

## GSR 570 (E) THE RAILWAYS (PUNITIVE CHARGES FOR OVERLOADING OF WAGON) RULES, 2012

The Gazette of India EXTRAORDINARY PART 11—Section 3 Sub-section (i) PUBLISHED BY AUTHORVITY 17, 20327311 RIG 26, 'i 934 NEW DELHI, TUESDAY, JULY 17, 2012/ASADHA 26, 1934 2(1) 2 570(30.— 1989 (1989 24) 87 (âq-ai 2007 (ä-q-a-i 2011 1 1. 2012 I 2 (q) (q) 3, THE GAZETTE OF INDIA : EXTRAORDINARY 72 (2) 72 (4) a-qa-r q-aT , I, 11 III ('ü 25 \*Tpr-l I n-a-rr 11 q-t@I qæ STTT 4 9TT7T-[ 4.Tq-a-r GAZE OF INDIA . I RY 44-qa-r -a-fî \*ufr I a?.nfî, ai ya-TR mT-III \*ofr I azrrm, GTI-@I 11] 6 THE GAZETTE OF INDIA : EXTRAORDINARY IVIINID ur (RAILWAY BOARD) NOTIFICATION New Ikhi, the 1 7th juiy, 20 i 2 G.S.R. 570(E)— kn exercise of the powers conferred by sub-section (1) read with clause (d) of öb-QTf6if(1Tof section 87 of the Railways Act, 1989(No.24 of 1989), and in supersession of the Railways(Punitive charges for overloading of wagon) Rules, 2007 and Railways(Punitive charges for overloading of wagon) Amendment Rules, 2011, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:- 1. 2

**3. Short title and commencement.**— (1) These rules may be called the Railways (Punitive charges for overloading of wagon) Rules, 2012. (2) They shall come into force on the date of their publication in the Official Gazette. Definitions.— In these rules, unless the context otherwise requires,— (a) "freight rate" means the rate applicable to a commodity as per the class assigned in the classification; (b) "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 loading tolerance, as specified in the Schedule; (c) "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 subsection (4) of section 72, such varied carrying capacity, whichever is higher; (d) means the Schedule annexed to (e) words and expressions used and not defined in these rules, but defined in the Act, shall have the meanings respectively assigned to them in the Act. Punitive charges for overloading.— Where the commodities are over-loaded in Railway wagon, the railway admirfistraton shall recover punitive charges as provided in parts I, 11 and III of the situation at '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 traveled 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 shall be levied if the customer carries out load adjustment at the originating station itself in case of detection of overloading at 1 11 \_3(iV.] SCHEDULE (for loading on excepted CC+6, CC-\-6, CC+8 and 2.5 tonne axle load routes) Situation-A If the aggregated pay load in a rake does not exceed the combined permissible carrymg capacity of the rake, the punitive charges shall be levied as per following, namely:- For wagons other than BCNHL and BCCW wagons Extent of overloading If the weight of the commodity exceeds the ermissible carrying capacity of wagon: (a) upto one tonne (b) by more than one tonne but not more than four tonnes (c) by more than four tonnes \*Punitive charges leviable on the entire i weight of commodity loaded in excess of permissible carrying capacity and loading ,oerance of one tonne Nil -1 wo times of the freight rate applicable to that I commodity -1\*three times of the freight rate applicable to the j highest class \* Explanation.— It is hereby clarified that on the weight exceeding the permissible carrying capacity upto one tonne, the normal freight at the rate applicable to the class assigned to the commodity shall be recoverable and punitive charges shall be recovered for the entire weight of the commodity in excess of permissible carrying capacity and loading tolerance of one tonne. Part-11 For BCNHL and BCCW wagons Extent of overloading If the weight of the commodity exceeds permissible carryin ca acity of wagon; (a) upto three tonnes (b) by more than three tonnes r. 11 he ...r. C XCtSS 01 4 j 1/2"2 \*Punitive charges leviable on the entire weight of commodity loaded in cxcss of ermissible carrying capacity. the Two times of the freight rate applicable to that Three times of the freight rate applicable to the the entire weight of the commodity in 8 Part-III For Container train [THE GAZETTE OF INDIA : EX IRAORDINARY Extent of overloading \*Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity and loading toierance of one tonne If the weight of commodity exceeds the ermissible carrying of the wa on; Nil (a) upto one tonne (b) by more than onetonne but •notrmore than Two times of the freight rate applicable to that four

tonnes or by more than four tonnes commodity Three times of the freight rate applicable to the class \*

Explanation.- It is clarified that on the weight exceeding the permissible carrying capacity upto one tonne, the normal freight at the rate applicable to the commodity shall be recoverable and punitive charges shall be recovered for the entire weight of the commodity in excess of permissible carrying capacity and loading tolerance of one tonne. 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 wagons other than BCNHL and BCCW wagons Extent of overloading \*Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity if the weight of the commodity exceeds the permissible carrying capacity of wagon; (a) upto one tonne Nil (b) by more than one tonne but not more than Three times of the freight rate applicable to the four tonnes (c) by more than four tonnes highest class Five times of the freight rate applicable to the highest class \*Explanation. - It is hereby clarified that on the weight exceeding the permissible carrying capacity upto one tonne, the normal freight at the rate applicable to the class assigned to the commodity shall be recoverable: However, in case of weight exceeds the permissible carrying capacity by more than one tonne, punitive charges shall be recovered for the entire weight of the commodity in excess of permissible carrying capacity. 3(i)] Part-II For BCNHL and BCCW wagons Extent of overloading If the weight of the commodity exceeds permissible carrying capacity of wagon; (a) upto three tonnes (c) by more than three tonnes \*Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity Three times of the freight rate applicable to lowest class I Five times of the freight rate applicable to the highest class \* Explanation.- It is hereby clarified that punitive charges shall be recovered for the entire weight of the commodity in excess of permissible carrying capacity Part-III For Container train Extent of overloading \*Punitive charges leviable on the entire weight of the commodity loaded in excess of permissible carrying capacity If the weight of commodity exceeds the permissible carrying capacity of the wagon: (a) upto one tonne Nil (b) by more than one tonne but not more than Three times of the freight rate applicable to the four tonnes (c) by more than four tonnes highest class Five times of the freight rate applicable to the highest class \*Explanation.- It is hereby clarified that on the weight exceeding the permissible carrying capacity upto one tonne, the normal freight at the rate applicable to the commodity shall be recoverable. However, in case of the weight exceeds the permissible carrying capacity by more excess of permissible carrying capacity.

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