

G.S.R. 557(E), RAILWAYS (EXTENT OF MONETARY LIABILITY AND PRESCRIPTION OF PERCENTAGE CHARGE) RULES, 1990

NO. m . (D.N.,) 127 maa Che Gazette ot *dia 2221 No, 222] EXTRAORDINARY PART II—Section (I) PUBLISHED BY AUTHORITY 1912 NEW DELHI, THURSDAY, JUNE 7, 1990/JVAISTHA 17, 1912 Separate Paging is øven th this Part in order mat it may bo ns a separate compilation 7 1990 fitF?SSt) 1990 (1! . qi! . {h. 557(q) (189" 10) 22 1897 1989 (1989 24) 112* (1) 1990 I fri•Gi a: 1989 (1 989 24) 1501 GI/90 (q) "Rf?ætä 2 2 it qPorföfä f7q• (1) 2 THE GAZEerr.PE OF INDIA • EXTRAORDINARY 5. [PARI 11 —SEC. (ii) fäiü t, (iii) (i) (ii) •tqgt faq tq@rqixur 1 xfä a-TQ Ffi{ii fäq fifi 89/81. •t. g./89/ETRI 1031 6,000 3,000 800 120 (2) 13 160 MINISTRY OF RAILWAYS (Railway Board) NO'rm1CÂTJON New Delhi, the 7th Junca- i 990 RAILWAYS (EXTENT CF MCNETARY AND PRESCRIPTION OF IBRCENTAGE CHARGE) RULES, 1990 G.S.R. exercise Of powers conferred by sub- section (1) and clause (c) of sub-section (2) of section 112 of the Railways Act. 1989 (24 of 1989) read Eith section 22 of the General Clauses Act,]897 (10 Of 1897), the Central Govern. ment hereby makes the following Rules namely : 1. Short Title and Commencement These rules may be called the Railways (Extent Of Monetary Liability and Pres- cription Of Percentage Charge) Rules, 1990. (2) 'Thay shall come into force on the date. of commencement of the Act

2. Definitions those Rales unless the context otherwise requires; (a) "Act" means lbe Railways Act, 1989 (24 of 1989).(b) "Baggage" means personal effects of a passenger entrus- ted to a railway administration for carriage. (c) "Excess value" in nspect of any consignment means the amount by which the value declared by a consignor' exceeds the amou.nt of liabil.ity of a railway administration as - specified or calculated wider sub rule (1) of rule (3). (d) "Percentage charge" means the percentage charge pay. able on excess value calculated in accordance with the rate specified in column 2 of Schedule 11. 3(i)] (e) "Schedule" means the Schedule to these roles. (f) Words and expressions used and not defined in these rules bu t dcfined in the Act shall have the meanings respectively assigned to them in the Act

3. Monetary Liability of a railway ad.ministration (1) Wb.eto a .railway administration iS responsible for loss, damages deatruction, deterioration or non-delivery of any • consigmment the amount of liability of such railway, Administration in respect of such loss, damage, destruction, deterioration OT non-delivery shall not, unless She consignor has declared its value and paid percentage charge on excess value of such con- signment, 'exceed,«— (i) in the case of a.ny consignment consisting of animals, the amount specified in Schedule I; or (ii) in the case ot any consignment consisting of baggage, an amount calculated at rupees one hund.ted per kilo- gramme; or (iii) in the case of any consignment other than those rcferred to in clauses and (ii) above, an amount calculated at rupees fifty per kilogamme, (2) Where a railway administration is responsible for loss damage, dcstruction, deterioration or non.delivery of any consignment and the consignor has at the time of entrustment for carriage declared the value of such consignment and paid percentage charge on excess value at the rate specified in Part 3. or part 11 as the case may be of Schedule 11, the amount of liabi- lity of a railway admihisiration for loss, damage, destruction, deterioration or non.deiivery of such consignment shall not exceed the value so declared. Explanation 1 Where in respect or carriage Of any consignments the freight is chargeable on any basis other than its actual weight, the amount of liability of a railway administration shall be deter- mined with reference to the actual weight of such consignment, Explanation 2 Where the loss, damage, destruction, deterioration or none delivery is only with respect to part Ot a consignment, the weight to be taken into consideration for determining the amount of liability of a railway administration is the weight of the goods lost, damaged. destroyed, deteriorated or non,,delivered unless such loss. damage, destruction, deterioration or non-delivery anects the value of the entire consignment

4. Certain goods not: to be accepted for carriage unless pera centage charge pa.id. 3 No railway administration Bhau accept for carriage, the good* specified in Part I af Schedule IJ- unkss Lho consi.gr.or dcciah•ei the value ot such goods and pays Ille percentage charco appli- cable to such goods as indica ted in column 2 OF Schedule IT. [No. 89/1"C 111/1/6RA '89/Sec. 103] S.K. MALIK, Director R.A.R.) (Railway Board) SCHEDULE Description of animals Elephants Horses Extent railway Mules, horned cattle or camels Dogg, donkeys, goats pigs, shcep or other animals not mentioned above, ot' birds SCHEDULE 11 of responsibility of administration (per head) (Rs.) 6,000 3,000 800 120 Description of

Goods 1. Gold Silver Pearls Precious stones Jewellery PART 1 Rate of Percentage Charge (2) 2. 3. 4. 5. 6, 7. Currency notes and coins Government stamps Goods other than those specified in part .13 paise per rupees or part thereof on excess value per 160 kilometres or part thereof subject to a maximum Of 1 0/0 Of excess value

PART 11 25 paise per i OC rupee,β or thereof on excess value per 160 kilometres or part thereof subject to a maximum of of excess value. Printed by the Manager, Govt. of India Press, Ring Road, New Delhi-110064 and Published by the Controller of Publications, Delhi-110054, 19N)

