

The Railways (Disposal of Goods not Removed from Notified Railway Stations) Rules, 1990¹

In exercise of the powers conferred by sub-section (1) of Section 92 of the Railways Act, 1989 (24 of 1989), read with Section 22 of the General Clauses Act, 1897 (10 of 1897) the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Railways (Disposal of Goods not Removed from Notified Railway Stations) Rules, 1990.

(2) They shall come into force on the date² of commencement of the Act.

2. Definitions.—In these rules, unless the context otherwise requires,—

(a) “Act” means the Railways Act, 1989 (24 of 1989).

(b) “Form” means a form set out in the Schedule.

(c) “Schedule” means the Schedule to these rules.

(d) “Section” means a section of the Act.

3. Form and manner in which an application may be made under sub-section (2) of Section 89.—If any person delivering to a railway administration any goods to be carried to a notified station desires that the railway administration should intimate the arrival of the goods at the notified station, he shall along with the Forwarding Note make an application in the Form I, along with necessary postage charges.

4. Form in which a statement is to be exhibited.—The Statement required to be exhibited at a conspicuous place in the notified station under sub-section (3) of Section 89 shall be in Form II.

5. Manner in which dates of public auction to be notified.—(1) Whenever it is proposed to sell any goods by public auction under sub-section (1) of Section 90, the railway administration shall notify the date on which such auction shall be held.

(2) Whenever such auctions are to be held regularly at a notified station, it shall be enough if the days on which such auctions shall be held are fixed and published in one or more local newspapers.

(3) The notification in the newspapers shall also indicate the time and place of such auction and mention that the particulars of the goods proposed to be sold by public auction are exhibited on the notice-board in the goods shed or any other place to be specified.

1. *Vide* GSR 554(E), dated 7th June, 1990, published in the Gazette of India, Extra., Part II, Section 3(i), dt. 7-6-1990.

2. Act came into force w.e.f. 1-7-1990.

FORM I]

(4) Whenever such auction is to be held occasionally, in addition to the particulars mentioned in sub-rules (2) and (3), the auction notice shall also broadly indicate the types of commodities proposed to be sold by auction.

(5) The date of every such auction shall be published in one or more local newspapers at least three days in advance of the date of auction (excluding the date of sale).

6. Manner of crediting the price of essential commodities referred in sub-clause (iii) of clause (a) of the proviso to sub-section (3) of Section 90.— Whenever any goods comprising of essential commodities are transferred to the Central Government or the State Government or to any agency, co-operative society or other person under sub-section (2) of Section 90, the price payable for such goods under the Act shall be paid to the railway administration in the following manner,—

- (a) if such goods are transferred to the State Government or the Central Government, the payment may be made either by cash, bank draft, cheque, credit note in the same manner as the railway freight is paid by such Government, or in any other manner as may be agreed to between the railway administration and the Government concerned;
- (b) if such goods are transferred to any agency or co-operative society or other person, under the direction of the Government, the payment may be made in cash or any other mode authorised by the railway administration for payment of freight by such agency or co-operative society or other person or in any other manner as may be agreed to between the railway administration and such agency or co-operative society or other person.

SCHEDULE

FORM I

[See Rule 3]

Application for intimating the arrival of goods at notified station

To

The.....

.....

(Booking station)

I have separately submitted a Forwarding Note for booking goods, the particulars of which are given below:

Name of the Consignor

Station from

Station to.....

No. of articles and description of goods.

2. It is requested that the intimation about the arrival of the goods at the destination station, which is a notified station, may be given by registered post, to the person whose name and address are given below:

Name

Address.....

Signature of sender or his agent.

FORM II

[See Rule 4]

*The statement of goods liable to be sold by public auction under sub-section (3)
of Section 89 of the Railways Act, 1989, to be exhibited at a notified station*

| Serial Number | Name of the consignor | Name of the consignee (if known) |
|----------------------------|--------------------------|----------------------------------|
| Booking particulars | | |
| Station from | Station to | Invoice No. and date |
| Description of goods | Date of arrival of goods | Date of Auction |