

CHAPTER XXIV
REFUND OF UNCLAIMED OVERCHARGES AND CHECK OF REFUND LIST,
OVERCHARGESHEET AND COMPENSATION CLAIMS

2401. **Refund of Unclaimed Overcharges:-** Overcharges, either coaching or goods, above the limit as prescribed from time to time, which are discovered in the Accounts Office not later than six months after the money has been collected, should be listed under stations which respectively collected the freight. Care should be taken to see that no item is included in the list for which an Overcharge Sheet (COM/0.7 Revised) has already been certified vide paragraph 2403 or Separate lists should be made out, in duplicate, for each station and sent to the Claims Office. As, in the case of entries made in these lists no overcharge returns are required to be submitted, great care should be taken to enter the amounts clearly and this should be done both in figures and words. Suitable remarks in regard to the item having been included in the statement of unclaimed overcharges should be given against the relevant entry of Invoice/Parcels Way-Bill, etc. in the connected Return to prevent the possibility of refund being made more than once in connection with the same transaction.

2402. The Claims Office will ask the Station Masters concerned to intimate:

- 1) the full names and addresses of the parties who are entitled to the refund;
- 2) the freight collected in cash or by credit note; or through E-payment.

If on receipt of this information, the refund is found to be due, an Overcharge Sheet is prepared by Claims Office and sent to Traffic Accounts office for certification. Thereafter, a Pay Order for the certified amount will be sent to Traffic Accounts Office for arranging payment to the Customer.

2403. **Check of Overcharge Sheets.:-** In the case of an overcharge due to:-

- i. error in weight, distance or routing of traffic; or
- ii. error in rate (base freight, discount, rebate other charges, etc.) classification or computation of freight claimed after delivery of goods etc; or
- iii. amount twice paid;

an Overcharge Sheet (COM/0.7 Revised) is prepared by the Claims Office and submitted to the Accounts Office for certification before issuing a Pay Order in favour of the person entitled to the refund. Overcharge Sheets received for certification should be checked to see that:

- 1) they contain all the information required by the form;
- 2) the particulars shown therein agree with those in the related Invoice/Parcels Way-Bill, etc.;
- 3) in the case of Overcharge Sheet on account of error in weight;
 - i. full details of weightment are given on the reverse of the Overcharge Sheet;

- ii. where the result of weighment has been communicated by the forwarding or other station, such Station Master's letter or telegram admitting the overcharge accompanies the Overcharge Sheet;
- iii. the correct weight has been certified by the responsible Traffic Officer on the Overcharge Sheet;
- iv. In case of an Overcharge sheet for an invoice booked under SWA, Claim's office should furnish particulars of weighment and realisation of penal freight, if any;
- v. in case, the consignment is not weighed anywhere, certification of Commercial authority to this effect is furnished;
- vi. The prescribed PCC if any, considering the type of route, Commodity, Wagon type and the date of loading should be certified and furnished by the Commercial authority;
- vii. Punitive charges for overloading as per extant rule have been correctly levied;

Note: - The weighment sheet duly signed by the weighbridge clerk of the weighbridge where weighment has been taken is to be enclosed.

- 4) where the Overcharge is the result of an error in description or routing of traffic, the correct description of the goods, etc. or the correct route has been certified by the Traffic Officer on the Overcharge Sheet;
- 5) Goods not otherwise classified are to be charged at the prescribed composite class according to type of wagons i.e. open, covered, flat, etc. Accordingly the correctness of class charged is to be seen;
- 6) the charges have been calculated on the basis of particulars given in the "should be" column of Overcharge Sheet as checked with the related Invoice/Parcels Way Bill, etc. vide clause (2) above and are correct;
- 7) where the conditions applying to the rates charged in the "should be" column require the loading and unloading by Owners, a remark appears on the Overcharge Sheet that this condition has been fulfilled;
- 8) where Commodities placed under owners risk (OR) , if charged at railway risk (RR), necessary charges have been realized;
- 9) the amount proposed to be refunded is equal to the difference between the amounts shown in the "charged" and "should be" columns;
- 10) where demurrage and wharfage charges have been foregone, the Remission Cum Pay Order (RCPO) has been certified by the. competent Traffic authority; [Form No. COM/R-17A (revised)];
- 11) the Overcharge has been claimed within six months from the date of payment or the date of delivery of such Goods at the destination station whichever is later; except for amount paid/collected more than once in which case it should be seen that the claim has been made within 3 years from the date on which the second payment was made; and

- 12) the Overcharge Sheet does not relate to an item already included in the list of Unclaimed Overcharges above the limit as prescribed from time to time (Paragraph 2401);

(The post-check of refunds above will be exercised as follows: Amount	Percentage of check to be exercised
(i) Upto Rs. 150	No check
(ii) Above Rs. 150 and upto Rs. 450	10 per cent
(iii) Above Rs. 450 and upto Rs. 900	20 per cent
(iv) Above Rs. 900 and upto Rs. 2000.	50 per cent

- 13) In case of Overchargesheet of Container traffic, the following checks are to be conducted:-

14) Haulage charges for loaded containers (both for notified commodities/ un-notified Commodities) have been correctly charged;

15) Haulage charges for empty containers/empty flats/half loaded/empty/flats have been correctly charged;

16) In case of Rail owned Terminal, Terminal Access charges both for Inward/Outward container traffic has been charged correctly;

17) Other charges such as Development charges, Punitive charges for overloading and mis-declaration found after weighment if any has been correctly levied or collected.

18) Applicable Service Tax has been collected;

2404. The amount of "freight actually collected" as shown in the Overcharge Sheet should be verified from the documents indicated below:-

Traffic	Documents
Goods outwards 'Paid'	Paid statement.
Goods Inwards 'ToPay'	'machine Abstracts.
Parcels outwards 'Paid'	Accounts copy of the Paid Parcels Cash Book
Parcels Inwards 'To-Pay'	Parcels Inwards 'To-pay Abstracts

A suitable remark in regard to an overcharge Sheet having been certified should be made against the relevant entry in the relevant Documents as mentioned in the above Table to prevent the possibility of a second claim in respect of the same transaction being passed.

In the case of Foreign Traffic, in order to prevent double payment either at Originating Traffic Accounts Office or destination Traffic Accounts Office, the Customer (Consignor/Consignee) has surrendered the original copy of RR issued to him, and the same is enclosed with the pay-Order/Overcharge sheet.

2405. The certified Overcharge Sheets, after the accounts certification, should be returned to the Traffic Department for arranging the issue of necessary Pay Orders in favour of the persona entitled to the refund. The amounts and other necessary particulars of the Overcharge Sheets passed in the Accounts Office should be recorded in a register maintained for the purpose, to keep a watch over outstanding claims. A similar register should also be maintained to record all Overcharge Sheets relating to post-check.

Note. On Railways where the refund is arranged by the Accounts Office, the certified Over- Charge sheets will not be returned to the Traffic Department but will be retained in the Accounts Office for arranging payment to the persons entitled to the refund

2406. The Traffic Officer issuing Pay Orders is required to send, monthly, to the Accounts Office a list of all Pay Orders issued by him. These lists should be checked in the Accounts Office with reference to the entries in the Register of Overcharge Sheets mentioned in the preceding paragraph and a note as to the number and date of the Pay Order kept in the Register against the relevant entry. The Traffic Officer should be advised of any Pay Orders, which have not been received from the stations.

2407. Overcharge Sheets relating to Station Outstanding.- The circumstances in which Overcharge Sheets may be certified by stations to clear outstanding against them are stated in Chapter IX and XVIII of the Indian Railway Commercial Manual. Overcharge Sheets for the clearance of outstanding against stations on account of consignments lost, stolen, destroyed or sold or over-carried from other Railways and in respect of demurrage and wharfage charges foregone or remitted, require to be certified by a competent officer of the Traffic Department.

2408. The instructions laid down in Paragraphs **2403** and **2404** regarding the check of Over-charge Sheets relating to public claims apply generally to the Overcharge Sheets submitted for the clearance of station outstandings. Besides the checks enumerated therein, the Overcharge Sheets pertaining to the clearance of station outstandings should be further checked to see. :

- 1) that when an Invoice/Parcels Way-Bill is issued to a wrong station or when a consignment is delivered short of destination or diverted or reconsigned to some other station, the particulars of the fresh Invoice/Parcels Way-Bill issued by the Forwarding station to the correct destination have been given in the "should be" column of Overcharge sheet and the same has been accounted for in the related Return;
- 2) that if two Invoices/Parcels Way-Bills have been issued to the same station in connection with the same consignment, the particulars of both the Invoices/Parcels Way-Bills agree;
- 3) that in the case of an Invoice/Parcels Way-Bill, issued Paid instead of "To-Pay "or vice-versa, it has been accounted for in the relevant Returns as originally issued;
- 4) that in every case the Overcharge Sheet is signed by both the forwarding and the receiving stations;
- 5) that Overcharge Sheets are not submitted for-
 - (a) Invoices/Parcels Way-Bills accounted for more than once by the stations;
 - (b) charges due at a rebooking station;

- 6) that no Overcharge Sheet is received for "free" Invoices/Paresis Way Bills issued in connection with Goods/ Parcels, etc. over carried or transferred to the Lost Property Office; and
- 7) that in the case of consignments sold, the amount and particulars of remittance of sale proceeds have been given; the latter should be verified in the Accounts Office.

2409. Record of Specimen Signatures. - Specimen signatures of Traffic Officers authorized to sign Overcharge Sheets in respect of both refunds and outstanding will be supplied to the Accounts Office by the Chief Commercial Superintendent. These should be pasted in a register and on receipt of an Overcharge Sheet in the Accounts Office, it should be seen that the signature on the Overcharge Sheet agrees with that recorded in the register.

2410. Check of Compensation Claims.- Claims for compensation to relating Goods , Coaching and the connected Pay Orders should be checked by the Traffic Accounts Office in the manner and to the extant indicated below :-

(i)	Compensation claims (other than decretal cases) for value of Rs.75000/- and above in each case.	All claims should be subject to prior internal check for certification of admissibility and each connected order should be checked to see that the amount tallies with that already certified.
(ii)	(a) Claims for amount for Rs.10,000/- and above in each decretal case and Rs.10,000/- and above but below Rs. 75,000/- each in other cases.	100% post check of pay orders.
	(b) All claims of value below Rs. 10,000/-	100% post check of pay order received on any two working days in a month as selcted by Accounts Officer not below the Junior Administrative Rank.

The results of the post check vide (ii) above should be put up every month to the concerned Head of Department by the Branch Accounts Office.

2411. The nature of checks to be exercised in connection with the compensation claims if indicated below. These instructions are, however, by no means exhaustive and may be supplemented by detailed instructions considered necessary by the Financial Adviser and Chief Accounts Officer.

- 1) that the claim is supported by original documents as required under the rules,
- 2) that the claim has been lodged within a period of six months from the date of entrustment of goods to the railway administration to which the goods are entrusted for carriage or to the railway administration on whose railway, the destination lies or the loss, destruction, damage or deterioration occurs, and verified properly by Commercial Department and the claimant's title established.

