
RAILWAYS (MANNER OF DELIVERY OF CONSIGNMENTS AND SALE PROCEEDS IN THE ABSENCE OF RAILWAY RECEIPT) RULES, 1990

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RAILWAYS (MANNER OF DELIVERY OF CONSIGNMENTS AND SALE PROCEEDS IN THE ABSENCE OF RAILWAY RECEIPT) RULES, 1990

G.S.R. 595 (E), dated 22nd June, 19931.-In exercise of the powers conferred by CIs. (c) and (f) of sub-section (2) of Sec. 87 of the Railways Act, 1989 (24 of 1989) read with S.22 of the General Clauses Act, 1897, the Central Government hereby makes the following rules, namely:-

1. Short title and commencement :-

(1) These rules may be called the Railways (Manner of Delivery of Consignments and Sale Proceeds in the Absence of Railways Rules, 1990.

(2) They shall come into force on the date of the commencement of the Act.

2. Definitions :-

In these rules, unless the context otherwise requires:-

- (a) 'Act' means the Railways Act, 1989(24 of 1989) ;
- (b) 'Consignee' means the person named as consignee in a railway receipt;
- (c) 'Consignment' means goods entrusted to railway administration

for carriage;

(d) 'Consignments booked to self means consignments booked by the consignor to 'self at the destination instead of to a 'consignee', by name.

(e) 'Form' means the Form annexed to these rules;

(f) 'Railway receipt' means the railway receipt issued under Section 65 of the Act ;

(g) "Station Master' means a Railway employee by whatever name called, in overall charge of a Railway Station and includes any other Railway employee authorised by the railway administration to grant delivery of goods;

(h) words and expressions used herein and not defined but defined In the Act shall have the meanings respectively assigned to them in the Act.

3. Delivery of consignments when the railway receipt is not forthcoming :-

(1) Where the railway receipt is not forthcoming, the consignment may be delivered to the person, who in the opinion of the railway administration Is entitled to receive the goods and who shall receive the same on the execution of an Indemnity Note as specified in Form I: Provided, however, that if the consignee is a Government official In his official capacity, such delivery may be made on unstamped Indemnity Note.]

(2) Where the railway receipt is not forthcoming and the consignment Is addressed by the sender to self, delivery shall not be made unless

(3) Where the railway receipt is not forthcoming and the consignment is not addressed to self by the sender, delivery may be made on the basis of an Indemnity Note duly executed in Form II in lieu of Form I subject to the following conditions, namely :-

(a) The General Indemnity Note shall be executed on stamp paper of the appropriate value applicable to the State in which delivery is made;

(b) Consignment if booked to self shall not be granted delivery on the basis of General Indemnity Notes ;

(c) Where delivery of a consignment is taken on the basis of a General Indemnity Note, the consignee should surrender the railway receipt within 10 days from the date of taking delivery of such consignment;

(d) Where the consignee has not produced the railway receipt within the time-limit specified under Cl. (c), a separate Indemnity Note in Form I should be executed by the consignee in respect of such consignment:

(e) If a consignee fails to surrender the original railway receipt or fails to execute a separate Indemnity Note in respect of any consignment taken delivery of on the basis of the General Indemnity Note, Station Master may refuse to deliver further consignments on the basis of the General Indemnity Note furnished by the consignee ;

(f) The Railway Administration shall have the right to demand the execution of a fresh General Indemnity Note on expiry of three years from the date on which it was executed.

(4) Where the railway receipt is not forthcoming and the consignee is a State Government, delivery may be made at the discretion of the Railway Administration on the basis of General Indemnity Note specified in Form III.

(5) Where the railway receipt is not forthcoming and the consignee is a Ministry or Department of the Central Government, delivery may be made at the discretion of the Railway Administration on the basis of General Indemnity Note specified in Form IV.

4. Delivery of consignments when railway receipt is not forthcoming and the consignments or sale proceeds are claimed by two or more persons :-

When the railway receipt is not forthcoming and the goods in possession of the Railway Administration are claimed by two or more persons, the Railway Administration may withhold delivery of such goods unless an Indemnity Note, as specified in Form I, is executed by the person, to whom the goods are delivered or sale proceeds are paid.]

5. Delivery of perishable articles when the railway receipt is not forthcoming :-

(1) Notwithstanding anything contained in these rules, where the

consignment consists of perishable articles and the railway receipt is not forthcoming, such consignment maybe delivered to the person who, in the opinion of the Railway Administration is entitled to receive such consignment, and such person shall take delivery subject to the following conditions, namely:-

(a) If the invoice copy of the railway receipt is available at the time of taking delivery and the booking is to a named consignee who Is claiming delivery, such person shall, before taking delivery execute an Indemnity Note specified in Form I ; and

(b)

(i) if the invoice copy of the railway receipt is not available at the time of taking delivery ; or

(ii) if such invoice copy is available and the consignment is booked to 'Self, such person shall, deposit an amount equivalent to the cost of consignment by way of security apart from freight and other charges before taking delivery of such consignment.

(2) (1) If any amount has been deposited by way of security under Cl. (b) of sub-rule (1), such amount shall be refunded by the Railway Administration on production of the original railway receipt within six months from the date of taking such delivery.

(3) In the absence of original railway receipt refund may be granted on execution of an Indemnity Note in Form I or I-A and I-B, as the case may be, provided the invoice copy of the railway receipt is available and the particulars of consignment can be connected with reference to the invoice copy, within six months from the date of taking delivery.]