

**MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

NOTIFICATION

New Delhi, the 7th June, 1990

RAILWAYS (EXTENT OF MONETARY LIABILITY AND PRESCRIPTION OF PERCENTAGE CHARGE) RULES, 1990.

G.S.R. 557(E):- In exercise of powers conferred by sub-section (I) and clause (c) of sub-section (2) of section 112 of the Railways Act, 1989 (24 of 1989) read with section 22 of the General Clause Act, 1897 (10 of 1897) the Central Government hereby makes the following Rules namely:-

1. Short Title and Commencement:-

(1) These rules may be called the Railways (Extent of Monetary Liability and Prescription of Percentage Charge) Rules, 1990.

(2) They shall come into force on the date of commencement of the Act.

2. Definition:- In these Rules unless the context otherwise requires;

(a) "Act" means the Railways Act, 1989 (24 of 1989).

(b) "Baggage" means personal effect of a passenger entrusted to a railway administration for carriage.

(c) "Excess value" In respect of any consignment means the amount by which the value declared by a consignor exceeds the amount of liability of a railway administration as specified or calculated under sub rule (1) of rule (3).

(d) "Percentage Charge" means the percentage charge payable on excess value calculated in accordance with the rate specified in column 2 of Schedule II.

(e) "Schedule" means the Schedule to these rules.

(f) Words and expressions used and not defined in these rules but defined in the Act shall have the meaning respectively assigned to them in the Act.

3. Monetary Liability of a railway administration:- (I) Where a railway administration is responsible for loss, damage, destruction, deterioration or non-delivery of any consignment the amount of liability of such railway Administration in respect of such

loss, damage, destruction, deterioration or non-delivery shall not, unless the consignor has declared its value and paid percentage charge on excess value of such consignment, exceed,-

- (i) in the case of any consignment consisting of animals, the amount specified in Schedule I; or
- (ii) in the case of any consignment consisting of baggage, an amount calculated at rupees one hundred per kilogram; or
- (iii) in the case of any consignment other than those referred to in clauses (i) and (ii) above, an amount calculated at rupees fifty per kilogram.

(2) Where a railway administration is responsible for loss damage, destruction, 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 I or Part II as the case may be of Schedule II, the amount of liability of a railway administration for loss, damage, destruction, deterioration or non-delivery of such consignment shall not exceed the value so declared.

Explanation: 1.

Where in respect of carriage of any consignment, the freight is chargeable on any basis other than its actual weight, the amount of liability of a railway administration shall be determined with reference to the actual weight of such consignment.

Explanation: 2.

Where the loss, damage, destruction, deterioration or non-delivery is only with respect to part of 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, damages, destruction, deterioration or non-delivery affects the value of the entire consignment.

4. Certain goods not be accepted for carriage unless percentage charge paid.

No railway administration shall accept for carriage, the goods specified in Part I of Schedule II unless the consignor declares the value of such goods and pays the percentage charge applicable to such goods as indicated in column 2 of Schedule II.

(No.89/TC-III/1/6RA89/Sec.103)
SK Malik, Jt. Director R.A.R.
(Railway Board)

SCHEDULE I

Description of animals	Extent of responsibility of railway administration (per head) Rs.
Elephants	6,000
Horses	3,000
Mutes, horned cattle or camels,	800
Dogs, donkeys, goats pigs, sheep or other animals not mentioned above, or birds	120

SCHEDULE II

Description of Goods	Rate of Percentage Charge
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PART I

(1)	(2)
1. Gold	13 paise per 100 rupees or part thereof on excess value per 160 kilometers or part thereof subject to a maximum of 1% of excess value
2. Silver	
3. Pearls	
4. Precious stones	
5. Jewellery	
6. Currency notes and coins	
7. Government stamps	

PART II

Goods other than those specified in Part I	25 paise per 100 rupees or part thereof on excess value per 160 kilometers or part thereof subject to a maximum of 1% of excess value
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**MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

New Delhi, the 26th February, 1991

G.S.R. 90(E)--- In exercise of powers conferred by sub-section (I) and clause (c) of sub-section (2) of section 112 of the Railways Act, 1989 (24 of 1989) the Central Government hereby makes the following rules further to amend the Railways (Extent of Monetary Liability and Prescription of Percentage Charge) Rules, 1990; namely:-

1. (1) These rules may be called the Railways (Extent of Monetary Liability and Prescription of Percentage Charge) Amendment Rules, 1991.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Under Column (1) of Part I of Schedule II of the Railways (Extent of Monetary Liability and Prescription of Percentage Charge) Rules, 1990.-
 - (a) in serial number 6 for the words "Currency notes and coins" the words "Currency notes and coins other than Government Treasure" shall be substituted.

 - (b) in serial number 7 for the words "Government stamps" the words "Government stamps and stamped paper other than postal stationery and stamps" shall be substituted.

S.K. MALIK, Jt. Director,
(Railway Act Revision) Railway Board.

**MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

NOTIFICATION

New Delhi, the 13th January, 1999

G.S.R.24(E) In 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), the Central Government hereby makes the following rules further to amend the Railways (Extent of Monetary Liability and Prescription of Percentage Charge) Rules, 1990, namely:-

1. (I) These rules may be called the Railways (Extent of Monetary Liability and prescription of Percentage Charge, Amendment Rules, 1998.

(II) They shall come into on the date of their publication in the Official Gazette.

2. Under column (I) of Part-1 of Schedule-II to the Railways (Extent of Monetary Liability and Prescription of Percentage Charge) Rules, 1990, after serial number 5, the following serial number and the entry shall be inserted, namely:-

“5A.Scooter/Motor Cycle.”

(No.89/TC-III/1/6/RA/89/Sec.103)

PADMAKSHI RAHEJA, EXECUTIVE DIRECTOR (PUB. GRIEVANCES
RAILWAY BOARD