

GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF RAILWYS/RAIL MANTRALAYA
(RAILWAY BOARD)

No.TC-1/2006 /109/6-pt.2

New Delhi, dated /4/ .11.2008

Chief Commercial Managers,
All Indian Railways.

CAO,
FOIS,
CRIS Complex,
Chankayapuri, New Delhi

**Sub: Levy of punitive charges for overloading and penalty for
misdeclaration in container**

Vide Part III of situation 'A' and 'B' of Gazette Notification dated 15.06.2007, rates of Punitive charges for overloading for container train were notified. Punitive charges for overloading in case of container train are to be levied at the rate of 2 times of freight rate applicable to that commodity or 3/ 5 times of freight rate applicable to the highest class depending upon the situation and extent of overloading.

Clarification has been sought regarding calculation of the punitive charges on the overloaded container wagons in absence of PCC of the wagons and class rate of commodity. Further, a clarification has also been sought regarding tariff for charging in case of misdeclaration of commodities.

It is clarified that the marked CC of the wagon is to be taken as PCC of the wagon.

The punitive charges for overloading in case of container trains as per gazette notification dated 15.06.2007, as amended from time to time, should be calculated as per following procedure:

- (a) In case, when the punitive charges are to be levied at the highest Class rate, the highest Class as mentioned in Goods Tariff may be taken in to account for calculation. Presently, the highest Class to be reckoned for the purpose of charging punitive charges for overloading is Class 200.
- (b) In case, when the punitive charges are to be levied at the freight rate applicable to that commodity, freight applicable to that commodity for the purpose of levying punitive charges for overloading will be calculated as under:

Freight Rate/ tonne = Haulage rate per TEU for "above 26 T" /26 Tonne

For example, the applicable haulage rate per TEU under table "above 26 T" for the distance between 2001-2050 is Rs. 28802 then

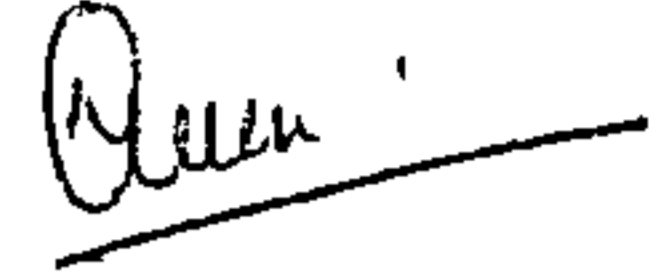
Freight rate/tonne = Rs 28802/26 i.e. Rs. 1108

In case where punitive charges for overloading is to be levied for 2 times of the applicable rate, punitive charges will be Rs. 1108 x 2= Rs. 2216 per tonne. If the overloading is, say 2 tonnes on a container wagon, the applicable punitive charges will be Rs. 2216 x 2= Rs. 4432 on that wagon.

For dealing with the cases of misdeclaration, instructions issued vide Board's letter No. TCR/221/2006/1 dated 08.11.06(Rates circular No. 95/2006) are applicable.

This issues with the concurrence of Finance Directorate of the Ministry of Railways.

(This disposes off FOIS's letter No.CAO/FOIS/104/RD/Pt.III/2008.dated 15.10.08)



(N.K. Parsuramka)
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Railway Board.