

## **Railways (Punitive Charges for Overloading of Wagon) Rules, 2006**

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## **Railways (Punitive Charges for Overloading of Wagon) Rules, 2006**

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) and in supersession of the Railways (Punitive charges for overloading of wagon) Rules, 2006, 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, 2006.

(2) They shall come into force w.e.f. 01.01.2007.

### **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 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 , 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) "Normal freight" means the freight charge recoverable on a commodity at the class rate for the weight of the commodity loaded upto permissible carrying capacity plus 1 tonne or 2 tonnes, as the case may be, as specified in the 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 :-**

Where the commodities are over-loaded in Railway wagon, the railway administration shall recover punitive charges as provided in part I and II of the situation 'A' and 'B' of the Schedule, from the consignor, the consignee or the endorsee, as the case may be, for the entire distance to be travelled by the train hauling the wagon from the originating station to the destination point, irrespective of the point of detection of overloading:

Provided that no punitive charges will be levied if the customer carries out load adjustment at the originating station itself in case of detection of overloading at originating point.

#### SCHEDULE 1

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