

PART D.—THE INDIAN RAILWAYS ACT, 1950

Magistrates should give precedence to Railway prosecutions in cases of the kind under notice and should dispose of them as early as possible at the sitting of the Court on each day on which there happen to be any fixed for hearing. A Magistrate should, except on Sundays and gazetted public holidays, be always available and sitting in Court during proper hours to take up such cases.

Priority to Railway cases.

2. The Railway Police should, in non-cognizable cases taken up under section 132 of the Indian Railways Act, in which the accused person has been released on security (and in which it would cause inconvenience to refer to the Magistrate in the first instance to fix a date), at once fix and inform the accused person and witnesses of the date on which their attendance will be required before the Magistrate.

Police to fix the first date and inform accused and witnesses.

3. Whenever it is possible to do so, without causing serious inconvenience, the Railway Police authorities should request the Magistrate to fix a date and to inform those whose attendance is required accordingly.

Magistrate may fix date in certain cases.

4. As a general rule and where no special reasons exist to the contrary, Railway Police cases should be tried at the headquarters of districts or sub-divisions or at places within easy access from the Railway Line.

Cases to be tried at headquarters or other places within easy access from the Railway line.

5. All money recovered by Courts as excess fares under sections 112, 113 and 115 of the Act should be paid into the Treasury to be credited to the Railways Department through the Exchange Accounts and intimation sent to the Audit Department of the Railways Administration concerned. In no case should any money be paid to the party representing the Railways in Court.

Money recovered to be credited in the Treasury.