

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

UNION OF INDIA

India

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Rule

RAILWAYS-PUNITIVE-CHARGES-FOR-OVERLOADING-OF-WAGON-RULES of 2006

- Published on 19 December 2006
- Commenced on 19 December 2006
- [This is the version of this document from 19 December 2006.]
- [Note: The original publication document is not available and this content could not be verified.]

Railways (Punitive Charges for Overloading of Wagon) Rules, 2006 Published vide Notification Gazette of India, Extra, Part 2, Section (i), dated 19.12.2006.

1567.

G.S.R. 759 (E), dated 19.12.2006.- In exercise of the powers conferred by sub-section (1) read with clause(d) of subsection(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 subsection(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

Situation-AIf the aggregated payload in a rake does not exceed the combined permissible carrying capacity of the rake, the punitive charges shall be levied as per following:Part-IFor `Enhanced CC' commodities loaded in 8-wheeled wagons (except BOX, BOST and BOY wagons)

[Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity and loading tolerance of 2 tonnes] [For removal of doubts, it is hereby declared that on the weight exceeding the Extent of overloading permissible carrying capacity up to 2 tonnes, the normal freight at the rate applicable to the class assigned to the commodity shall be recoverable and punitive charges will be recovered for the entire weight of the commodity in excess of permissible carrying capacity and loading tolerance of 2 tonnes.]

If the weight of commodity exceeds the permissible carrying capacity of the wagon;

- | | |
|--|--|
| (a) upto 2 tonnes | Nil |
| (b) by more than 2 tonnes but not more than 5 tonnes | 2 times of the freight rate applicable to that commodity. |
| (d) by more than 5 tonnes | 3 times of the freight rate applicable to the highest class. |

Part-II For 'Enhanced CC' commodities loaded in BOX, BOST and BOY and all other types of wagons (except 8-wheeled wagons); For 'CC' commodities loaded in all types of wagons; and For container traffic

Extent of overloading	[Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity and loading tolerance of 1 tonnes] [For removal of doubts, it is hereby declared that on the weight exceeding the permissible carrying capacity up to 1 tonne, the normal freight at the rate applicable to the class assigned to the commodity shall be recoverable and punitive charges will be recovered for the entire weight of the commodity in excess of permissible carrying capacity and loading tolerance of 1 tonne.]
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If the weight of commodity exceeds the permissible carrying capacity of the wagon;

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|--|--|
| (a) upto 1 tonnes | Nil |
| (b) by more than 1 tonnes but not more than 4 tonnes | 2 times of the freight rate applicable to that commodity. |
| (d) by more than 4 tonnes | 3 times of the freight rate applicable to the highest class. |

Situation-B If the aggregated payload in a rake exceeds the combined permissible carrying capacity of the rake, the punitive charges shall be levied as per following: Part-I For 'Enhanced CC' commodities loaded in 8-wheeled wagons (except BOX, BOST and BOY wagons)

Extent of overloading	Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity
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If the weight of commodity exceeds the permissible carrying capacity of the wagon;

- | | |
|--|---|
| (a) upto 2 tonnes | [Nil] [For removal of doubts, it is hereby declared that on the weight exceeding the permissible carrying capacity upto 2 tonnes, the normal freight at the rate applicable to the class assigned to the commodity shall be recoverable.] |
| (b) by more than 2 tonnes but not more than 5 tonnes | 3 times of the freight rate applicable to that commodity. |
| (d) by more than 5 tonnes | 5 times of the freight rate applicable to the highest class. |

Part-II For 'Enhanced CC' commodities loaded in BOX, BOST and BOY and all other types of wagons (except 8-wheeled wagons); For 'CC' commodities loaded in all types of wagons; and For container traffic

Extent of overloading	Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity.
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If the weight of commodity exceeds the permissible

carrying capacity of the wagon;

- | | |
|--|--|
| | [Nil] [For removal of doubts, it is hereby declared that on the weight exceeding the permissible carrying capacity upto 1 tonne, the normal freight at the rate applicable to the class assigned to the commodity shall be recoverable.] |
| (a) upto 1 tonnes | |
| (b) by more than 1 tonnes but not more than 4 tonnes | 3 times of the freight rate applicable to that commodity. |
| (d) by more than 4 tonnes | 5 times of the freight rate applicable to the highest class. |