original letter / telegram admitting the overcharge should be sent to the Refunds branch along with the overcharge sheet.

2164. For all refunds of overcharges due to error in weight, the correct weight will be certified by the Commercial Officer (Refunds) on the overcharge sheet before it is sent to the Traffic Accounts Office for certification or post check, as the case may be.

2165. Overcharges due to error in description of goods or routing of traffic.—(a) If the overcharge be the result of an error in description of goods or routing of traffic, the correct description of goods or the correct routes should be certified by the Commercial Officer (Refunds) on the overcharge sheet before it is sent to the Traffic Accounts Office for check. (b) Similarly, in the case of a commodity not speed-nearly classified in the General Classification of Goods or about which doubt exists as to the classification under which it is chargeable, the correct classification will be certified by the Commercial Officer (Refunds) on the overcharge sheet before it is sent to the Traffic Accounts Office.

2166. (a) When the dispute in description is of such a nature that an error is apparent, a sample of the consignment should be taken before delivery (which should be effected on collection of the charges at the higher rate) and sent to the Refunds branch along with the overcharge sheet. Where the sample cannot be sent with the overcharge sheet, it should be kept in the safe custody of the Station Master, advising the full facts of the case to the Refunds branch and the Traffic Accounts Office.

(b) In the case of doubt, consignee's complaint should only be recorded and he should be directed to address the Chief Commercial Superintendent, forwarding documentary proof of the correctness of his contention and explaining how the sender wrongly described the consignment. If the delivery of the consignment is affected a sample should be taken and retained in the custody of the Station Master till further instructions from the Chief Commercial Superintendent who should be apprised of the fact by the Station Master. A copy of the report should also be sent to the Traffic Accounts Office.

2167. Overcharges in connection with amounts twice paid.—An overcharge sheet (Forth Com|0-7 Rev.) will be prepared by the Refunds Office who will submit it to the Traffic Accounts Office direct for certification. The Traffic Accounts Office will then advise the Refunds Office to issue a pay order for the refund. In the case of 'through traffic', the overcharge sheet will be certified by the Traffic Accounts Offices of both the forwarding and the receiving railways before the refund is made.

2168. Pay orders, (refund).—When refund of an overcharge in freight or fare is found to be due, the Refund branch will issue a pay order (refund) in Form Com.|P-23 Rev. authorizing the Station Master to pay the specified amount to the payee mentioned therein. The pay order (refund) will be sent to the payee and the station on which it is drawn will be advised of the fact separately.

**GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
RAILWAY BOARD**

No.TC-I/2004/201/9

New Delhi, Dt. .10.2004

**General Managers(Commercial)
General Managers(Operating)**
All Indian Railways.

Sub: Rules regarding waiver of demurrage/wharfage charges.

Please refer to Board's letter of even number dated 20.7.2004 regarding advance intimation for arrival/placement of rakes-accrual and waiver of demurrage charges. It had been *inter alia* mentioned that the provisions contained in Board's letter No.TC-I/201/72/27 dated 23.4.86 are also under review and the same will be advised in due course.

Ministry of Railways have reviewed previous instructions regarding waiver of demurrage/wharfage charges including Board's letter No.TC-I/201/72/27 dated 23.4.86. In supersession of Board's earlier instructions on the subject of waiver/refund of demurrage/wharfage charges, it has been decided that the guidelines as mentioned in this letter shall be followed while dealing with the cases of waiver/refund of demurrage/wharfage charges:

1.0 Power of officers to waive Demurrage or wharfage charges

Sr. No	Designation of officer	Maximum amount of demurrage per wagon which can be considered by an officer	Maximum amount of wharfage per consignment which can be considered by an officer
1	GM	Full powers	Full powers
2	CCM (Co-ordinating HOD in Commercial Department)	Rs.1,00,000/-	Rs.1,00,000/-
3	DRM	Rs.25,000/-	Rs.25,000/-
4	CTM/Sr. DCM/ DCM working as Branch Officer	Rs.6,000/-	Rs.6,000/-
5	DCM/DTM/Area Officer in senior scale	Rs.600/-	Rs.1,200/-
6	ACM/ATM/Area Officer in junior scale	Rs.300/-	Rs.300/-

- 1.2 Where Demurrage cases are being handled by Officers of Operating Department,CCM/Sr.DCM etc. will mean COM/Sr.DOM etc.
- 1.3 The cases for waiver should not be dealt by an officer below the level of officer competent to deal with the case as per the schedule of powers given in the above table.
- 1.4 Prior Finance concurrence will be required for waiver of Demurrage/Wharfage charges above Rs.25,000/- per wagon/per consignment respectively. Cases submitted to General Manager should be routed through the Co-ordinating HOD of the Commercial Department and FA&CAO of the Zonal Railways.

2.0 Waiver

- 2.1 Due care should be taken in preparation of the demurrage/wharfage bills at the first instance to obviate recasting of bills subsequently on representation by the customer or otherwise.
- 2.2 In case the consignor/consignee feels that demurrage/wharfage was due to reasons beyond his control he could apply for waiver giving all relevant details with documentary evidence wherever necessary.
- 2.3 First application for waiver of demurrage or wharfage should be submitted to the Station Manager/Goods Supervisor within 10(ten) days from the date upto which these charges had accrued.
- 2.4 In case of wharfage, the consignor/consignee should first remove the consignment from the railway premises, deposit the amount of wharfage charges and submit the original proof of such payment along with his application while preferring for waiver at first instance itself.
- 2.5 The concerned Station Manager/Chief Goods Supervisor will forward the application of waiver of demurrage or wharfage to the Divisional Officer together with the factual position and remarks within 3(three) days of the receipt of the application.
- 2.6 In case of large sidings, like those of power houses, steel plants etc., the time limit for preferring the first application for waiver of demurrage charge will be the next month implying that application for waiver of demurrage charges accrued in one month should be submitted latest within the next month.
- 2.7 The delay beyond 10 days/next month period as mentioned above can be condoned only with the personal approval of the Divisional Railway Manager/Chief Commercial Manager (coordinating HOD) depending upon whether the powers to deal with the case lies at Divisional or Zonal level and after having ascertained that the reasons for the delay given in the application are satisfactory. Application for condonation of delay in preferring an appeal for waiver of demurrage, however, shall be entertained only after the demurrage charges have been paid in full and the application is supported with proof of such payment.
- 2.8 The circumstances, which lead to accrual of demurrage/wharfage charges, can be broadly grouped in three categories as under:
 - (i) Reasons within the control of the consignor/consignee.
 - (ii) Reasons beyond the control of consignor/consignee like labour strike, transportation strike, general bandhs, agitations, riots, curfew, fire, explosion, heavy rains or other abnormal/unforeseen circumstances.
 - (iii) Act of God, act of War and act of public enemies.
- 2.9 In case of Category (i), waiver should normally be not done. However, if at all waiver is to be granted on justified and meritorious facts, speaking orders should be recorded in all such cases. As regards case pertaining to Category (ii) or Category (iii), waiver can be considered on merits of individual case.

- 2.10 The powers for waiver as mentioned above should be exercised judiciously keeping in view the merits of each case as per instructions contained in this letter. The waiver should not be granted in a routine manner.
- 2.11 Whenever the waiver exceeds 50% of the powers conferred on an officer, reasons for such waiver should be recorded in writing.
- 2.12 In the case of large sidings, like those of power-houses, where demurrage is not waived on wagon to wagon or daily basis, speaking orders need not be recorded for each consignment/wagon. It would be sufficient if broad reasons are given in support of such periodical waiver after analyzing the broad causes of such detentions.
- 2.13 The causes for accrual of frequent demurrage/wharfage charges from a particular Goods Shed or a siding or a consignor/consignee should be analysed periodically. Remedial steps including provision of infrastructural facilities should be taken to reduce the detention to rolling stock and prompt removal of goods from the Railway premises.

3.0 Appeal against orders of waiver

- 3.1 A consignor/consignee can prefer an appeal to a higher authority in case he is not satisfied with the decision of the lower authority. The Station Manager/Chief Goods Superintendent should forward the appeal to the Divisional authorities within 3 (three) days of the receipt of the appeal.
- 3.2 However, before preferring an appeal for waiver of demurrage charges, he is required to deposit the amount of demurrage charges not waived. The original proof of such should be submitted alongwith the appeal.
- 3.3 An appeal against the order of lower authority should be preferred within 30(thirty) days of the date when the decision of the lower authority is communicated.
- 3.4 A maximum of only two appeals can be made against the decision of the lower authorities.
- 3.5 In all cases where a change is made by the appellate authority against the decision taken earlier, speaking orders should be recorded by the appellate authority.
- 4.0 The waiver of demurrage/wharfage charge should be dealt as per the instructions contained in this letter. No direct refund of demurrage/wharfage charge should be made unless proper procedure for waiver as laid in this letter has been followed.
- 5.0 Refund of waived amount of demurrage/wharfage charges should be made expeditiously through pay orders by Commercial Department of the Division.
- 6.0 If it is felt that the rules for accrual/waiver of demurrage/wharfage charges need review, the same should be recommended by the GM to this office with the observations of the Associate Finance.

This issues with the concurrence of the Finance Directorate of Ministry of Railways.

(Navin Kumar Parsuramka)
Joint Director, Traffic Commercial(R)
Railway Board

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

No.2004/TGIV/8/P.

New Delhi, dtd. 29/10/04.

**The General Managers,
All Zonal Railways.**

(Commercial Circular No.39 of 2004)

Sub: Cycle/Motor cycle/Scooter/Car parking contracts

As per procedure in vogue, parking contracts are awarded at all classes of stations on open tender basis. During the course of discussion with some Zonal Railways, it has come to the notice of the Board that the parking contracts have been awarded only at a few stations. Parking contracts have not been awarded even at some A& B category stations. It was also pointed out by the Zonal railways that at D& E category stations, there are no takes for parking contracts as the stations are small and deal with low volume of passenger traffic. The tender procedure is time consuming and there is hardly any response. It was, therefore, suggested that at D& E category stations, instead of tenders, railways may be authorized to finalise parking contracts on quotations. Notice may be displayed on the notice boards of the stations concerned. Some railways also suggested that the same procedure can also be applicable for small periods in case of termination of parking contracts midway when adequate time is not available for finalizing the next contract as per laid down procedure. The railways suggested delegation of powers to the divisional authorities for fixing parking charges, reserve price and enhancement of earnest money with the concurrence of divisional finance.

The matter has been examined by the Ministry of Railways and following decisions have been taken:-

- i. The railways should make efforts to provide parking facilities at all the stations where such facilities are required. For this purpose, teams of Engineering and Commercial supervisors should finalize a plan for the stations after survey of the parking area with locations and dimensions clearly marked on the plan.
- ii. Divisions may also explore the possibility of managing parking work departmentally at all category of stations as it has been noticed that at some stations the same has fetched more revenue than the contract system. This may be done within the existing resources and no additional posts should be created for this purpose. At Nagpur station of Central Railway, surplus staff of other departments has been deployed for managing parking work which is generating revenue of over Rs.80 lacs per annum as against Rs.27 lacs approx per annum when the same work was done on contract. The Nagpur experience is also indicative of proper assessment of license fee not being done. Sr.DCMs must therefore ensure that assessment of license fee due to the railways is done thoroughly and is realistic.
- iii. At A, B & C Category stations, the existing system of awarding contracts on open tender basis should continue with a contract period of 3 years. Fresh tenders should be called and finalised well before the expiry of the existing contract so that there is no time gap between the existing and the next contract.

iv) AT D & E category stations, efforts should first be made to finalise the parking contracts through open tenders. The period of contract for D & E category stations will also be of 3 years. However, if there is lack of response, quotations may be called through a notice pasted at a prominent place on the station premises, with the concurrence of Divisional Finance. At 'F' category halt stations/operated by halt agents, parking contracts can also be given to halt agents in addition to the halt contract on a fixed reserve price. This will, of course, require suitable amendment of the contracts with the halt agents.

v) For small interim periods, at 'A', 'B' & 'C' category stations where parking contractors have left the contract midway or the contract has been terminated and fixing alternative agency through the tender is likely to take time, the DRM/Sr.DCM/DCM may award the contracts with the concurrence of finance on quotation basis. With quotations obtained from reputed contractors for a maximum period of three months. The contractor who has abandoned the contract midway should be blacklisted and no further work should be awarded to him. The particulars of all blacklisted contractors should also be circulated to all Zonal Railways.

vi. Reserve price for all 'A','B','C','D', 'E' & 'F' category of stations should be fixed on the basis of parameters like land value, number of users, type of vehicle, parking charges etc. by the Sr.DCM/DCM in advance before inviting tenders/quotations with the concurrence of divisional finance. In this respect periodic surveys should also be done to assess the actual number of vehicles parked for fixing a realistic reserve price. The reserve price so fixed should be approved by DRM.

vii. Parking rates should be fixed by Sr.DCM/DCM with the concurrence of divisional finance and the approval of DRM. While fixing the parking rates, a survey should be carried out for parking charges prevailing at other prominent locations in the city/area and it should be ensured that parking rates fixed are normally not below the parking rates prevailing at important/prominent places in the same city/area.

viii. The parking charges should be reviewed before the award of new contract as per the procedure mentioned in item (vii) above.

Other conditions mentioned in the specimen agreement circulated vide Board's letter No.95/TGI/8/P dt. 20/2/1996 will remain unchanged.

These instructions will come into effect from 15.11.04 and will be applicable on all new contracts for which tenders are to be invited on or after 15.11.04.

This issues with the concurrence of the Finance Directorate of Railway Board.

Kindly acknowledge receipt.

Sd/-
(RAVINESH KUMAR)
Director Traffic Commercial (G)
Railway Board