
Railways (Punitive Charges for Overloading of Wagon) Rules, 2004

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Railways (Punitive Charges for Overloading of Wagon) Rules, 2004

In exercise of the powers conferred by sub-section (1) read with clause (d) of sub-section (2) of Section 87 of the Railways Act, 1989 (24 of 1989), in supersession of the Railways (Punitive Charges for Overloading of Wagon) Rules, 1990 except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules for punitive charges for overloading of wagons under Section 73 of the said Act, namely:-

1. Short title and commencement :-

(1) These rules may be called the Railways (Punitive Charges for Overloading of Wagon) Rules, 2004 .

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions :-

In these rules, unless the context otherwise requires,-

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

(b) "section" means the section of the Act;

(c) "class of rate" means the freight rate applicable to a commodity as per the class assigned to that commodity;

(d) "permissible carrying capacity" means the normal carrying capacity determined under sub-section (2) or (3) of Section 72 of the Railways Act, 1989 or where a railway administration has

determined a varied carrying capacity under sub-section (4) of Section 72 of the Railways Act, 1989 , such varied carrying capacity, whichever is higher;

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

(f) "normal freight" means the freight charge recoverable on a commodity at the class rate for the weight of the commodity loaded up to permissible carrying capacity for bagged consignment and up to permissible carrying capacity plus 1 tonne or 2 tonnes, as the case may be, for the commodity loaded in loose condition, as specified in Schedule;

(g) words and expression used and not defined in these rules but defined in the Act shall have the meaning respectively assigned to them in the Act.

3. Punitive charges for overloading :-

(1) If commodities are overloaded in a 8-wheeled/ 6-wheeled or 4-wheeled wagon, the railway administration shall recover punitive charges for the entire weight of the commodities loaded beyond the permissible carrying capacity for the entire distance to be travelled by the train hauling the wagon from the originating station to the destination station, irrespective of the point of detection of overloading, as per the rates specified in Part I, Part II, Part III and Part IV of the Schedule, as the case may be.

SCHEDULE 1

Schedule

SCHEDULE	
PART 1	
Commodities loaded in loose condition in 8-wheeled wagons excluding BOX/BOST/BOBR and BOBRN wagons	
Extent of overloading	Punitive charges leviable on the entire weight loaded beyond the permissible carrying capacity
If the weight of commodity exceeds the permissible carrying capacity of the wagon	
(a) up to 2 tonnes	Nil
(b) by more than 2 tonnes	At 6 times the freight rates applicable to the highest class

For removal of doubts, it is hereby declared that the normal freight at the rate applicable to the class assigned to the commodity shall be recoverable on the weight of the commodity exceeding the permissible carrying capacity up to 2 tonnes.

PART II

Commodities loaded in loose condition in BOX/BOST/BOBR and BOBRN wagons

Extent of overloading	Punitive charges leviable on the entire weight loaded beyond the permissible carrying capacity
If the weight of commodity exceeds the permissible carrying capacity of the wagon	
(a) up to 1 tonne	Nil
(b) by more than 1 tonne	At 6 times the freight rates applicable to the highest class

For removal of doubts, it is hereby declared that the normal freight at the rate applicable to the class assigned to the commodity shall be recoverable on the weight of the commodity exceeding the permissible carrying capacity up to 1 tonne.

PART III

Commodities, not in loose condition (that is bagged consignments) loaded in 8-wheeled wagons

Extent of overloading	Punitive charges leviable on the entire weight loaded beyond the permissible carrying capacity
If the weight of commodity exceeds the permissible carrying capacity of the wagon;	At 6 times the freight rates applicable to the highest class

PART IV

Commodities loaded in 4-wheeled or 6-wheeled wagons

Extent of overloading	Punitive charges leviable on the entire weight loaded beyond the permissible carrying capacity
A. Commodities loaded in loose condition	
where the weight of commodity exceeds the permissible carrying capacity by	
(a) up to 1 tonne	Nil
(b) by more than 1 tonne	At 6 times the freight rates applicable to the highest class
B. Commodities, loaded not in loose condition (that is bagged consignments)	

Extern of overloading	Punitive charges
where the weight of commodity exceeds the permissible carrying capacity	At 6 times the freight rates applicable to the highest class