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Railways Act, 1989

Section 2 - Definitions

In this Act, unless the context otherwise requires.--

(1) "authorised" means authorised by a railway administration;

1 (1A) Authority means the Rail Land Development Authority constituted under section 4A

(2) "carriage" means the carriage of passengers or goods by a railway administration;

(3) "Claims Tribunal" means the Railway Claims Tribunal established under section 3 of the Railways Claims Tribunal Act, 1987;

(4) "classification" means the classification of commodities made under section 31 for the purpose of determining the rates to be charged for carriage of such commodities;

(5) "class rates" means the rate fixed for a class of commodity in the classification;

(6) "Commissioner" means the Chief Commissioner of Railway Safety or the Commissioner of Railway Safety appointed under section 5;

(7) "commodity" means a specific item of goods;

3[(7A) "competent authority" means any person authorised by the Central Government, by notification,

to perform the functions of the competent authority for such area as may be specified in the notification;]

(8) "consignee" means the person named as consignee in a railway receipt;

(9) "consignment" means goods entrusted to a railway administration for carriage;

(10) "consignor" means the person, named in a railway receipt as consignor, by whom or on. whose behalf goods covered by the railway receipt are entrusted to a railway administration for carriage;

(11) "demurrage" means the charge levied for the detention of any rolling stock after the expiry of free time, if any, allowed for such detention;

(12) "endorsee" means the person in whose favour an endorsement is made, and in the case of successive endorsements, the person in whose favour the last endorsement is made;

(13) "endorsement" means the signing by the consignee or the endorsee after adding a direction on a railway receipt to pass the property in the goods mentioned in such receipt to a specified person;

(14) "fare" means the charge levied for the carriage of passengers;

(15) "ferry" includes a bridge of boats, pontoons or rafts, a swing bridge; a fly-bridge and a temporary bridge and the approaches to, and landing places of, a ferry;

(16) "forwarding note" means the document executed under section 64;

(17) "freight" means the charge levied for the carriage of goods including transshipment charges, i t any;

(18) "General Manager" means the General Manager of a Zonal Railway appointed under section 4;

(19) "goods" includes--

(i) containers, pallets or similar articles of transport used to consolidate goods; and

(ii) animals;

(20) "Government railway" means a railway owned by the Central Government;

(21) "in transit", in relation to the carriage of goods by railway, means the period between the commencement and the termination of transit of such goods, and unless otherwise previously determined--

(a) transit commences as soon as the railway receipt is issued or the consignment is loaded, whichever is earlier;

(b) transit terminates on the expiry of the free time allowed for unloading of consignment from any rolling stock and where such unloading has been completed within such free time, transit terminates on the expiry of the free time allowed, for the removal of the goods from the railway premises;

(22) "level crossing" means an inter-section of a road with lines of rails at the same level;

(23) "luggage" means the goods of a passenger either carried by him in his charge or entrusted to a railway administration for carriage;

(24) "lump sum rate" means the rate mutually agreed upon between a railway administration and a consignor for the carriage of goods and for any service in relation to such carriage;

(25) "non-Government railway" means a railway other than a Government railway;

(26) "notification" means a notification published in the Official Gazette;

2 [(26A) "officer authorised" means an officer authorised by the Central Government under sub-section (2) of section 179]

(27) "parcel" means goods entrusted to a railway administration for carriage by a passenger or a parcel train;

(28) "pass" means an authority given by the Central Government or a railway administration to a person allowing him to travel as a passenger, but does not include a ticket;

(29) "passenger" means a person traveling with a valid pass or ticket;

3[(29A) "person interested" includes, --

(i) all persons claiming an interest in compensation to be made on account of the acquisition of land under this Act;

(ii) tribals and other traditional forest dwellers, who have lost any traditional rights recognised under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006(2 of 2007);

(iii) a person interested in an easement affecting the land; and

(iv) persons having tenancy rights under the relevant State laws;]

(30) "prescribed" means prescribed by rules made under this Act;

(31) "railway" means a railway, or any portion of a railway, for the public carriage of passengers or goods, and includes--

(a) all lands within the fences or other boundary marks indicating the limits of the land appurtenant to a railway;

(b) all lines of rails, sidings, or yards, or branches used for the purposes of, or in connection with, a railway;

(c) all electric traction equipments, power supply and distribution installations used for the purposes of, or in connection with, a railway;

(d) all rolling stock, stations, officers, warehouses, wharves, workshops, manufactories, fixed plant and machinery, roads and streets, running rooms, rest houses, institutes, hospitals, water works and water supply installations, staff dwellings and any other works constructed for the purpose of, or in connection with, railway;

(e) all vehicles which are used on any road for the purposes of traffic of a railway and owned, hired or worked by a railway; and

(f) all ferries, ships, boats and rafts which are used on any canal, river, lake or other navigable inland waters for the purposes of the traffic ofa railway and owned, hired or worked by a railway administration, but does not include--

(i) a tramway wholly within a municipal area; and

(ii) lines of rails built in any exhibition ground, fair, park, or any other place solely for the purpose of recreation;

(32) "railway administration", in relation to--

(a) a Government railway, means the General Manager of a Zonal Railway; and

(b) a non-Government railway, means the person who is the owner or essee of the railway or the person working the railway under an agreement;

(33) "railway receipt" means the receipt issued under section65;

(34) "railway servant" means any person employed by the Central Government or by a railway administration in connection with the service of a railway 2 [including member of the Railway Protection

Force appointed under clause (c)of sub-section (1) of section 2 of the Railway Protection Force Act, 1957(23 of 1957)] ;

(35) "rate" includes any fare, freight or any other charge for the carriage of any passenger or goods;

(36) "regulations" means the regulations made by the Railway Rates Tribunal under this Act;

(37) "rolling stock" includes locomotives, tenders, carriages, wagons, rail-cars, containers, trucks, trolleys and vehicles of all kinds moving on rails;

3[(37A) "special railway project" means a project, notified as such by the Central Government from time

to time, for providing national infrastructure for a public purpose in a specified time-frame, covering one or more States or the Union territories;]

(38) "station to station rate" means a special reduced rate applicable to a specific commodity booked between specified stations;

(39) "traffic" includes rolling stock of every description, as well as passengers and goods;

(40) "Tribunal" means the Railway Rates Tribunal constituted under section 33;

(41) "wharfage" means the charge levied on goods for not removing them from the railway after the expiry of the free time for such removal;

(42) "Zonal Railway" means a Zonal Railway constituted under section 3.

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1. Inserted vide Railway Amdt Act, 2005

2. Inserted by Railways (Second Amendment) Act, 2003.

3. Inserted by the Railways (Amendment) Act, 2008 w.e.f 31st day of January, 2008.

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