

RAILWAYS (PUNITIVE CHARGES FOR OVERLOADING OF WAGON) RULES, 1990

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RAILWAYS (PUNITIVE CHARGES FOR OVERLOADING OF WAGON) RULES, 1990

G.S.R. 558 (E), dated 7th June, 1990¹.-In exercise of the powers conferred by Cl. (d) 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 (Punitive Charges for Overloading of Wagon) Rules, 1990. (2) They shall come into force on the date of commencement of the Act.¹

1. W.e.f. 1st July, 1990, vide S.O. 475 (E), dated 12th June, 1990.

2. Definitions :-

In these rules, unless the context otherwise requires,-

(a) "Act" means the Railways Act, 1989 (24 of 1989).

(b) "Class rate" is the freight rate applicable to the class assigned to a particular commodity by the Central Government.

(c) "Other charges" means charges other than freight which are

incidental to or connected with carriage of goods.

(d) "Permissible carrying capacity" means the normal carrying capacity determined under sub-section (2) or sub-section (3) of Section 72 or where a railway administration has determined a varied carrying capacity under sub-section (4) of Section 72 , such varied carrying capacity whichever is higher.

(e) "Schedule" means the Schedule to these rules.

(f) "Section" means section of the Act.

¹ (g) "Class 300 x rate" means the freight rate applicable to the commodity at class x, as fixed by the Central Government by general or special order)

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

1. Subs. by G.S.R. 32 (B). dated 15th January, 1996 (w.e.f. 15th January, 1996).

3. Punitive charges for overloading :-

Where goods are loaded In a wagon or truck beyond the permissible carrying capacity, the railway administration may,in addition to normal freight and other charges, recover for the distance between the forwarding station and the destination station, charges by way of penalty as specified in Part I of the Schedule in the case of goods loaded in a loose condition excluding Box Wagons and Part II of the Schedule in the case of goods other than those loaded in a loose condition and Part III of the Schedule In the case of goods loaded in loose condition in Box wagons from the consignor, the consignee or the endorsee, as the case may be.]

SCHEDULE 1

.

PART

Goods loaded in Loose Condition (Excluding Box wagons)

PART

GOODS OTHER THAN THOSE LOADED IN LOOSE CONDITION

PART

Goods Loaded in Loose condition in BOX and BOX NHA wagons