

Railways Act, 1989

Section 17 - Power of Owner, Occupier, State Government or Local Authority to Cause Additional Accommodation Works to Be Made

(1) If an owner or occupier of any land affected by a railway considers the works made under section 16 to be insufficient for the use of the land, or if the State Government or a local authority desires to construct a public road or other work across, under or over a railway, such owner or occupier, or, as the case may be, the State Government or the local authority may, at any time, require the railway administration to make at the expense of the owner or occupier or of the State Government or the local authority, as the case may be, such further accommodation works as are considered necessary and are agreed to by the railway administration.

(2) The accommodation works made under sub-section (1) shall be maintained at the cost of the owner or occupier of the land, the State Government or the local authority, at whose request the works were made.

(3) In the case of any difference of opinion between the railway administration and the owner or occupier, the State Government or the local authority, as the case may be, in relation to--

(i) the necessity of such further accommodation works ; or

(ii) the expenses to be incurred on the construction of such further accommodation works; or

(iii) the quantum of expenses on the maintenance of such further accommodation works,

it shall be referred to the Central Government whose decision thereon shall be final.
