

Bill No. 129 of 2022

THE RAILWAYS (AMENDMENT) BILL, 2022

By

DR. ALOK KUMAR SUMAN, M.P.

A

BILL

further to amend the Railways Act, 1989.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Railways (Amendment) Act, 2022.

Short title and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

24 of 1989.

2. After section 24 of the Railways Act, 1989, the following section shall be inserted, namely:—

Insertion of new
section 24A.

10

“24A. Notwithstanding anything contained in sections 22, 23 and 24 of the Act, the Central Government may, by notification, sanction the running or extension or diversion of super fast trains *via* Thawe junction in the State of Bihar by approving the proposal received from the Railway Division of the North-Eastern Region and extension of train no. 22411/22412 (Arunachal Express) *via* route Siwan-Thawe-Kaptanganj-Gorakhpur.”.

Special
Provisions of
railway at Thawe
junction in the
State of Bihar.

STATEMENT OF OBJECTS AND REASONS

The section of Varanasi division of North-Eastern Railway which comprises Thawe-Gopalganj junction is facing number of challenges and disadvantage due to non-availability of superfast trains for various metropolitan cities of the country. To overcome such difficulties and to make railway connectivity from this neglected section by providing the train facilities would certainly provide ample revenue to railways.

At Thawe junction in the Thawe-Gopalganj section, there is one of the most important and reverable religious peeth. Seeing the rush of pilgrims during normal days and huge rush during auspicious days, and considering the fact that this area is the native to lakhs of migrant labours who are working in different parts of country, especially, NCR and the States of Haryana, Punjab, J&K, Gujarat, Maharashtra, Rajasthan, Karnataka, Tamil Nadu, Kerala, West Bengal, Assam, Arunachal Pradesh etc., the train facilities to this junction is must. Apart from the above, people of this area depends on bigger cities of country for any specialized medical facilities and education too. This section/area does not have any direct train for Delhi or any other metropolitan cities.

The Bill, therefore, seeks to amend the Railways Act, 1989 with a view to implement the proposal of North-Eastern Railway once received for approval without any further delay to augment the train services to cater the need of the neglected Thawe Junction which is a long awaited demand of lakhs of people of the various districts of the State of Uttar Pradesh and Bihar.

Hence this Bill.

NEW DELHI;
1 July, 2022.

ALOK KUMAR SUMAN

FINANCIAL MEMORANDUM

Clause 2 of the Bill *vide* proposed section 24A seeks to provide diversion or extension of the superfast trains *via* Thawe junction by giving the approval of the proposal received from the railway division of the North-Eastern Region. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is likely to involve an annual recurring expenditure of about rupees two hundred crore from the Consolidated Fund of India.

A non-recurring expenditure of about rupees three hundred crore is also likely to be involved.

ANNEXURE

EXTRACTS FROM THE RAILWAYS ACT, 1989

* * * * *

Sanction of the Central Government to the opening of railway.

21. No railway shall be opened for the public carriage of passengers until the Central Government has, by order, sanctioned the opening thereof for that purpose.

Formalities to be complied with before giving sanction to the opening of a railway.

22. (1) The Central Government shall, before giving its sanction to the opening of a railway under section 21, obtain a report from the Commissioner that—

(a) he has made a careful inspection of the railway and the rolling stock that may be used thereon;

(b) the moving and fixed dimensions as laid down by the Central Government have not been infringed;

(c) the structure of lines of rails, strength of bridges, general structural character of the works and the size of, and maximum gross load upon, the axles of any rolling stock, comply with the requirements laid down by the Central Government; and

(d) in his opinion, the railway can be opened for the public carriage of passengers without any danger to the public using it.

(2) If the Commissioner is of the opinion that the railway cannot be opened without any danger to the public using it, he shall, in his report, state the grounds therefor, as also the requirements which, in his opinion, are to be complied with before sanction is given by the Central Government.

(3) The Central Government, after considering the report of the Commissioner, may sanction the opening of a railway under section 21 as such or subject to such conditions as may be considered necessary by it for the safety of the public.

Sections 21 and 22 to apply to the opening of certain works.

23. The provisions of sections 21 and 22 shall apply to the opening of the following works if they form part of, or are directly connected with, a railway used for the public carriage of passengers and have been constructed subsequent to the giving of a report by the Commissioner under section 22, namely:—

(a) opening of additional lines of railway and deviation lines;

(b) opening of stations, junctions and level crossings;

(c) re-modelling of yards and re-building of bridges;

(d) introduction of electric traction; and

(e) any alteration or reconstruction materially affecting the structural character of any work to which the provisions of sections 21 and 22 apply or are extended by this section.

Temporary suspension of traffic.

24. When an accident has occurred on a railway resulting in a temporary suspension of traffic, and either the original lines of rails and works have been restored to their original standard or a temporary diversion has been laid for the purpose of restoring communication, the original lines of rails and works so restored, or the temporary diversion, as the case may

be, may, without prior inspection by the Commissioner, be opened for the public carriage of passengers, subject to the following conditions, namely:—

(a) the railway servant incharge of the works undertaken by reason of the accident has certified in writing that the opening of the restored lines of rails and works, or of the temporary diversion will not in his opinion be attended with danger to the public; and

(b) a notice of the opening of the lines of rails and works or the diversion shall be sent immediately to the Commissioner.

* * * * *

LOK SABHA

A

BILL

further to amend the Railways Act, 1989.

(Dr. Alok Kumar Suman, M.P.)