

## 111. THE AUTHORISATION OF RAILWAY TRAVELLER'S SERVICE AGENTS RULES, 1985<sup>1</sup>

In exercise of the powers conferred by Clause (g) of sub-section (1) of Section 47 of the Indian Railways Act, 1980 (9 of 1890) the Central Government hereby makes the following rules, namely

**1. Short title and commencement.**—(1) These rules may be called the Authorisation of Railway Traveller's Service Agents Rules, 1985.

(2) They shall come into force on the date of their publication in the official Gazette.

**2. Definitions.**—In these rules, unless the context otherwise requires,—

- (a) "*agent*" means a person authorised to act as a rail travellers' service agent under Rule 4 and shall include an employee of such person to whom an identity card under Rule 5 (viii) has been issued;
- (b) "*licence*" means a licence issued under Rule 4;
- (c) "*competent authority*" means the Central Manager of the Zonal Railway or any officer authorised by him to discharge his function under these rules; and
- (d) "*station*" means the area within which the main railway station and the Reservation Booking Officers pertaining to a railway are situated such as New Delhi and Old Delhi areas together for Northern Railway, Sealdah and Howrah for Eastern and South Eastern Railways, Bombay for Western Central Railways and Madras for the Southern Railway.

**3. Conditions for appointment of an agent.**—

- (i) in possession of the latest income tax clearance certificate;
  - (ii) having office and premises properly maintained with adequate convenience and amenities in the city so as to accommodate visit of sufficient number of customers; and
  - (iii) not convicted in a criminal case involving moral turpitude,
- may apply for issue of a licence under Rule 4 to act as an agent.

(2) The fees on payment of which the licence shall be issued or renewed shall be Rs. 1,200 and Rs. 600 for any additional licence for a Railway in the same station.

(3) The security deposit on furnishing of which the licence shall be issued or renewed shall be Rs. 5,000 in cash and bank guarantee for Rs. 15,000. There shall be no accrual of interest on the said deposit.

1. S.O. 881 (E), dated 5th December, 1985, published in Gazette of India (Extra) Part II, Section 3 (ii), dated 5th December, 1985.



(4) The number of agents for each station and railway shall be such as may be determined by the competent authority.

**4. Issue of a licence.**—(1) An application for issue of a licence shall be made to the competent authority in Form I (Annexed).

(2) On receipt of an application, the competent authority after making such inquiry, if any, as it may consider necessary, shall order to issue the licence authorising the applicant to act as a rail travellers' service agent or for reasons to be recorded in writing refuse to issue the same.

(3) If the applicant deposits fee specified in sub-rule (2) of Rule 3 and furnishes security deposit under sub-rule (3) of Rule 3 within a period of one month from the date on which the competent authority requires him to deposit fee and furnish security, he shall be issued the licence in Form II (Annexed).

(4) If an applicant fails to deposit the fee and furnish the security within the period specified in sub-rule (3), his application shall be deemed to have been rejected.

**5. The condition on which the licence may be granted.**—The licence issued under Rule 4 shall be subject to the following conditions, namely,—

- (i) the licence shall be valid for a period of three years from the date of its issue;
- (ii) the licence shall not be transferable;
- (iii) the agent shall not charge more than Rs. 15 per passenger as service charges for securing reservation in classes other than second class <sup>1</sup>[and Rs. 10 in the second class), but in case, where the reservation for more than one passenger is secured on the same requisition slip, the service charges shall not exceed Rs. 8 per passenger in excess of the first passenger in the case of classes other than second class and Rs. 5 per passenger for second class;
- (iv) the agent shall conduct the business himself or through his employee approved by the competent authority for this purpose;
- (v) the licence and the service charges shall be displayed at a conspicuous place of business;
- (vi) a receipt showing money received from his client for purchase of tickets, reservation charges and service charges separately shall be issued by the agent;
- (vii) a register showing names, sex, age and address of his employee shall be maintained by the agent;
- (viii) an identity card with a photograph countersigned by the competent authority for purchase of tickets and securing reservation shall be issued by the agent to each of his employees;
- (ix) the purchase of tickets and securing of reservation by the agent shall be on a written request from his client. In case the agent

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1. Subs. by S.O. 331 (E), dated 1.7.1992.



- acts on a telephone call, a written request shall be obtained by him from the client before delivering the railway ticket to his client;
- (x) a register indicating the name, sex, age, address and journey particulars together with ticket number of his clients shall be maintained by the agent;
  - (xi) a request for reservation by the agent or his employee shall be made on a reservation requisition form indicating the licence number and its validity period. The requisition form shall be signed by the agent or his employee and shall be presented with his identity card. Not more than one requisition from shall be presented by the agent or his employee at a time;
  - (xii) there shall be no canvassing for booking and reservation by the agent or any person on his behalf within the railway premises and within the distance of 100 metres from the railway reservation office;
  - (xiii) the competent authority or an officer authorised by him shall be allowed access to the premises and records any time during the business hours by the agents who shall renders all necessary assistance for inspection; and
  - (xiv) no requisition for the purchase of tickets or reservations where round-the-clock counters are functioning shall be entertained from the agent or his employee between the hours of midnight and 7 a.m.

**6. Suspension/Cancellation of the Licence.**—(a) Without prejudice to any other provisions under the Indian Railways Act, 1890 and these rules the competent authority shall have the right to suspend or cancel at any time the licence for violation of or for ceasing to fulfil any of the conditions under these rules or any other rules or regulation applicable with regard to purchase of ticket and securing reservation or for any other reason which the competent authority deems to be expedient in the public interest :

Provided that no action under this rule shall be taken unless an opportunity to show cause is given to the agent.

(b) Any breach of these rules shall also be liable to attract punishment as laid down in Section 47(2) of the Indian Railways Act, 1890.

**7. Renewal of licence.**—A licence shall, unless the competent authority for reasons to be recorded in writing otherwise decides in any case be renewable for three years and shall be so renewable from time to time and the provisions of Rule 4 shall apply to the renewal of the licence as they apply to the grant thereof.

**8. Utilisation of Security Deposit.**—Where the regents fails to perform the service for his client and refuses to refund the amount charged by him, the competent authority shall in addition to any other action taken under these rules, utilise the amount of security deposited under sub-rule (3) of Rule 3 for refund of the amount charged by the agent from his clients.

**9. Appeal.**—(1) An appeal shall lie against every order of the competent authority made under these rules to the Central Government.

(2) The appeal under sub-rule (1) shall be preferred within thirty days from the date on which the order appealed against is communicated to the appellant.

**10. Liability of Railways.**—The Railway administration shall not be liable for any loss or damage suffered or likely to be suffered by a client on account of any act or omission of the agent.

### FORM I

[See Rule 4]

#### Application for Administration of Railway Travellers' Service Agent

1. Name.....
2. Business Address :.....
3. Status (whether proprietorship, firm or company)—if firm, copy of registration certificate and partnership deed and if company, copy of registration certificate and memorandum of association and articles of association to be attached.
4. Station and Railway for which authorisation is sought.
5. Financial status (latest income tax clearance certificate to be attached).
6. Whether business premises are owned or on hire/lease (supporting documents to be attached).
7. Whether business premises are easily accessible for the public.
8. Details of accommodation in the business premises with dimensions.
9. Amenities available at the business premises—Telephone/Telex etc.
10. Facilities available for the clients at the business premises (seats/toilet etc.).
11. Whether as Proprietor/Partner/Director has ever been convicted? If so, give the details thereof.
12. Any other relevant information.

I undertake that in the event of any information given above being found to be false or inaccurate in any respect, the licence issued shall be liable to be cancelled.

Place :

Dated :

Signature of applicant



## FORM II

[See Rule 5]

## Licence

No.

M/s.....is hereby issued by the licence authorising him to act as an agent to purchase, cancel, obtain refunds and journey postponement of tickets and secure reservation on behalf of intending rail travellers from the reservation/booking office located at.....station..... Railway.

The agent shall conduct the business from (address of the business) subject to the following conditions :

- (i) the licence shall be valid for a period of three years from the date of its issue;
- (ii) the licence shall not be transferable;
- (iii) the agent shall not charge more than Rs. 15 per passenger as service charges for securing reservation in classes other than IInd class and Rs. 8 in the IInd class, but in cases where the reservation for more than one passenger is secured on the same requisition slip, the service charges shall not exceed Rs. 8 per passenger in excess of the first passenger in the case of classes other than IInd class and Rs. 5 per passenger for IInd class.
- (iv) the agent shall conduct the business himself or through his employee approved by the competent authority for this purpose;
- (v) the licence and the service charges shall be displayed at a conspicuous place of business;
- (vi) a receipt showing money received from his client for purchase of tickets, reservation charges and service charges separately shall be issued by the agent;
- (vii) a register showing names, sex, age and address of his employee shall be maintained by the agent;
- (viii) an identity card with a photograph countersigned by the competent authority for purchase of tickets and securing reservation shall be issued by the agent to each of his employees;
- (ix) the purchase of ticket and securing of reservation by the agent shall be on a written request from his client. In case the agent acts on a telephone call, a written request shall be obtained by him from the client before delivering the railway ticket of his client;
- (x) a register indicating the name, age, sex, address and journey particulars together with ticket number of his client shall be maintained by the agent;
- (xi) a request for reservation by the agent or his employee shall be made on a reservation requisition form investigating the licence number and its validity period. The requisition form shall be signed by the agent or his employee and shall be presented with

- his identity card. Not more than one requisition form shall be presented by the agent or his employee at a time;
- (xii) there shall be no canvassing for booking and reservation by the agent or any person on his behalf within the railway premises and within the distance of 100 metres from the railway reservation office;
  - (xiii) the competent authority or an office authorised by him shall be allowed access to the premises and records any time during the business hours by the agent who shall render all necessary assistance for inspection; and
  - (xiv) no requisition for the purchase of tickets or reservations where round the clock counters are functioning shall be entertained from the agent or his employee between the hours of midnight and 7 a.m.

Given under my hand and seal on this.....day of.....19.

Place :

Signature.....

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