

# ACT No. XIV OF 1930.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 26th March, 1930.)

**An Act further to amend the Indian Railways Act, 1890, for certain purposes.**

WHEREAS it is expedient further to amend the Indian Railways Act, 1890, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. (1) This Act may be called the Indian Railways (Amendment) Act, 1930. Short title and commencement.

(2) This section shall come into force at once; and the Governor General in Council may, by notification in the Gazette of India, direct that the other provisions of this Act shall come into force in respect of any railway on such date as he may by the notification appoint.

2. After Chapter VI of the Indian Railways Act, 1890, the following Chapter shall be inserted, namely:— Insertion of new Chapter VIA in Act IX of 1890.

## “ CHAPTER VIA.

### *Limitation of employment of railway servants.*

71A. In this Chapter, unless there is anything repugnant in the subject or context,— Definitions.

(a) the employment of a railway servant is said to be ‘essentially intermittent’ when it has been declared to be so by the authority empowered in this behalf, on the ground that it involves long periods of inaction; during which the railway servant is on duty but is not called upon to display either physical activity or sustained attention; and

(b) except in section 71B, a ‘railway servant’ means a railway servant to whom this Chapter applies.

71B. This Chapter applies only to such railway servants or classes of railway servants as the Governor General in Council may, by rules made under section 71E, prescribe; Application of Chapter VIA.

71C. (1) A

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Price 1 anna or 1½d.]

Limitation of  
hours of work.

71C. (1) A railway servant, other than a railway servant whose employment is essentially intermittent, shall not be employed for more than sixty hours a week on the average in any month.

(2) A railway servant whose employment is essentially intermittent shall not be employed for more than eighty-four hours in any week.

(3) Subject to rules made under section 71E, temporary exemptions of railway servants from the provisions of sub-section (1) and sub-section (2) may be made—

(a) when such temporary exemptions are necessary to avoid serious interference with the ordinary working of the railway, in cases of accident, actual or threatened, or when urgent work is required to be done to the railway or to rolling-stock, or in any emergency which could not have been foreseen or prevented; and

(b) in cases of exceptional pressure of work not falling within the scope of clause (a):

Provided that a railway servant exempted under clause (b) shall be paid for overtime at not less than one and a quarter times his ordinary rate of pay.

Grant of periodical rest.

71D. (1) A railway servant shall be granted, each week commencing on Sunday, a rest of not less than twenty-four consecutive hours:

Provided that this sub-section shall not apply to a railway servant whose employment is essentially intermittent, or to a railway servant to whom sub-section (2) applies.

(2) The Governor General in Council may, by rules made under section 71E, specify the railway servants or classes of railway servants to whom periods of rest may be granted on a scale less than that laid down in sub-section (1), and may prescribe the periods of rest to be granted to such railway servants.

(3) Subject to rules made under section 71E, temporary exemptions from the grant of periods of rest may be made in the cases or circumstances specified in sub-section (3) of section 71C:

Provided that a railway servant shall, as far as may be possible, be granted compensatory periods of rest for the periods he has foregone.

71E. (1) The

71E. (1) The Governor General in Council may make <sup>Power to make rules.</sup> rules—

- (a) prescribing the railway servants or classes of railway servants to whom this Chapter shall apply;
- (b) prescribing the authorities who may declare that the employment of any railway servant or class of railway servants is essentially intermittent;
- (c) specifying the railway servants or classes of railway servants to whom sub-section (2) of section 71D shall apply;
- (d) prescribing the authorities by whom exemptions under sub-section (3) of section 71C or sub-section (3) of section 71D may be made;
- (e) providing for the delegation of their powers by the authorities prescribed under clause (d); and
- (f) providing for any other matter which is to be provided for by rules or which the Governor General in Council may deem to be requisite for carrying out the purposes of this Chapter.

(2) Such rules shall be subject to the provisions of section 143.

71F. Nothing in this Chapter or the rules made thereunder shall authorise a railway servant to leave his duty where due provision has been made for his relief, until he has been relieved. <sup>Railway servant to remain on duty.</sup>

71G. (1) The Governor General in Council may appoint <sup>Supervisors of Railway Labour.</sup> persons to be Supervisors of Railway Labour.

(2) The duties of Supervisors of Railway Labour shall be—

- (a) to inspect railways in order to determine if the provisions of this Chapter and of the rules made thereunder are duly observed, and
- (b) such other duties as the Governor General in Council may prescribe.

(3) A Supervisor of Railway Labour shall be deemed to be an Inspector for the purposes of sections 5 and 6.

71H. Any person under whose authority any railway servant is employed in contravention of any of the provisions of this Chapter or of the rules made thereunder shall be punishable with fine which may extend to five hundred rupees. <sup>Penalty.</sup>