

भारत सरकार GOVERNMENT OF INDIA
रेल मंत्रालय MINISTRY OF RAILWAYS
(रेलवे बोर्ड RAILWAY BOARD)

No.TC-I/2020/109/SCR(3317495)

New Delhi, dt.03.10.2024

Pr. Chief Commercial Manager
Eastern Railway

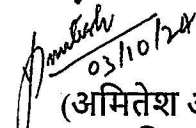
Sub: Punitive Charge when overloading is detected in a wagon that has undergone load adjustment

Ref: (i) Gazette Notification No.GSR.898(E) dated 17.12.2012
(ii) Para 4.3(iii) of Rates Master Circular/Weighment/2019/0
(iii) Board's letter No.TC-I/2020/109/SCR(3317495) dt.27.05.2022

Please refer to ER's letter No.C.368/0/Vol.XIII/BG(Weighment) dt.24.09.2024 seeking clarification regarding levy of freight, in addition to Punitive Charge, if overloading is detected in a wagon that has undergone load adjustment.

In this regard, a clarification has already been issued vide Board's letter No.TC-I/2020/109/SCR(3317495) dt.27.05.2022. Copy of the same is enclosed herewith.

DA: *as above*


03/10/24
(अमितेश आनंद)
संयुक्त निदेशक यातायात वाणिज्य (दर)
रेलवे बोर्ड

Copy to:

PCCM, All Zonal Railways (except ER)

भारत सरकार (GOVERNMENT OF INDIA)
रेल मंत्रालय (MINISTRY OF RAILWAYS)
(रेलवे बोर्ड) (RAILWAY BOARD)

No.TC-I/2020/109/SCR(3317495)

New Delhi, Dt.27.05.2022

Pr. Chief Commercial Manager,
ECoR

Sub: Punitive Charge when overloading detected after load adjustment.

Ref: (i) Gazette Notification No. G.S.R. 898 (E) dated 17.12.2012.

(ii) Rates Master Circular/Weighment/2019/0 .

Please refer to Sr. DCM/Khurda Road Division letter No.SDCM/KUR/Re-weighment dated 18.05.2022 seeking clarification regarding rules for Punitive Charge when overloading detected after load adjustment.

It is to clarify that when overloading is detected after load adjustment, the rules regarding Punitive Charge is leviable as per Gazette Notification G.S.R. 898 (E) dated 17.12.2012. This has also been prescribed vide Para 4.3 (iii) of Rates Master Circular/Weighment/2019/0, as under:-

"Punitive Charge

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."


(Anshoo Pandey)

Director, Traffic Commercial (Rates)
Railway Board

Copy to:

PCCM,

All Zonal Railways (except ECoR)



पूर्व तट रेलवे / East Coast Railway
खोरधा रोड मंडल /Khurda Road Division

कार्यालय/Office of the
मंडल रेल प्रबंधक (वाणिज्य)
Divisional Railway Manager (Comm)
खोरधा रोड / Khurda Road

संख्या/No. SDCM/KUR/Re-weighment/

दिनांक:/Dt. 18/05/2022

To
The Executive Director (Traffic Commercial Rates),
Ministry of Railway,
Railway Board,
New Delhi.

Sub: Clarification regarding collection of both punitive charge of 1 lakh and punitive charge (POL) for overloading of wagons upto destination in case of reweighment / 2nd weighment

Ref: Dy.CVO(T)/ECOR/BBS's letter No. GM/V-2/ECOR/Tfc/reweighment/MKB/21/3288, dtd- 30.12.2021.

1. Re-weighment of wagons may occur in two circumstances and the same is clarified, vide Railway Board letter No.TC-I/2014/108//4 Pt.I dt. 29/04/2019 as under:-
 - a. ".... the rakes, which have been weighed earlier, should be re-weighed only under special instructions of an authority not lower than DRM or under the instructions from officers of Vigilance department (SAG) and above."
 - b.the wagon(s) that had undergone load-adjustment by the consignor(s) either directly or through their designated handling agency should randomly be re-weighed. The identification of rakes for random weighment should be done by CCM in consultation with COM.

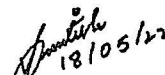
Railway Board vide letter No. TC-I/2020/109/SCR dt. 29/10/2020 has clarified that, after load adjustment, there is no provision for weighment. Only random weighment is to be carried out according to case (b) mentioned above. Therefore, first and second weighment are not relevant to a wagon that had undergone load adjustment.

2. Presently, rakes are being re-weighed as per orders of Vigilance Department for the rake that had undergone load adjustment.

Vide letter under reference, it has been advised to collect both POL charges (as per Rule 3 of Gazettee Notification No. 570(E) dt. 17/07/2012) and 1 lakh Punitive charges according to para 4 of Gazette Notification No. 898(E) dt. 17/12/2012 circulated vide Rates Circular No. 39 of 2012 which states that:

"Notwithstanding anything contained in Rule 3, if overloading is detected in wagon(s) that had undergone load-adjustment by the consignors either directly or through their designated agencies, punitive charge of 1 lakh rupees per wagon shall be levied."

3. In view of the above, it is requested to clarify levy of both Punitive Charges of 1 lakh rupees and POL charges in case of re-weighment done by Vigilance under case(a) for load adjusted rakes.


(अमितेश आनंद /Amitesh Anand)
वरिष्ठ मंडल वाणिज्य प्रबंधक
Sr. Divnl. Commercial Manager
खोरधा रोड /Khurda Road

Copy to:
CCM (FS)/ECOR/BBS – for kind information.