

COMPENDIUM

*“Weighment of wagons/rake,
Exemption from Weighment
&
Procedure to deal with overloaded
wagon(s)
&
Punitive Charge for overloading”*

As prescribed vide

Rates Master Circular/Weighment/2019/o
and
Subsequent Amendments/Clarifications

(Note: This is a compilation of extant guidelines on the subject matter. Reference to subsequent Board's circulars/letters have been given with regard to amendments/clarifications and the same be referred to)

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1.0 PROCEDURE FOR WEIGHMENT

1.1 WEIGHMENT OF RAKE/WAGONS AND ISSUE OF RR

- 1.1.1 All traffic loaded from any terminals are required to be weighed at weighbridges invariably. PCCM of Zonal Railways will monitor strict compliance of extant instructions regarding weighment of wagons.
- 1.1.2 PCOM of each Railway will notify the Associate weighbridge(s) at which rakes loaded at each loading point for each stream are required to be weighed and advise the same to all Zonal Railways and Board's office. Approval of the PCOM of the concerned Zonal Railway should be taken if the Associate weighbridge lies in other Zonal Railway. Weighbridges which have been planned or are being planned, but are yet to be installed may also be notified. Weighment of loading done at stations served by these weighbridges till these become operational, will be done at an alternate weighbridge only if it is operationally not inconvenient as certified by PCOM of the Railway.
- 1.1.3 PCOM of each Railway will also notify Alternate Associate Weighbridge where weighment will be done if the Associate weighbridge is defective and advise the same to all Zonal Railways and Board's office. Approval of the PCOM of the concerned Zonal Railway should be taken if the Alternate Associate weighbridge lies in other Zonal Railway. Weighbridges which have been planned or are being planned, but are yet to be installed may also be notified.
- 1.1.4 A reliable means of communication should be set up between the Associate and Alternate Associate weighbridges and the corresponding loading point for communicating results of the weighment to the loading point.
- 1.1.5 Means of communication mentioned above could be a FAX to begin with. Eventually, it has to be upgraded to inter-system communication between the weighbridge and the TMS module of FOIS. FOIS will provide TMS terminal at every weighbridge location. Railway should advise the commissioning of communication system at the weighbridge station, immediately after its commissioning. However, if FOIS terminal is provided at the weighbridge station but interface between weighbridge and TMS is not developed, weighbridge staff should enter the weighment of wagons/rake manually in the TMS module of FOIS provided at weighbridge station.
- 1.1.6 FOIS will develop an interface between the weighbridge and TMS so that the weighment information is directly transmitted from weighbridge to the TMS system.
- 1.1.7 Loading point will prepare Vehicle Guidance(VG) in duplicate duly indicating the wagon No., CC, Tare, Consignor, Consignee etc. and will hand over to the guard. This will be ensured by Station Supervisor/Goods Supervisor of the concerned loading point.

- 1.1.8 The guards of the train will hand over one copy of Vehicle Guidance(VG) to weighbridge clerk at weighment point. The weighbridge clerk will weigh the wagons duly indicating all the records of CC, Tare etc. The result of the weighment should be communicated to the loading point.
- 1.1.9 Weighment information from the Associate weighbridge location will be furnished to the loading point immediately.
- 1.1.10 **Issue of RR:** RR should be prepared in terms of modified Paras 1451(c) and 1451(d) of IRCM (Vol. II), which are given as under:
- “1451(c): There should be no undue delay in the issue of Railway Receipts to consignors. Railway Receipts should normally be made over to the consignor within 24 hours from loading of the consignment. Concerned DCM/Sr. DCM of the loading points may however permit issuance of Railway Receipt not later than 48 hours from the time of completion of loading of goods to ensure that Railway Receipt is prepared on actual weighment details. If it is not possible to make over Railway Receipt within the above period as per actual weighment details, Railway Receipt should be prepared on the basis of Sender’s Weight.”*
- “1451(d): However, in case of continuous Bank Holidays, force majeure conditions etc., DRM may allow further extension of time for issue of RR up to the next working day of the bank through a written authority.”*
- 1.1.11 In case of weighment points where FOIS terminal is not provided or out of order, feeding of data of weighment of rakes in nearby FOIS terminals, preferably on same division, should be ensured.
- 1.1.12 An endorsement will be made in the RR indicating whether it has been prepared on the basis of sender’s weight or actual weighment.
- 1.1.13 Punitive charges for overloading, if any, should be realized at the originating point itself and it should be mentioned in RR that rake has been weighed and all the charges including punitive charges collected. There should be indication in FOIS against this train that it has been weighed. Re-weighment of such wagons/rakes at en-route/destination should normally not be done.
- 1.1.14 Since the information regarding weighment of the rake will be available in FOIS, the divisional control will ensure that all those rakes, which have not been weighed earlier, are positively weighed. Similarly, the rakes, which have been weighed earlier, should be reweighed only under special instructions of an authority not lower than DRM or under the instructions from officers of Vigilance department (SAG and above).
- 1.1.15 There may be cases where despite the weighbridge being functional, it is not possible to communicate the actual weighment details due to defective/failed communication

network. In such cases, the concerned Railway will continue to issue RR on sender's weight and take necessary remedial measure. All concerned may be advised to ensure that the details of weighment, including those done at en-route weighbridge and re-weighment done under special instructions, shall be entered in TMS module of FOIS. Based on these weighment details, outstanding, if any, shall be recovered.

1.1.16 PCCM of Zonal Railway should monitor the cases of issue of RR on sender's weight. DRMs, PCCMs, PCMEs and GMs should monitor defective weighbridges and put them right at the earliest.

1.1.17 If there are any loading points from which loaded rakes cannot be weighed at any weighbridge, the concerned Railway will advise Railway Board accordingly and continue to issue RR on sender's weight.

1.1.18 Weighment of rakes/wagons at Associate Weighbridge/Alternate Associate Weighbridge shall be treated as weighment at forwarding station for all purpose.

1.2 Weighment of traffic which cannot be weighed on the loading Railway's weighbridges due to loading station being close to Zonal inter-change point

1.2.1 Streams of traffic, which cannot be weighed on the loading Railway's in-motion weighbridges even after commissioning of planned/proposed in-motion weighbridges due to loading stations being close to the zonal inter-change point, should be weighed on the adjoining Railway's first in-motion weighbridge after the interchange point.

1.2.2 For this, a separate joint circular may be issued signed by the CFTM, CRSE and CTE of both Railways concerned, covering all such streams of traffic. It will be the responsibility of GM of the loading Railway to get this joint circular issued.

1.3 Speed restriction from loading point to first available weighbridge

1.3.1 In case a rake is not weighed on a weighbridge after loading due to defective weighbridge or any other reason, it should be weighed at the next available weighbridge.

1.3.2 The rake will be moved at normal speed from loading point to first available weighbridge. In case a rake is not weighed on the first available weighbridge after loading due to defective weighbridge or any other reason and it is weighed at next available weighbridge, then speed restriction of 40kmph or less as decided by the Railway concerned is to be followed from first weighbridge point to next available weighbridge where weighment is done.

1.4 Weighment of container trains

- 1.4.1 Weighment of container rake is mandatory. The procedure of weighment given in Para 1.1 above are also applicable for container trains. Zonal Railways are advised that the extant instructions to weigh container trains may be followed scrupulously.
- 1.4.2 Zonal Railways shall notify the weighbridge associated with every loading point for weighment of container trains and lay down the procedure order for realization of Haulage Charge and Punitive Charge for overloading, if any.

1.5 Weighment of traffic loaded at ports

All traffic loaded from any terminals including ports are required to be weighed at weighbridges invariably. Railways should ensure that the instructions to weigh all traffic loaded at ports are being followed scrupulously. If not, the Railway should furnish the reasons for not weighing outward traffic from ports and the action plan for installation of weighbridges and weighment of such traffic.

1.6 Weighment of Molasses, edible oils, Caustic Soda and Coal Tar

- 1.6.1 The weighment of Molasses, edible oils, Caustic Soda and Coal Tar should be done through dip measurement method. For this following guidelines may be followed:
- 1.6.2 The density (specific gravity) of molasses is standardized as **1.5**. SCR to prepare calibration chart for all the wagons being used for loading of molasses and circulate the same to all Zonal Railways.
- 1.6.3 The density (specific gravity) of edible oils is standardized as **0.925**. The calibration chart available for FO/TDO (POL product) is to be used for edible oils also to determine the actual weight of the consignment.
- 1.6.4 The standardized specific gravity of Caustic Soda lye should be taken as **1.53**. SCR to prepare calibration chart for all the wagons being used for loading of Caustic Soda Lye and circulate the same to all Zonal Railways.
- 1.6.5 The standardized specific gravity of Coal Tar should be taken as **1.20**. **SER** shall prepare calibration chart for all the wagons being used for loading of Coal Tar at 25°C subject to a maximum of PCC for the wagon and circulate the same to all Zonal Railways.
- 1.6.6 Dip measurement should be done only when wagons are in stationary condition.
- 1.6.7 Zonal Railways should obtain an undertaking from the customer at the time of loading that density(specific gravity) of Molasses, edible oil, Caustic Soda and Coal Tar being loaded is not more than what has been prescribed above.

- 1.6.8 Zonal Railways will periodically check the densities of Molasses, edible oils and Caustic Soda and Coal Tar loaded in tank wagons. Such periodicity should not be more than three months. If the density is found higher than those mentioned above, Board should be appraised immediately.

2.0 DISCREPANCIES FOUND ON WEIGHMENT/RE-WEIGHMENT

- 2.1 Differences between the invoiced weight of a wagon (RR issued on sender's weight basis) and the weight of first weighment may be neglected if the difference does not exceed 1(one) percent of the gross weight and in such cases invoiced weight will continue to be chargeable weight. If the weight of first weighment is more than invoiced weight and difference exceeds the limit as mentioned above, the weight of first weighment at weighbridge will be the chargeable weight and necessary Punitive Charge, if applicable shall be realized as per extant rule. If the weight of first weighment is less than the invoiced weight, the invoiced weight will be the chargeable weight.
- 2.2 Difference between the weight of second weighment of consignment in a wagon at en-route/destination and the weight of first weighment at forwarding/en-route, may be neglected if the difference does not exceed 2(two) percent of the gross weight and in such cases weight of first weighment will continue to be chargeable weight. If the variation between weight of second weighment and weight of first weighment is more than 2(two) percent, the weight of second weighment will be the chargeable weight (*irrespective of the fact that weight of second weighment is less or more than the weight of first weighment*) subject to minimum of Permissible Carrying Capacity of the concerned wagon and necessary Punitive Charge, if applicable, shall be realized as per extant rules.
- 2.3 In case of second weighment, where both invoiced weight and weight of first weighment are available, the chargeable weight determined at the time of first weighment in terms of Para 2.1 above, will be taken into account for the comparison with results of second weighment.
- 2.4 In case of three or more sets of weighment details are available, the chargeable weight determined at the time of last but one weighment in terms of Para 2.1 and/or Para 2.2 above, will be taken into account for the comparison with results of last re-weighment.

3.0 EXEMPTION FROM WEIGHMENT

3.1 Commodities loaded in standard bags of uniform size

- (a) All consignments loaded in standard bags of uniform size is exempted from mandatory weighment at the weighbridges with a proviso that at least 5% of rakes should be subjected to weighment. This implies that wagons loaded with commodities like cement, food grains, fertilizers, sugar etc. (in standard bags of uniform size) are exempted from weighment. The term 'standard bags of uniform size' denotes all bags of standard size bags which are filled uniformly. While booking such consignment, the customer will

give a written undertaking in the forwarding note stating that the bags are standard bags of uniform size filled with uniform weight of commodity. However, the consignment loaded in non-standard bags or in loose conditions should continue to be subjected to 100% weighment, as per extant guidelines.

- (b) Random surprise checks should be conducted by Vigilance and Commercial Departments for rakes of bagged consignments. Orders for such checks should be given by Vigilance Officer in JAG grade and higher and by Commercial Officers in SAG and higher in addition to DRMs and GMs.
- (c) In case of dispute regarding Punitive Charge for overloading in respect of consignments loaded in standard sized bags, the number of bags in the wagons detected to be overloaded may be counted and the average weight of a bag determined by weighing a few bags on random basis at the destination point in the presence of the representatives of the consignor/consignee and two gazetted Railway Officers(out of which one should be from Commercial/Operating Department and the second should be randomly selected from any other department). Punitive Charge already raised may be revised based on the estimated payload determined in this manner with the approval of Sr. DCM of the Division of the destination point.

3.1.1 Container rake loaded with containers carrying standard bags of uniform size

Dispensation from mandatory (100%) weighment may be permitted in the case of container rake loaded with containers carrying 'standard bags of uniform size'. While booking, the operator will give a written undertaking in the forwarding note that the 'bags in the containers are standard bags of uniform size filled with uniform weight of commodity'. It may be ensured that no commodity in any form other than standard bags of uniform size is loaded in the rake. Random surprise weighment at EIMWBs may be conducted by Vigilance and/or Commercial Departments for container rakes of bagged consignment. Orders for such checks should be given by Vigilance Officer in SAG grade and higher and by Commercial Officers in SAG and higher, in addition to DRMs and GMs.

3.2 HR Coil and other Steel Consignments

HR Coil and other Steel Consignments which have been pre-weighed on certified mill-scales prior to getting loaded in Railway wagons and bear marking of Central Excise and/or Customs Department need not be subject to mandatory 100% weighment at EIMWBs. However, 5% of wagons loaded with such consignments may be weighed by way of sample checks.

However, HR Coil, CR Coil, HR Sheet, CR Sheet and other steel consignment weighed on certified Mill-scale, even if they do not bear any marking of Central Excise and/or Customs Deptt., need not be subject to mandatory (100%) weighment at EIMWBs when they are loaded with above-mentioned commodity as a pure rake or mixed rake, provided that weight of consignment is stenciled on each coil/sheet/steel consignment and it also

bears a label with remarks “Weighed on the Mill Scales certified by the Weights and Measures Department which is accepted for the SRP(Self Removal Procedure) by Central Excise and/or Customs Deptt. and all the statutory purposes”. The label should bear the name of company, manufacturing unit, name of weighing station/point, signature and stamp of the person authorized by the company to certify weighment with date. The customer will also provide the wagon-wise details of weight of the each coil/sheet/steel consignment loaded in a wagon to the goods clerk.

(Corrigendum No.3)

Goods clerk shall verify the weighment data submitted at the time of loading with the data submitted to the Central Excise and/or Customs Department every month. Such verification shall be done for at least 10% of the wagons loaded in a month. In case of any discrepancy in a wagon, then weight of entire rake will be taken into consideration for levying Punitive Charge as per extant guidelines. The punitive charge regimen will be the same that is applicable on a rake found overloaded after weighment at originating point but has not undergone load adjustment at the originating point itself. If overloading is detected, it shall lead to immediate withdrawal of exemption from weighment and rakes shall be subjected to weighment at EIMWB as per norms.

3.3 Containerized Import traffic

(Addendum No.4 & 7)

Exemption from mandatory(100%) weighment in case of containerized Import traffic is permitted to following container train operators(CTOs) subject to the fulfillment of conditions given below-

Name of CTOs

- Container Corporation of India Ltd.
- Gateway Rail Freight Ltd.
- Distribution Logistics Infrastructure Pvt. Ltd.
- Adani Logistics Ltd.
- International Cargo Terminals & Infrastructure Pvt. Ltd
- Hind Terminals Pvt. Ltd.
- India Infrastructure & Logistics Pvt. Ltd.
- Pristine Mega Logistics Park Pvt. Ltd.
- Pipavav Railway Corporation Ltd.
- DP World

Conditions

- (1) CTOs shall submit electronically, through Electronic Data Interchange (EDI), the train summary as well as the associated Sub Manifest Transshipment Permit (SMTP) in case of Import traffic. SMTPs (in XML format) shall separately be obtained directly by FOIS from Customs through EDI. Mapping of the containers as mentioned in SMTPs with the containers loaded in the relevant rake shall be done by

FOIS. In case SMTP details are not captured through EDI and goods clerk feeds them manually, the rake should be weighed by the Railway.

- (2) TMS shall prepare Railway Receipt (RR)/charge only as per weighment details received from Customs through EDI so as to rule out the technical possibility of any modification in weighment details of each container when received in TMS.
- (3) FOIS/CRIS shall monitor preparation of RR in case of containerized import traffic of above CTOs and furnish its feedback.

3.3.1 Dispensation from mandatory weighment in case of Nepal bound containerized import traffic.

Dispensation from mandatory weighment in case of Nepal bound containerized Import traffic may be permitted subject to the condition that **Private Container Operator(PCO)** will submit Custom's document to establish weight of containers alongwith Forwarding note and Goods clerk will capture the same in the system(FOIS/TMS). The weight of the container is to be added to the Custom's cargo data at the time of feeding of loading details. This procedure will be followed till EDI interface is fully established between Custom's server and **PCO's** server. Thereafter, the container details will be transmitted through EDI to FOIS.

(Addendum dt.02.09.2019; Corrigendum No.04)

3.3.2 Dispensation from weighment in case of empty containers

(Corrigendum No.13)

(Valid upto 14.04.2025)

Dispensation from weighment may be permitted in case of container rake loaded with empty containers on the basis of declaration given by the container operator that containers are empty while tendering Forwarding Note at the time of loading. Zonal Railway will conduct random checks on 5% of rakes. On detection of misdeclaration, penalty for misdeclaration will be levied as per extant guidelines. This will be in addition to Haulage Charge already paid for empty containers.

3.4 Petroleum/Metallurgical coke

Dispensation from mandatory (100%) weighment of wagon/rake loaded with Petroleum Coke and/or Metallurgical Coke may be permitted with a proviso that at least 5% of rakes should be subjected to weighment. While permitting this exemption, it may be ensured that no commodity in any form other than these commodities is loaded in the wagon/rake. However, on request of consignor, Zonal Railways may permit weighment of Petroleum Coke and/or Metallurgical Coke by levying Detention Charge @ Demurrage *(for detention of rake for additional time used, if any)* and Shunting Charge *(for usage of Railway loco, if any)* for such weighment. This permission may be given with the personal approval of PCCM and PCOM, with due consideration to operational feasibility, among other factors.

3.4.1 Dispensation from mandatory weighment in case of Nut Coke

(Addendum No.6 & Addendum No.8)

(Valid upto 14.12.2025)

Dispensation from mandatory weighment of wagon/rake loaded with Nut Coke may be permitted with a proviso that at least 5% of rakes should be subjected to weighment (where sample rake to be selected should be completely random) and as per the guidelines prescribed for Petroleum/Metallurgical coke vide Para 3.4.

3.5 Chuni and De-oiled Cake (DOC)

Chuni and De-oiled Cake (DOC) when loaded in covered wagons/rake may be exempted from mandatory (100%) weighment. While permitting this exemption, it may be ensured that no commodity in any form other than these commodities is loaded in the wagons/rake. Further, if Zonal Railway feels that any commodity needs exemption from mandatory (100%) weighment, they may conduct loadability trials and furnish their report/recommendation for consideration of Board.

3.6 Automobile Wagons loaded with Motor Vehicles

(Addendum No.5)

Exemption from mandatory weighment may be permitted in case of Automobile Wagons (e.g. NMG, NMGH, NMGHS, BCCNR, BCACM, BCACBM wagons etc) loaded with Motor Vehicles only. Zonal Railway will conduct random checks on 5% of rakes. While permitting this exemption, it may be ensured that no commodity other than these commodities is loaded in the wagons/rake. In case overloading is detected, Punitive Charge for overloading will be levied as per extant guidelines.

4.0 DESIGNED TARE WEIGHT OF WAGONS, PROCEDURE TO DEAL WITH WAGON(S) FOUND OVERLOADED AFTER WEIGHMENT AND LEVY OF DETENTION CHARGE ETC.

4.1 (a) **Design Tare Weight** – Designed tare weight of the wagons should be taken as the benchmark for reckoning of overloading in any wagon.

(b) Zonal Railways should prepare detailed operating procedure to ensure that whenever wagons are found to be abnormally overloaded beyond permitted limits at the originating point, load adjustment of such wagons is done at the originating point itself. However, if load adjustment is not feasible at originating point due to operational constraints, railway administration may permit load adjustment at nearby suitable location. The wagons shall be carried at a restricted speed upto such point where excess quantity may be unloaded or alternatively wagons are detached.

4.2 Detailed procedure should be issued by the General Manager of Zonal Railways for dealing with overloaded wagons found on rakes that are weighed en-route. For example, such wagons may be carried at a restricted speed upto a point where excess quantity may be unloaded or alternatively wagon detached. As overloading in wagon(s) affects safety, Zonal Railways are advised to take all necessary remedial measures to obviate instances of overloading.

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Condition	Weighment on weighbridge at originating point	Weighment on weighbridge at other than originating point
Gross overloading	<u>Punitive Charge</u> No punitive charge is leviable if the customer carries out load adjustment at the originating station itself.	<u>Punitive Charge</u> On detection of overloading at other than originating point, if customer carries out load adjustment at such point, Punitive Charge shall be levied for the distance travelled by the train hauling the wagon from the originating station to the load adjustment point. <i>(Corrigendum No.2)</i>
	<u>Punitive Charge</u> The wagons that had undergone load adjustment should be randomly re-weighed. The identification of rakes for random weighment should be done by PCCM in consultation with PCOM. If overloading is detected in the wagon(s) that had undergone load-adjustment, Punitive Charge of one lakh rupees per wagon shall be levied.	
	<u>Shunting Charge</u> If railway locomotive is utilized for load adjustment of overloaded wagons, Shunting Charge will be levied as per extant guidelines.	
	<u>Wharfage Charge</u> Wharfage Charge is leviable at off-loading points for the usage of Railway's wharf as per extant guidelines.	
	<u>Charges for unloading</u> If overloaded goods are unloaded by Railways during load adjustment, charges for such unloading should also be recovered.	

4.4 If party request for dispatch of offloaded consignment, such off loaded consignment is to be treated as fresh consignment and freight will be charged for such dispatch.

4.5 **Computation of Engine Haulage Charge and Wagon Detention Charge in case of colliery sidings located far away from the weighment point where overloaded wagon(s) have to be sent back to the collieries for adjustment after weighment:**

- (i) Railway should make maximum efforts for adjustment of overloaded wagon at the weighment point itself or at a subsequent point and Detention Charge may be levied as per extant rules.
- (ii) In case where it is inevitable to send back detached overloaded wagon(s) to the loading/adjustment point for adjustment of load in wagon and the remaining rake is moved to destination then the following methodology will be adopted for calculation of Engine Haulage Charge and Wagon Detention Charge:

Engine Haulage Charge: If Railway loco is utilized for sending back the overloaded wagon/wagons to the loading/adjustment point for load adjustment, Engine Haulage

Charge will be levied for the actual time required in hauling such wagons from weighment point to the loading/adjustment point. In case Railway loco is specifically brought from other station, then Engine Haulage Charge will be levied for the entire time period for bringing the Railway loco from that station to the loading/adjustment point. Engine Haulage Charge will be calculated on the basis of cost per Engine Hour and time period as mentioned above subject to a minimum of one hour.

Wagon Detention Charge: It will be levied on the entire rake from the time of completion of first weighment to the time of release of balance rake for onward journey after detachment of overloaded wagons. In addition, Detention Charge will also be levied on detached overloaded wagons from the time of detachment to the completion of load adjustment/final weighment. The Wagon Detention Charge is not waivable.

4.6 Guidelines in case of container traffic

- (i) In case of container traffic, Punitive Charge for overloading will be levied as per extant rules notified in Gazette Notification from time to time. For this purpose, notified PCC of container wagons as notified from time to time will be taken into account.
- (ii) In case of containers, Haulage Charge is levied per container basis whereas weighment will be per wagon basis carrying one or more containers. Also it will not be possible to weigh each and every container during weighment en-route. Therefore, for the purpose of calculation of punitive charge, the excess weight detected after weighment will be uniformly distributed on all the containers loaded on the wagon.
- (iii) In case, when Punitive Charges are to be levied at the highest Class rate, the highest Class as mentioned in Goods Tariff may be taken into account for calculation. Presently, the highest Class to be reckoned for the purpose of charging punitive charges for overloading is Class 200.
- (iv) In case, when Punitive Charge is leviable 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:-
 - (a) For containers loaded with commodity other than notified commodity, freight applicable to that commodity will be calculated as - “Freight Rate/tonne = Haulage Rate per TEU for ‘above 31T’/31tonne”
 - (b) For containers loaded with notified commodity (for which Haulage Charge is levied on the basis of Container Class Rate), freight rate applicable to that commodity will be the Container Class Rate applicable to that commodity. However, in case of wagon loaded with containers consisting of different notified commodities, Punitive Charge for overloading will be levied on the basis of highest Container Class Rate of the commodity which is loaded on that wagon. Further, if a wagon is loaded with the container which contains notified commodities and other container contains

commodity other than notified, then Punitive Charge for overloading will be levied on the basis of Container Class Rate of the notified commodity.

5.0 Rules regarding Punitive Charge for overloading

<p>Definitions.- In these rules, unless the context otherwise requires,-</p> <ul style="list-style-type: none"> (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) “Schedule” means the Schedule annexed to these rules; (e) Words and expressions user and not defined in these rules, but defined in the Act, shall have the meanings respectively assigned to them in the Act. <p>Punitive Charge for overloading.- Where the commodities are over-loaded in Railway wagon, the railway administration shall recover punitive charges as provided in Parts I, II 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 travelled by the train hauling the wagon from the originating station to the destination point, irrespective of the point of detection of overloading;</p> <p>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 originating point.</p>	<p><u>G.S.R. 570(E), dated the 17th July, 2012</u></p>
<p>Provided further that on detection of overloading at other than originating point, if customer carries out load adjustment at such point, Punitive Charge shall be levied for the distance travelled by the train hauling the wagon from the originating station to the load adjustment point.</p>	<p><u>G.S.R. 560(E), dated the 16th September, 2020</u></p>
<p>Notwithstanding anything contained in rule 3, if overloading is detected in the wagon(s) that had undergone load-adjustment by the consignors either directly or through their designated agencies, punitive charge of one lakh rupees per wagon shall be levied.</p>	<p><u>G.S.R. 898(E), dated the 17th December, 2012</u></p>

SCHEDULE (for loading on excepted CC+6, CC+6, CC+8 and 25 tonne axle load routes) Situation-A If the aggregated payload in a rake does not exceed the combined carrying capacity of the rake, the punitive charges shall be levied as per following, namely:-		<u>G.S.R. 570(E), dated the 17th July, 2012</u>
Part-I For wagons other than BCNHL, BCCW, BFNSM22.9, BCFC and BCFCM		
Extent of overloading	*Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity and loading tolerance of one tonne	<u>G.S.R.218(E) dated the 23rd March 2022</u>
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 four tonnes	Two times of the freight rate applicable to that commodity.	
(c) by more than four tonnes	Two and half times of the freight rate applicable to that commodity.	
*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 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.		<u>G.S.R.218(E) dated the 23rd March 2022</u>
Part II For BCNHL, BCCW, BFNSM22.9, BCFC and BCFCM wagons		
Extent of overloading	*Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity and loading tolerance of half tonne	<u>G.S.R.218(E) dated the 23rd March 2022</u>
If the weight of the commodity exceeds the permissible carrying capacity of wagon;		
(a) upto half tonne	Nil.	
(b) by more than half tonne but not more than three and half tonnes	Two times of the freight rate applicable to that commodity.	
(c) by more than three and half tonnes	Two and half times of the freight rate applicable to that commodity.	
*Explanation- It is hereby clarified that on the weight exceeding the permissible carrying capacity upto half 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 half tonne.		<u>G.S.R.218(E) dated the 23rd March 2022</u>

Part-III		
For container train		
Extent of overloading	*Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity and loading tolerance of one tonne	<u>G.S.R.218(E)</u> <u>dated the 23rd</u> <u>March 2022</u>
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 four tonnes	Two times of the freight rate applicable to that commodity.	
(c)by more than four tonnes	Two and half times of the freight rate applicable to that commodity.	
*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 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.		<u>G.S.R.218(E)</u> <u>dated the 23rd</u> <u>March 2022</u>
Situation-B		
If the aggregated payload in a rake exceeds the combined carrying capacity of the rake, the punitive charges shall be levied as per following, namely:-		<u>G.S.R.</u> <u>570(E).</u> <u>dated the 17th</u> <u>July, 2012</u>
Part-I		
For wagons other than BCNHL, BCCW, BFNSM22.9, BCFC and BCFCM		
Extent of overloading	*Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity	<u>G.S.R.218(E)</u> <u>dated the</u> <u>23rd March</u> <u>2022</u>
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 four tonnes	Three times of the freight rate applicable to that commodity.	
(c)by more than four tonnes	Four times of the freight rate applicable to that commodity.	
* 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 than one tonne, punitive charges shall be recovered for the entire weight of the commodity in excess of permissible carrying capacity.		<u>G.S.R.218(E)</u> <u>dated the</u> <u>23rd March</u> <u>2022</u>

Part II		
For BCNHL, BCCW, BFNSM22.9, BCFC and BCFCM wagons		
Extent of overloading	*Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity	<u>G.S.R.218(E) dated the 23rd March 2022</u>
If the weight of the commodity exceeds the permissible carrying capacity of wagon;		
(a)upto half tonne	Nil.	
(b)by more than half tonne but not more than three and half tonnes	Three times of the freight rate applicable to that commodity.	
(c)by more than three and half tonnes	Four times of the freight rate applicable to that commodity.	
* Explanation- It is hereby clarified that on the weight exceeding the permissible carrying capacity upto half 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 than half tonne, punitive charges shall be recovered for the entire weight of the commodity in excess of permissible carrying capacity.		<u>G.S.R.218(E) dated the 23rd March 2022</u>
Part-III		
For container train		
Extent of overloading	*Punitive charges leviable on the entire weight of commodity loaded in excess of permissible carrying capacity	<u>G.S.R.218(E) dated the 23rd March 2022</u>
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 four tonnes	Three times of the freight rate applicable to that commodity.	
(c)by more than four tonnes	Four times of the freight rate applicable to that commodity.	
* 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 than one tonne, punitive charges shall be recovered for the entire weight of the commodity in excess of permissible carrying capacity.		<u>G.S.R.218(E) dated the 23rd March 2022</u>

<p><u>G.S.R. 570(E), dated the 17th July, 2012</u> <i>“Where the commodities are over-loaded in Railway wagon, the railway administration shall recover punitive chargesfor the entire distance to be travelled by the train hauling the wagon from the originating station to the destination point,, 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 originating point”</i></p> <p><u>G.S.R. 560(E), dated the 16th September, 2020</u> <i>“Provided further that on detection of overloading at other than originating point, if customer carries out load adjustment at such point, Punitive Charge shall be levied for the distance travelled by the train hauling the wagon from the originating station to the load adjustment point.”</i></p> <p>It is clarified that both gazette notifications may be read together and Punitive Charge be levied from originating point to load adjustment point. This clarification is applicable from the date of issue of gazette notification G.S.R. 560(E), dated the 16th September, 2020.</p>	<p><u>Board's letter No.TC-I/2021/109/3 (3368295) dt.24.05.2022</u></p>
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6.0 Recovery of Punitive Charge for overloading

(Board's letter No.TC-I/2021/109/efile/1(3365542) dt.17.08.2022)

Provisions of the Railways Act 1989 and Indian Railway Commercial Manual mandates recovery of railway dues before delivery of goods, as under-

Section 73 of Railways Act 1989

“Punitive charge for overloading a wagon - Where a person loads goods in a wagon beyond its permissible carrying capacity as exhibited under sub-section (2) or sub-section (3), or notified under subsection (4), of section 72, a railway administration may, in addition to the freight and other charges, recover from the consignor, the consignee or the endorsee, as the case may be, charges by way of penalty at such rates, as may be prescribed, before the delivery of the goods....”

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“1820. Recovery of railway dues before delivery of goods- Before delivery of goods, it should be seen that all railway dues and other charges have been paid.”

7.0 Integration of weighbridge with FOIS – Procedure to capture weighment details in TMS/FOIS and modification thereof after load adjustment of overloaded wagon

(Rates Circular No.1 of 2019 and Addendum dt.28.03.2024)

Presently, where weighbridge are not linked with FOIS, wagon-wise weighment details are manually fed by Goods clerk in TMS/FOIS on the basis of weighment sheet generated from weighbridge. After load adjustment, if any, the weighment data is modified based on the load adjustment memo submitted by the customer.

In the case of integration of weighbridge with FOIS, following procedure shall be followed –

1. The weighment details of wagon(s) recorded by weighbridge shall be captured and digitally transferred in TMS/FOIS without any manual intervention.
2. In case overloading is detected at originating station/weighbridge location and if customer carries out load adjustment at originating station itself as per extant policy, before preparation of RR –
 - i) The Weighment Sheet generated at weighbridge shall continue to be made available to customer for purpose of carrying out load adjustment and preparation of load adjustment memo.
 - ii) A provision shall be made in TMS to enable the TMS user/Goods clerk to modify the ‘net weight of wagon after load adjustment’ in the TMS/FOIS on basis of ‘load adjustment memo’. A separate field provided in TMS/FOIS for entry of modified weight will be distinct from the ‘weighment details captured automatically from weighbridge’. RRs shall be prepared on basis of modified weighment details fed by TMS user, if any. Load adjustment memo number, date of weighment and weighbridge location shall also be captured in TMS/FOIS for all such cases of load adjustment.
 - ii) (a) After load adjustment of overloaded wagon, the task in TMS will allow wagon wise adjustment of the weight of consignment. Maximum net weight of consignment in a wagon will be the prescribed ‘Permissible Carrying Capacity (PCC) plus Loading Tolerance’ of such wagon. Freight will be charged for the net weight ‘PCC plus Loading Tolerance’, even if net weight of consignment after load adjustment is less than PCC of the wagon.”

(Addendum to Rates Circular No.1 of 2019)

ILLUSTRATION-

1. Say for BOXN : Designed Tare Weight - 22.48T ; PCC – 68.1T (on CC+8) ; Loading Tolerance - 01T , then maximum net weight permitted = 68.1+01=69.1T

<i>Net Weight after load adjustment as per Load Adjustment Memo</i>	<i>(current practice)</i>	<i>(Revised Guidelines) Weight for which Freight to be charged</i>
<i>68.1T or less</i>	<i>68.1T</i>	<i>69.1T</i>
<i>68.5T</i>	<i>68.5T</i>	<i>69.1T</i>
<i>69.1T</i>	<i>69.1T</i>	<i>69.1T</i>

2. Say for BOST : Designed Tare Weight – 25.5T ; PCC – 65.1T(on CC+8); Loading Tolerance - 01T , then maximum net weight permitted = 65.1+01 = 66.1T

<i>Net Weight after load adjustment as per Load Adjustment Memo</i>	<i>(current practice)</i>	<i>(Revised Guidelines) Weight for which Freight to be charged</i>
<i>65.1T or less</i>	<i>65.1T</i>	<i>66.1T</i>
<i>65.5T</i>	<i>65.5T</i>	<i>66.1T</i>
<i>66.1 T</i>	<i>66.1T</i>	<i>66.1T</i>

- iii) Both the weighment details, one received from weighbridge and that entered post load adjustment by TMS user, shall remain available and visible in TMS/FOIS.
 - iv) Original weighment details received from weighbridge, modified weighment details, 'Load adjustment memo' and concerned RRs shall be tagged to each other in TMS, and shall remain available for checks in form of MIS reports.
 - v) FOIS shall generate MIS report for such RRs with viewing rights to TMS users.
 - vi) Load Adjustment Memo and Weighment Sheet shall be attached with the copy of RR retained at originating station for record.
3. All other terms and condition shall remain unchanged.
4. Checks will be conducted to ensure that integration of weighbridge is working satisfactorily during joint inspection of weighbridge by Sr. Scale/JA grade officer of the division as per extant procedure, and modification therein from time to time.

8.0 System generated Weighment Sheet

(Board's letter No.TC-I/2021/109/efile/1(3365542) dt.10.06.2022)

It has been decided, in consultation with Mechanical Directorate of Railway Board, that wagon wise PCC may be shared from FOIS and weighment sheet may be generated through FOIS application alongwith overloading/under-loading details. Further, weighbridge software should not allow operators to edit either PCC or any other column.

9.0 Zonal Railways to ensure strict compliance of the following guidelines-

(Board's letter No.TC-I/2020/108/efile/1 dt.28.09.2020)

Member Finance(Railway Board) has desired for strict compliance of the following guidelines-

- i. All loading points must have notified associate weighbridges either at loading point or en-route.
- ii. FOIS connectivity is required to be made with the weighbridges and loading point/unloading point to avoid manual intervention and to ensure collection of punitive charge for overloading before delivery of consignment at the destination, as per Para 1820 of IRCM Vol-II.
- iii. PCC and Tare weight of wagons may be updated in the weighbridge software where integration with FOIS is established. This should be targeted item of work action needs to be taken so that physical supply of wagons matches with the RMS/TMS data.

- iv. Action may be initiated to rectify the consists (type of wagons a rake) in the system (as per physical type and sequence) in the yards located in respective Zones. Arrangements to hand over FOIS generated Vehicle Guidance to Crew from Major Exam points have been already implemented on SER. The same needs to be implemented in other Zonal Railways.
- v. CGS/station staff should prepare the vehicle guidance correctly giving the wagon type and number correctly as per sequence of the rake before placement of rake at loading point.
- vi. All privately owned weighbridges should be linked with FOIS at the cost of the party.
- vii. For weighment of traffic which cannot be weighed on the loading Railway's weighbridge due to loading station being close to Zonal inter-change point, a joint circular needs to be issued between concerned Zonal Railways.
- viii. In case of load adjustment of overloaded wagons at other than originating station, the details of load adjustment may be communicated to the originating station for billing of Detention Charge.
- ix. Weighment of all rakes, except where dispensation is permitted, may be ensured and its translation into financial terms.

10.0 Methodology for reckoning and collection of Detention Charge for load adjustment

(Board's letter No.TC-I/2021/109/3 (3368295) dt.02.07.2024)

(Board's letter No.TC-I/2020/108/efile/1dt.28. 09.2020)

- 1. Detention Charge for Load Adjustment should be calculated through the system (TMS/FOIS), under distinct name as "Detention Charge for Load Adjustment".
- 2. CRIS/FOIS will make provision in the system for feeding the time of placement of rake for load adjustment and time of completion of load adjustment, for automatic calculation of Detention Charge.
- 3. Division where load adjustment is carried out will be responsible for feeding the time of placement of rake for load adjustment and time of completion of load adjustment in the system. Sr.DCM will decide the location for feeding of such data in the system either at Commercial Control or at a suitable location having TMS/FOIS. The details of load adjustment may be communicated to the originating station for billing of Detention Charge.
- 4. Originating station will ensure collection of due Detention Charge for load adjustment. It should be collected in the concerned RR. In case RR has already been issued before completion of load adjustment, originating station will collect the charge from the customer either through E-payment system or Online Payment mode or conventional mode (Bank Draft etc.). This will also be applicable in the case of enroute weighment.