

AS PASSED BY THE RAJYA SABHA
ON THE 22ND DECEMBER, 2011

Bill No. LXIX-C of 2008

THE RAILWAY PROPERTY (UNLAWFUL POSSESSION)
AMENDMENT BILL, 2011

(AS PASSED BY THE RAJYA SABHA)

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BILL

to amend the Railway Property (Unlawful Possession) Act, 1966.

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

1. (1) This Act may be called the Railway Property (Unlawful Possession) Amendment Act, 2011.

Short title and
commence-
ment.

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

29 of 1966. 2. In the Railway Property (Unlawful Possession) Act, 1966 (hereinafter referred to as the principal Act), in section 3,—

Amendment
of section 3.

10 (i) for the marginal heading, the following marginal heading shall be substituted, namely:—

“Penalty for theft, dishonest misappropriation or unlawful possession of railway property.”;

15 (ii) for the words “Whoever is found, or is proved”, the words “Whoever commits theft, or dishonestly misappropriates or is found, or is proved” shall be substituted;

(iii) after clause (b), the following *Explanation* shall be inserted, namely:—

“*Explanation.*—For the purposes of this section, “theft” and “dishonest misappropriation” shall have the same meanings as assigned to them respectively in section 378 and section 403 of the Indian Penal Code.”. 45 of 1860.

Amendment
of section 4.

3. In section 4 of the principal Act,— 5

(i) for the marginal heading, the following marginal heading shall be substituted, namely:—

“Punishment for abetment, conspiracy or connivance at offences.”;

(ii) for the words “Any owner”, the words “Whoever abets or conspires in the commission of an offence punishable under this Act, or any owner” shall be substituted. 10

(iii) the following *Explanation* shall be inserted, namely:—

“*Explanation.*—For the purposes of this section, the words “abet” and “conspire” shall have the same meanings as assigned to them respectively in sections 107 and 120A of the Indian Penal Code.”. 45 of 1860.

Amendment
of section 8.

4. In section 8 of the principal Act,— 15

(i) for the marginal heading, the following marginal heading shall be substituted, namely:—

“Inquiry how to be made.”;

(ii) in sub-section (I), for the words “When any person is arrested”, the words “When an officer of the Force receives information about the commission of an offence punishable under this Act, or when any person is arrested” shall be substituted. 20

RAJYA SABHA

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(As passed by the Rajya Sabha)