

Section 129: Power to make rules in respect of matters in this chapter –

- (1) The Central Government may, by notification, make rules to carry out the purposes of this Chapter
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters namely –
 - (a) the compensation payable for death;
 - (b) the nature of the injuries for which compensation shall be paid and the amount of such compensation.

6 Sections relating to Penalties and Offences:

Section 145: Drunkenness or Nuisance. If any person in any railway carriage or upon any part of a railway.

- a) is in a state of intoxication; or
- b) Commits any nuisance or act of indecency or uses abusive or obscene language; or
- c) willfully or without excuse interfered with any amenity provided by the railway administration so as to affect the comfortable travel of any passenger, he may be removed from the railway by any railway servant and shall, in addition to the forfeiture of his pass or ticket, be punishable with imprisonment which may extend to six months and with fine which may extend to five hundred rupees:
Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the Court, such punishment shall not be less than –
 - i) a fine of one hundred rupees in the case of conviction for the first offence; and
 - ii) imprisonment of one month and a fine of two hundred and fifty rupees, in the case of conviction for second or subsequent offence.

Section 146: Obstructing Railway servant in his Duties – If any person willfully obstructs or prevents any railway servant in the discharge of his duties, he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Section 150: Maliciously wrecking or attempting to wreck a train

- (1) Subject to the provisions of sub-section (2), if any person unlawfully –
 - (a) puts or throws upon or across any railway, any wood, stone or other matter or thing; or
 - (b) take up, removes, loosens or displaces any rail, sleeper or other matter or things belonging to any railway; or
 - (c) turns, moves, unlocks or diverts any points or other machinery belonging to any railway; or
 - (d) makes or shows, or hides or removes, any signal or light upon or near to any railway; or
 - (e) does or causes to be done or attempts to do any other act or thing in relation to any railway, with intent or with knowledge that he is likely to endanger the safety of any person traveling on or being upon the railway, he shall be punishable with imprisonment for life, or with rigorous imprisonment for a term which may extend to ten years:
Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the Court, where a person is punishable with rigorous imprisonment, such imprisonment shall not be less than –
 - (i) three years in the case of a conviction for the first Offence ; and
 - (ii) seven years, in the case of conviction for the second or subsequent offence.
- (2) If any person unlawfully does any act or thing referred to in any of the clauses of sub-section (1)-

- (a) with intent to cause the death of any person and the doing of such act or thing causes the death of any person; or
- (b) with knowledge that such act or thing is so imminently dangerous that it must in all probability cause the death of any person or such bodily injury to any person as is likely to cause the death of such person, he shall be punishable with death or imprisonment for life.

Section 151: Damage to or Destruction of certain Railway Properties –

- 1) If any person, with intent to cause, or knowing that he is likely to cause damage or destruction to any property of a railway referred to in sub-section (2) causes by fire, explosive substance or otherwise, damage to such property or destruction of such property, he shall be punishable with imprisonment for a term which may extend to five years, or with fine, or with both.
- 2) The properties of a railway referred to in sub-section (1) are railway track, bridges, station buildings and installation, carriages or wagons, locomotives, signalling, telecommunications, electric traction and block equipments and such other properties as the Central Government being of the opinion that damage thereto or destruction thereof is likely to endanger the operation of a railway, may by notification, specify.

Section 152: Maliciously hurting or attempting to hurt persons travelling by railway – If any person unlawfully throws or caused to fall or strike at against, into or upon any rolling stock forming part of a train, any wood, stone or other matter or thing with intent, or with knowledge that he is likely to endanger the safety of any person being in or upon such rolling stock or in or upon any other rolling stock forming part of the same train, he shall be punishable with imprisonment for life or with imprisonment for a term which may extend to ten years.

Section 153: Endangering safety of persons traveling by railway by willful act or omission – If any person by any unlawful act or by any willful omission or neglect, endangers or causes to be endangered the safety of any person traveling on or being upon any railway, or obstructs or causes to be obstructed or attempts to obstruct any rolling stock upon any railway, he shall be punishable with imprisonment for a term which may extend to five years.

Section 154: Endangering safety of persons traveling by railway by rash or negligent act or omission – If any person in a rash and negligent manner does any act, or omits to do what he is legally bound to do, and the act or omission is likely to endanger the safety of any person traveling or being upon any railway, he shall be punishable with imprisonment for a term which may extend to one year or with fine, or with both.

Section 156: Travelling on Roof, Step or Engine of a Train – If any passenger or any other person, after being warned by a railway servant to desists, persists in travelling on the roof, step or footboard of any carriage or on an engine, or in any other part of a train not intended for the use of passengers he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both any may be removed from the railways by any railway servant.

Section 160: Opening or breaking a Level Crossing Gate –

- 1) If any person, other than a railway servant or a person authorized in this behalf, opens any gate or chain or barrier set up on either side of a level crossing which is closed to road traffic, he shall be punishable with imprisonment for a term which may extend to three years.
- 2) If any person breaks any gate or chain or barrier set up on either side of a level crossing which is closed to road traffic, he shall be punishable with imprisonment for a term which may extend to five years.

Section 161: Negligently crossing Unmanned Level Crossing – If any person driving or leading a vehicle is negligent in crossing an unmanned level crossing, he shall be punishable with imprisonment for a term which may extend to one years.

Explanation: For the purpose of this section, “negligence” in relation to any person driving or leading a vehicle in crossing an unmanned level crossing means the crossing by such person –

- a) without stopping or caring to stop the vehicle near such railway crossing to observe whether any approaching rolling stock is in sight, or
- b) even while an approaching rolling stock is in sight.

Section 172: Penalty for Intoxication – If any railway servant is in a state of intoxication while on duty, he shall be punishable with fine which may extend to five hundred rupees and when the performance of any duty in such state is likely to endanger the safety of any person travelling on or being upon a railway, such railway servant shall be punishable with imprisonment for a term which may extend to one year or, with fine, or with both.

Section 174: Obstructing Running of Train etc – If any railway servant (whether on duty or otherwise) or any other person obstructs or causes to be obstructed or attempts to obstruct any train or other rolling stock upon a railway –

- a) by squatting or picketing or during any rail roko agitation or bandh, or
- b) by keeping without authority any rolling stock on the railway; or
- c) by tampering with, disconnecting or interfering in any other manner with its hose pipe or tampering with signal gear or otherwise, he shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

Section 175: Endangering the Safety of persons – If any railway servant, when on duty, endangers the safety of any person –

- a) by disobeying any rule made under this Act, or
- b) by disobeying any instruction, direction or order under this Act or the rules made there under; or
- c) by any rash or negligent act or omission, he shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both.

Section 176: Obstructing Level Crossing – If any railway servant unnecessarily—

- a) allows any rolling stock to stand across a place where the railway crosses a public road on the level; or
- b) keeps a level crossing closed against the public, he shall be punishable with fine which may extend to one hundred rupees.

Section 181: Magistrate having jurisdiction under the Act – Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), no Court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try an offence under this Act.