

THE INDIAN RAILWAYS (AMENDMENT) ACT, 1962

NO. 7 OF 1962

[30th March, 1962]

An Act further to amend the Indian Railways Act, 1890.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. This Act may be called the Indian Railways (Amendment) Act, 1962. Short title.

9 of 1890. 2. In section 82A of the Indian Railways Act, 1890 (hereinafter referred to as the principal Act), in sub-section (2), for the words "ten thousand rupees", the words "twenty thousand rupees" shall be substituted. Amendment of section 82A.

3. For section 82H of the principal Act, the following section shall be substituted, namely:— Substitution of new section for section 82H.

8 of 1923. "82H. (1) The right of any person to claim compensation under section 82A shall not affect the right of any such person to recover compensation payable under the Workmen's Compensation Act, 1923 or any other law for the time being in force; but no person shall be entitled to claim compensation more than once in respect of the same accident. Saving as to certain rights.

(2) Nothing in sub-section (1) shall affect the right of any person to claim compensation payable under any contract or scheme providing for payment of compensation for death or personal injury or for damage to property or any sum payable under any policy of insurance."

4. In section 126 of the principal Act, for the words "with transportation for life or with imprisonment for a term which may extend to ten years", the following shall be substituted, namely:— Amendment of section 126.

"with imprisonment for life or with rigorous imprisonment for a term which may extend to ten years:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, where a person is punished with rigorous imprisonment, such rigorous imprisonment shall,—

(a) in the case of a first conviction, be not less than three years, or

(b) in the case of a subsequent conviction, be not less than seven years."

Amendment of section 127. 5. In section 127 of the principal Act, for the words "transportation for life", the words "imprisonment for life" shall be substituted.

Amendment of section 128. 6. In section 128 of the principal Act, for the words "with imprisonment for a term which may extend to two years", the following shall be substituted, namely:—

"with imprisonment for a term which may extend to five years:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such imprisonment shall,—

(a) in the case of a first conviction, be not less than six months, or

(b) in the case of a subsequent conviction, be not less than two years."