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The Metro Railways (Operation and Maintenance) Act, 2002

(ACT NO 60 OF 2002)

(As on the 19*th June*, 2026)

LIST OF AMENDING ACTS

1. The Metro Railways (Amendment) Act 2009 (34 of 2009).
2. The *Jan Vishwas* (Amendment of Provisions) Act, 2023 (18 of 2023).
3. The *Jan Vishwas* (Amendment of Provisions) Act, 2026 (8 of 2026).

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LIST OF ABBREVIATIONS USED

Cl., cls.	. . . . .	*for*	Clause, clauses.
Ins.	. . . . .	,,	Inserted.
Notifn.	. . . . .	,,	Notification.
S., ss.	. . . . .	,,	Section, sections.
Sch.	. . . . .	,,	Schedule.
Subs.	. . . . .	,,	Substituted.
w.e.f.	. . . . .	,,	with effect from.

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THE METRO RAILWAYS (OPERATION AND MAINTENANCE) ACT, 2002

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THE METRO RAILWAYS (OPERATION AND MAINTENANCE) ACT, 2002

ACT NO. 60 OF 2002

[17*th December*, 2002.]

An Act to provide for the operation and maintenance and to regulate the working of the metro railway in the [1][National Capital Region, metropolitan city and metropolitan area] and for matters connected therewith and incidental thereto.

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

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—[2][(*1*) This Act may be called the Metro Railways (Operation and Maintenance) Act, 2002.

(*2*) It extends in the first instance to the National Capital Region and the Central Government may, by notification, after consultation with the State Government, extend this Act to such other metropolitan area and metropolitan city, except the metropolitan city of Calcutta, and with effect from such date as may be specified in that notification and thereupon the provisions of this Act shall apply to that metropolitan area or metropolitan city accordingly.]

(*3*) It shall be deemed to have come into force on the 29th day of October, 2002.

2. Definitions.—(*1*) In this Act, unless the context otherwise requires,—

[3][(*a*) "Central Government", in relation to technical planning and safety of metro railways, means the Ministry of the Government of India dealing with Railways;

(*aa*) "Claims Commissioner" means a Claims Commissioner appointed under section 48;]

(*b*) "Commissioner" means the Commissioner of the Metro Railway Safety appointed under section 7;

[4][(*ba*) "demonstration" means a public display of group opinion or feelings involving protest, rallies, marches, gathering or procession, sit-ins, picketing, etc., which may cause disruption in metro operation and inconvenience to public;]

(*c*) "development" with its grammatical variations means the carrying out of building, engineering, mining or other operations in, on, over or under land or the making of any material change on any building, or land, or planting of any tree on land and includes redevelopment;

(*d*) "electric supply-line" shall have the meaning assigned to it under clause (*f*) of section 2 of the Indian Electricity Act, 1910 (9 of 1910);

(*e*) "fare" means the charge levied for the carriage of passengers;

(*f*) "Government metro railway" means a metro railway owned by the Central Government;

(*g*) "land" includes any right or interest in any land;

[5][(*h*) "metropolitan area" shall have the meaning assigned to it in clause (*c*) of article 243P of the Constitution;

(*ha*) "metropolitan city" means the metropolitan city of Bombay, Calcutta, Delhi or Madras;]

(*i*) "metro railway" means rail-guided mass rapid transit system having dedicated right-of-way, with steel wheel or rubber-tyred wheel coaches, but excluding tramways, for carriage of passengers, and includes—

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1. Subs. by Act 34 of 2009, s. 5, for "metropolitan city of Delhi" (w.e.f. 7-9-2009).
2. Subs. by s. 6, *ibid*., for sub-sections (*1*) and (*2*) (w.e.f. 7-9-2009).
3. Subs. by s. 7, *ibid*., for cl. (*a*) (w.e.f. 7-9-2009).
4. Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 19-6-2026).
5. Subs. by Act 34 of 2009, s. 7, for cl. (*h*) (w.e.f. 7-9-2009).

(A) all land within the boundary marks indicating the limits of the land appurtenant to a metro railway,

(B) all rails tracks, sidings, yards or branches worked over for the purposes of, or in connection with, a metro railway,

(C) all stations, offices, ventilation shafts and ducts, warehouses, workshops, manufactories, fixed plants and machineries, sheds, depots and other works constructed for the purpose of, or in connection with, a metro railway;

(*j*) "metro railway administration" in relation to—

(*i*) a Government metro railway means the General Manager of that railway; or

(*ii*) a non-Government metro railway means the person who is the owner or lessee of that metro railway or the person working that metro railway under an arrangement with the owner or lessee of that metro railway;

(*k*) "metro railway official" means any person employed by the Central Government or by a metro railway administration in connection with the services of a metro railway;

[1][(*ka*) "National Capital Region" means the National Capital Region as defined in clause (*f*) of section 2 of the National Capital Region Planning Board Act, 1985 (2 of 1985);]

(*l*) "non-Government metro railway" means a metro railway other than a Government metro railway;

(*m*) "notification" means a notification published in the Official Gazette;

(*n*) "pass" means an authority given by the metro railway administration or by an officer appointed by that administration in this behalf, to a person allowing him to travel as a passenger on the metro railway, but does not include a ticket;

(*o*) "prescribed" means prescribed by rules made by the Central Government under this Act;

(*p*) "railway" shall have the meaning assigned to it in clause (*31*) of section 2 of the Railways Act, 1989 (24 of 1989);

(*q*) "regulations" means the regulations made by the Government metro railway administration under this Act;

(*r*) "rolling stock" includes locomotives, engines, carriages (whether powered or not), wagons, trollies and vehicles of all kinds moving or intended to move on rails;

(*s*) "telegraph line" shall have the meaning assigned to it in clause (*4*) of section 3 of the Indian Telegraph Act, 1885 (13 of 1885).

[2][(*t*) "ticket" means any authority to travel which includes ticket, token, smart card, multimodal transport card or any other travel instrument authorised by metro rail administration in this behalf.]

(*2*) All other words and expressions used herein and not defined but defined in the Metro Railways (Construction of Works) Act, 1978 (33 of 1978) shall have the meanings, respectively, assigned to them in that Act.

CHAPTER II

GOVERNMENT METRO RAILWAY ADMINISTRATION

3. Constitution of Government metro railway.—(*1*) The Central Government may, for the purpose of efficient administration of a Government metro railway, in [3][the National Capital Region, metropolitan city and metropolitan area], by notification, constitute such railways as it may deem fit.

(*2*) A Government metro railway administration may, for efficient performance of its functions under this Act, appoint such officers and other employees as it considers necessary on such terms and conditions of service as may be determined by regulation.

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1. Ins. by Act 34 of 2009, s. 7 (w.e.f. 7-9-2009).
2. Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 19-06-2026).
3. Subs. by Act 34 of 2009, s. 5, for "metropolitan city of Delhi" (w.e.f. 7-9-2009).

4. Appointment of General Manager.—(*1*) The Central Government shall, by notification, appoint a person to be the General Manager of a Government metro railway.

(*2*) The general superintendence and control of a Government metro railway shall vest in the General Manager.

CHAPTER III

FUNCTIONS AND POWERS OF THE METRO RAILWAY ADMINISTRATION

5. Functions of metro railway administration.—The functions of a metro railway administration shall be—

(*a*) to maintain and operate metro railway, for public carriage of passengers, constructed in, upon, across, under or over any land, building, street, road or passage in [1][the National Capital Region, metropolitan city and metropolitan area]; and

(*b*) to engage in any such other activities or perform such other functions as may be considered necessary for the purpose of the operation and maintenance of the metro railway in [1][the National Capital Region, metropolitan city and metropolitan area].

6. Powers of metro railway administration.—(*1*) The metro railway administration shall have the power to do anything which may be necessary or expedient for the purpose of carrying out its functions under the Act.

(*2*) Without prejudice to the generality of the foregoing provision, such power shall include the power to—

(*a*) acquire, hold and dispose of all kinds of properties owned by it, both movable and immovable;

(*b*) improve, develop or alter any property or asset held by it;

[2][(*ba*) develop any metro railway land for commercial use;

(*bb*) provide for carriage of passengers by integrated transport services or any other mode of transport;]

(*c*) center temporarily in or upon the lands adjoining the metro railway alignment in order to remove obstruction, or prevent imminent danger from any source, such as tree, post or structure, which may obstruct the movement of the rolling stock, or passengers, or the view of the signal provided for movement of the rolling stock;

(*d*) execute any lease or grant any licence in respect of the property held by it;

(*e*) enter into, assign and rescind any contract or obligation;

(*f*) employ an agent or contractor for discharging its functions;

(*g*) obtain licence from the Central Government to establish and maintain telegraph lines;

[3][(*ga*) levy and collect penalties under this Act;]

(*h*) lay down or place electric supply lines for conveyance and transmission of energy and to obtain licence for that purpose; and

(*i*) do all incidental acts as are necessary for discharge of any function conferred, or imposed, on it by this Act.

CHAPTER IV

COMMISSIONER OF METRO RAILWAY SAFETY

7. Appointment of Commissioner of Metro Railway Safety.—[4][(*1*)] The Central Government may appoint one or more Commissioners of Metro Railway Safety.

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1. Subs. by Act 34 of 2009, s. 5, for "metropolitan city of Delhi" (w.e.f. 7-9-2009).
2. Ins. by s. 8, *ibid.* (w.e.f. 7-9-2009).
3. Ins. by Act 18 of 2023, s. 2 and the Schedule (w.e.f. 6-10-2023).
4. S. 7 renumbered as sub-section (*1*) thereof by Act 34 of 2009, s. 9 (w.e.f. 7-9-2009).

[1][(*2*) The Commissioner shall function under the administrative control of the Chief Commissioner of Railway Safety appointed under section 5 of the Railways Act, 1989 (24 of 1989).]

8. **Duties of Commissioner.—**The Commissioner shall—

(*a*) inspect the metro railway with a view to determine whether it is fit to be opened for the public carriage of passengers and report thereon to the Central Government as required by or under this Act;

(*b*) make such periodical or other inspections of metro railway, its rolling stock used thereon and its other installations as the Central Government may direct;

(*c*) make an inquiry under the provisions of this Act into the cause of any accident on the metro railway; and

(*d*) discharge such other duties as are conferred on him by or under this Act.

9. Powers of Commissioner.—Subject to the control of the Central Government, the Commissioner, whenever it is necessary so to do for any of the purposes of this Act, may—

(*a*) enter upon and inspect the metro railway or any rolling stock used thereon and its other installations;

(*b*) by order in writing addressed to the metro railway administration, require the attendance before him of metro railway official and to require answers or returns to such inquiries as he thinks fit to make from such metro railway official or from the metro railway administration; and

(*c*) require the production of any book, document or material object belonging to or in the possession or control of any metro railway administration which appears to him to be necessary to inspect.

10. Commissioner to be public servant.—The Commissioner shall be deemed to be a public servant within the meaning of [2][clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)].

11. Facilities to be provided to Commissioner.—The metro railway administration shall provide to the Commissioner all reasonable facilities for the discharge of the duties or for the exercise of the powers imposed or conferred on him by or under this Act.

[3][**12. Annual report.—**The Chief Commissioner of Railway Safety shall, for each financial year, prepare in such form, and within such time, as may be prescribed, an annual report giving a full account of the activities of the Commissioners during the financial year immediately preceding the financial year in which such report is prepared and forward copies thereof to the Central Government.]

13. Annual report to be laid before Parliament.—The Central Government shall cause the annual report of the [4][Chief Commissioner of Railway Safety] to be laid after its receipt before each House of Parliament.

CHAPTER V

OPENING OF METRO RAILWAY

14. Sanction of Central Government to the opening of metro railway.—The metro railway in [5][the National Capital Region, metropolitan city and metropolitan area] shall not be opened for the public carriage of passengers except with the previous sanction of the Central Government.

15. Formalities to be complied with before giving sanction to the opening of metro railway.—(*1*) The Central Government shall, before giving its sanction to the opening of the metro railway under section 14, obtain a report from the Commissioner that—

(*a*) he has made a careful inspection of the metro 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;

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1. Ins. by Act 34 of 2009, s. 9, (w. e. f. 7-9-2009).
2. Subs. by Act 8 of 2026, s. 2 and Sch., for "section 21 of the Indian Penal Code (45 of 1860)" (w.e.f. 19-06-2026).
3. Subs. by Act 34 of 2009, s. 10, for section 12 (w.e.f. 7-9-2009).
4. Subs. by s. 11, *ibid*., for "Commissioner" (w.e.f. 7-9-2009).
5. Subs. by s. 5, *ibid.,* for "metropolitan city of Delhi" (w.e.f. 7-9-2009).

(*c*) the track structure, strength of bridges, standards of signalling system, traction system, general structural character of civil 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, metro 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 metro 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 the metro railway under section 14 as such or subject to such conditions as may be considered necessary by it for the safety of the public.

16. Sections 14 and 15 to apply to the opening of certain works.—The provisions of sections 14 and 15 shall apply to the opening of the following works if they form part of, or are directly connected with, the metro railway used for the public carriage of passengers and have been constructed subsequent to the giving of a report by the Commissioner under section 15, namely:—

(*a*) opening of additional lines of metro railway;

(*b*) opening of stations and junctions;

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

(*d*) any alteration or reconstruction materially affecting the structural character of any work to which the provisions of sections 14 and 15 apply or are extended by this section.

17. Temporary suspension of traffic.—When an accident has occurred on the metro railway resulting in a temporary suspension of traffic, and either the original tracks and works have been restored to their original standard or a temporary diversion has been laid for the purpose of restoring communication, the original tracks 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 metro railway official in charge of the works undertaken by reasons of the accident has certified in writing that the opening of the restored tracks 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 tracks and works or the diversion shall be sent immediately to the Commissioner.

18. Power to close metro railway opened for public carriage of passengers.—Where, after the inspection of the metro railway opened and used for the public carriage of passengers or any rolling stock used thereon, the Commissioner is of the opinion that the use of the metro railway or of any rolling stock will be attended with danger to the public using it, the Commissioner shall send a report to the Central Government who may thereupon direct that—

(*i*) the metro railway be closed for the public carriage of passengers; or

(*ii*) the use of the rolling stock be discontinued; or

(*iii*) the metro railway or the rolling stock may be used for the public carriage of passengers subject to such conditions as it may consider necessary for the safety of the public.

19. Re-opening of closed metro railway.—When the Central Government has, under section 18 directed the closure of the metro railway or the discontinuance of the use of any rolling stock—

(*a*) the metro railway shall not be re-opened for the public carriage of passengers until it has been inspected by the Commissioner and its re-opening is sanctioned in accordance with the provisions of this Chapter; and

(*b*) the rolling stock shall not be used until it has been inspected by the Commissioner and its re-use is sanctioned in accordance with the provisions of this Chapter.

20. Use of rolling stock.—The metro railway administration may use such rolling stock as it may consider necessary for operation and working of the metro railway:

Provided that before using any rolling stock of a design or type different from that already running on any section of the metro railway, the previous sanction of the Central Government shall be obtained for such use:

Provided further that before giving any such sanction, the Central Government shall obtain a report from the Commissioner that he has made a careful inspection of the rolling stock and, in his opinion, such rolling stock can be used.

21. Delegation of powers.—The Central Government may, by notification, direct that any of its powers or functions under this Chapter, except power to make rule under section 22, shall, in relation to such matters and subject to such conditions, if any, as may be specified in the notification, be exercised or discharged also by the Commissioner.

22. Power to make rules in respect of matters in this Chapter.—(*1*) The Central Government may, by notification, make rules to carry out the provisions of this Chapter.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the duties of a metro railway administration and the Commissioner in regard to the opening of a metro railway for the public carriage of passengers;

(*b*) the arrangements to be made for and the formalities to be complied with before opening a metro railway for the public carriage of passengers;

(*c*) for regulating the mode in which, and the speed at which rolling stock used on metro railway is to be moved or propelled; and

(*d*) the cases in which and the extent to which the procedure provided in this Chapter may be dispensed with.

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CHAPTER VI

WORKING OF THE METRO RAILWAY

23. Exhibition of fare tables at station and supply of tickets.—(*1*) The metro railway administration shall cause to be pasted in a conspicuous and accessible place at every station in [1][Hindi, English and official language of the State in which such station is located] a table of the fare chargeable for travelling from the station to every place for which tickets are issued to passengers.

(*2*) Any person desirous of travelling on the metro railway shall, upon payment of fare, be issued with a ticket by the metro railway administration or an agent authorised in this behalf.

(*3*) The ticket issued under sub-section (*2*) shall indicate its value, period of validity and such other particulars as may be prescribed.

24. Exhibition and surrender of pass and ticket.—Every passenger shall, on demand by any metro railway official authorised in this behalf, present his pass or ticket to such metro railway official for examination at the beginning, or during or at the end of the journey and surrender such ticket,—

(*a*) at the end of journey if the ticket is for a single journey; or

(*b*) if such ticket is issued for a particular amount, on the exhaustion of the amount for which the ticket was issued.

25. Prohibition against travelling without pass or ticket.—No person shall enter or remain in any carriage on the metro railway, for the purpose of travelling therein as a passenger, unless he has with him a proper pass or ticket.

26. Carriage of goods.—(*1*) No person shall, while travelling in the metro railway, carry with him any goods other than [2]*** baggage containing personal belongings not exceeding such volume and weight as may be prescribed.

(*2*) Where any person travels on the metro railway in contravention of the provisions of sub-section (*1*), he shall, notwithstanding that he holds a valid pass or ticket for any travel in such

1. Subs. by Act 34 of 2009, s. 12, for "Hindi and English" (w.e.f. 7-9-2009).
2. The words "a small" omitted by s. 13, *ibid.* (w.e.f. 7-9-2009).

railway, be liable to be removed from the train by any metro railway official authorised by the metro railway administration in this behalf or by any other person whom such metro railway official may call to his aid.

27. Prohibition against travelling of person suffering from infectious or contagious diseases and powers to remove them.—(*1*) No person suffering from infectious or contagious diseases as may be prescribed, shall travel by the metro railway.

(*2*) Any person travelling in contravention of any rule made under sub-section (*1*) shall be liable to be removed from the metro railway.

28. Communication between passengers and metro railway officials in charge of trains.—The metro railway administration shall provide and maintain in proper order, in any metro train, such efficient means of communication between the passengers and the metro railway official in charge of the train as may be approved by the Central Government.

29. Right of metro railway administration to display commercial advertisements on metro railway or on the premises occupied by it.—The metro railway administration may use its premises, lands, buildings, posts, bridges, structures, vehicles, rolling stock and other property for displaying commercial advertisements and for that purpose may erect or construct or fix any hoardings, billboards, show cases, and such other things for the display of posters or other publicity materials.

30. Carriage of dangerous or offensive material.—(*1*) No person shall take or cause to be taken on the metro railway such dangerous or offensive material as may be prescribed.

(*2*) If any metro railway official has reason to believe that any person is carrying with him, in a container of any form, or otherwise, any dangerous or offensive material, he may cause such container to be opened by its carrier for the purposes of ascertaining its contents.

(*3*) Any metro railway official may remove from the metro railway any person taking with him any dangerous or offensive material.

31. Power to remove persons from metro railway and its carriages.—Any person, entering upon or into any part of the metro railway without lawful authority, on being asked to leave the metro railway by any metro railway official, does not leave therefrom, may be removed from the metro railway by such metro railway official or by any other person whom such metro railway official may call to his aid.

32. Power to make rules.—(*1*) The Central Government may, by notification, make rules to carry out the provisions of this Chapter.

(*2*) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the particulars of the ticket such as the value, the period of validity and other particulars under sub-section (*3*) of section 23;

(*b*) the volume and weight of baggage under sub-section (*1*) of section 26;

(*c*) diseases which are infectious or contagious under sub-section (*1*) of section 27;

(*d*) material which is dangerous or offensive under sub-section (*1*) of section 30; and

(*e*) generally, for regulating the travelling upon, and the use, working and management of the metro railway.

(*3*) Every metro railway administration shall keep at every station on its metro railway a copy of all the rules made under this section and shall also allow any person to inspect it free of charge.

CHAPTER VII

FARE FIXATION

33. Fixation of fare for carriage of passengers.—The metro railway administration shall, from time to time, on the recommendations made to it by the Fare Fixation Committee constituted under

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sub-section (*1*) of section 34, fix, for the carriage of passengers, fare for travelling from one station to another of the metro railway:

Provided that the metro railway administration may fix the fare under this section without recommendations of the Fare Fixation Committee on the initial opening of the metro railway.

34. Constitution of Fare Fixation Committee.—(*1*) The Central Government may, from time to time, constitute a Fare Fixation Committee for the purpose of recommending fare for the carriage of passengers by the metro railway.

(*2*) The Fare Fixation Committee shall consist of a Chairperson and two other members.

(*3*) A person shall not be qualified for appointment as the Chairperson unless he is or has been a Judge of a High Court.

[1][(*4*) The Central Government and the State Government shall nominate one member each to the Fare Fixation Committee:

Provided that a person who is or has been an Additional Secretary to the Government of India or holds or has held an equivalent post in the Central Government or the State Government shall be qualified to be nominated as a member.]

(*5*) A sitting Judge of a High Court shall be appointed after consultation with the Chief Justice of that High Court.

35. Other terms and conditions and procedure to be followed.—(*1*) The other terms and conditions of the Fare Fixation Committee, and the procedure to be followed by that committee shall be such as may be prescribed.

(*2*) The metro railway administration shall provide to the Fare Fixation Committee all reasonable facility for the discharge of its duties under this Act.

36. Period for making recommendations.—The Fare Fixation Committee shall submit its report along with recommendations to the metro railway administration within such period, not exceeding three months, as may be specified by order made by the Central Government.

37. Recommendations to be binding on metro railway administration.—The recommendations made by the Fare Fixation Committee shall be binding on the metro railway administration.

CHAPTER VIII

ACCIDENTS

38. Notice of metro railway accident.—(*1*) Where, in the course of working a metro railway,—

(*a*) any accident attended with loss of any human life, or with grievous hurt, as defined in the Indian Penal Code (45 of 1860); or

(*b*) any collision between trains; or

(*c*) the derailment of any train carrying passengers, or of any part of such train; or

(*d*) any accident of a description usually attended with loss of human life or with such grievous hurt as aforesaid; or

(*e*) any accident of any other description which the Central Government may notify in this behalf,

occurs, the metro railway official in charge of the section of the metro railway on which the accident occurs, shall, without delay, give notice of the accident in such form and containing such particulars as may be prescribed to the Deputy Commissioner and the Deputy Commissioner of Police, within whose jurisdiction the accident occurs, the officer in charge of the police station within the local limits of which the accident occurs and to such other Magistrate or police officer as may be appointed in this behalf by the Central Government.

1. Subs. by Act 34 of 2009, s. 14, for sub-section (*4*) (w.e.f. 7-9-2009).

(*2*) The metro railway administration, within whose jurisdiction the accident occurs, shall, without delay, give notice of the accident to the [1][State Government] and the Commissioner having jurisdiction over the place of the accident.

39. Inquiry by Commissioner.—(*1*) On the receipt of a notice under section 38 of the occurrence of an accident resulting in loss of human life or grievous hurt causing total or partial disablement of permanent nature to a passenger, the Commissioner shall, as soon as may be, notify the metro railway administration in whose jurisdiction the accident occurred of his intention to hold an inquiry into the causes that led to the accident and shall at the same time fix and communicate the date, time and place of inquiry:

Provided that it shall be open to the Commissioner to hold an inquiry into any other accident which, in his opinion, requires the holding of such an inquiry.

(*2*) If for any reason, the Commissioner is not able to hold an inquiry as soon as may be after the occurrence of the accident, he shall notify the metro railway administration accordingly.

40. Inquiry by metro railway administration.—Where no inquiry is held by the Commissioner under sub-section (*1*) of section 39 or where the Commissioner has informed the metro railway administration under sub-section (*2*) of that section that he is not able to hold an inquiry, the metro railway administration within whose jurisdiction the accident occurs, shall cause an inquiry to be made in accordance with the prescribed procedure.

41. Powers of Commissioner in relation to inquiries.—(*1*) For the purpose of conducting an inquiry under this Chapter into the causes of any accident, the Commissioner shall, in addition to the powers specified in section 9, have the powers as are vested in a Civil Court while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908), in respect of the following matters, namely:—

(*a*) summoning and enforcing the attendance of persons and examining them on oath;

(*b*) requiring the discovery and production of documents;

(*c*) receiving evidence on affidavits;

(*d*) requisitioning any public record or copies thereof from any court or office; and

(*e*) any other matter which may be prescribed.

(*2*) The Commissioner while conducting an inquiry under this Chapter shall be deemed to be a Civil Court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

42. Statement made before Commissioner.—No statement made by a person in the course of giving evidence in an inquiry before the Commissioner shall subject him to, or be used against him, in any civil or criminal proceeding, except in a prosecution for giving false evidence by such person:

Provided that the statement is—

(*a*) made in reply to a question which is required by the Commissioner to answer; or

(*b*) relevant to the subject matter of the inquiry.

43. Procedure for conducting inquiry.—The metro railway administration or the Commissioner conducting an inquiry under this Chapter may send notice of the inquiry to such persons, follow such procedure, and prepare the report in such manner as may be prescribed.

44. No inquiry, investigation, etc., to be made if the Commission of Inquiry is appointed.—Notwithstanding anything contained in the foregoing provisions of this Chapter, where a Commission of Inquiry is appointed under the Commissions of Inquiry Act, 1952 (60 of 1952), to inquire into an accident, any inquiry, investigation or other proceeding pending in relation to that accident shall not be proceeded with, and all records or other documents relating to such inquiry shall be forwarded to such authority as may be specified by the Central Government in this behalf.

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1. Subs. by Act 34 of 2009, s. 15, for "Government of the National Capital Territory of Delhi" (w.e.f. 7-9-2009).

45. Inquiry into accident not covered by section 38.—Where any accident of the nature not specified in section 38 occurs in the course of working the metro railway, the metro railway administration within whose jurisdiction the accident occurs, may cause such inquiry to be made into the causes of the accident, as may be prescribed.

46. Returns.—The metro railway administration shall send to the Central Government a return of accidents occurring on its railway, whether attended with injury to any person or not, in such form and manner and at such intervals as may be prescribed.

47. Power to make rules in respect of matters in this Chapter.—(*1*) The Central Government may, by notification, make rules to carry out the provisions of this Chapter.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: —

(*a*) the forms of notice of accidents to be given under section 38 and the particulars of the accident such notices shall contain;

(*b*) the persons to whom notices in respect of any inquiry under this Chapter are to be sent, the procedure to be followed in such inquiry and the manner in which a report of such inquiry shall be prepared;

(*c*) the nature of inquiry to be made by the metro railway administration into the causes of an accident under section 40;

(*d*) for conducting an inquiry under clause (*e*) of sub-section (*1*) of section 41;

(*e*) the procedure of conducting inquiry and preparation of the report under section 43;

(*f*) the making of an inquiry into the causes of the accident under section 45; and

(*g*) the form and manner of sending a return of accidents by the metro railway administration under section 46.

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CHAPTER IX

CLAIMS COMMISSIONER

48. Claims Commissioner.—The Central Government may, by notification, appoint a Claims Commissioner for the purpose of adjudicating upon claims for compensation in respect of accidents involving the death of, or bodily injury to person, or damage to any property arising out of the working of the metro railway.

49. Qualifications for appointment as Claims Commissioner.—A person shall not be qualified for appointment as Claims Commissioner unless he**—**

(*a*) is or has been, or is qualified to be, a Judge of a High Court; or

(*b*) has been a Member of the Indian Legal Service and has held a post in Grade I of that Service; or

(*c*) has, for at least three years, held a civil judicial post carrying a scale of pay which is not less than that of a Joint Secretary to the Government of India.

50. Term of office.—The Claims Commissioner shall hold office as such for a term as may be specified by the Central Government.

51. Resignation and removal.—(*1*) The Claims Commissioner may, by notice in writing under his hand addressed to the Central Government, resign his office.

(*2*) The Claims Commissioner may be removed from his office by an order of the Central Government on the ground of proved misbehaviour or incapacity after an inquiry in which he had been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(*3*) The procedure for the investigation of misbehaviour or incapacity of the Claims Commissioner referred to in sub-section (*2*) be such as may be prescribed.

52. Salary and allowances and other conditions of service of Claims Commissioner.—The salary and allowances payable to, and the other terms and conditions of service of, the Claims Commissioner shall be such as may be prescribed:

Provided that neither the salary and allowances nor the other terms and conditions of service of the Claims Commissioner shall be varied to his disadvantage after his appointment.

53. Procedure and powers of Claims Commissioner.—(*1*) The Claims Commissioner shall have all the powers of a civil court for the purpose of taking evidence on oath, enforcing attendance of witnesses and compelling the discovery or production of documents and material objects.

(*2*) The Claims Commissioner shall be deemed to be a civil court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

(*3*) In enquiring into and determining any claims for payment of compensation, the Claims Commissioner may, subject to any rules that may be made in this behalf, follow such summary procedure as he may deem fit.

(*4*) Subject to any rules that may be made in this behalf, the Claims Commissioner may, for the purpose of determining any claim for compensation, choose one or more persons possessing special knowledge of any matter relevant to the enquiry, to assist him in holding the enquiry.

(*5*) The Claims Commissioner shall have powers to pass such interim and final order as the circumstance may require, including orders for payment of costs.

54. Decision of Claims Commissioner.—(*1*) Any question as to the liability of the metro railway administration to pay compensation or as to the person to whom such compensation is payable, shall be determined by an order of the Claims Commissioner.

(*2*) Every order made under sub-section (*1*) shall be final.

55. Savings as to certain rights.—(*1*) Notwithstanding anything contained in any other law for the time being in force, where the death of, or bodily injury to, any person gives rise to a claim for compensation under this Act and also under any other law in force, the person entitled to compensation may claim such compensation only once either under this Act or under any other law in force.

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

56. Power to make rules.—(*1*) The Central Government may, by notification, make rules to carry out the provisions of this Chapter.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(*i*) the procedure for investigation of misbehaviour or incapacity of the Claims Commissioner under sub-section (*3*) of section 51;

(*ii*) the salary and allowances and the other terms and conditions of service of the Claims Commissioner under section 52; and

(*iii*) any other purpose incidental to or connected with the objects of this Chapter.

CHAPTER X

LIABILITY OF METRO RAILWAY ADMINISTRATION DUE TO ACCIDENTS

57. Extent of liability.—The metro railway administration shall, notwithstanding anything contained in any other law, be liable to pay compensation for loss occasioned by the death of, or bodily injury to any person to such extent as may be prescribed.

58. Application for compensation.—An application for compensation arising out of an accident may be made to the Claims Commissioner by,—

(*a*) the person who has sustained the injury or suffered any loss; or

(*b*) all or any of the dependants of the deceased where death has resulted from the accident; or

(*c*) an agent duly authorised by the person injured or all or any of the dependants of the deceased, as the case may be:

Provided that where all the dependants of the deceased have not joined in any such application for compensation, the application shall be made on behalf of or for the benefit of all the dependants of the deceased and the dependants who have not so joined, shall be impleaded as respondents to the application.

Explanation.—For the purpose of this section, the word "dependant" shall have the same meaning as given to it in clause (*b*) of section 123 of the Railways Act, 1989 (24 of 1989).

CHAPTER XI

[1][OFFENCES AND CONTRAVENTIONS]

59. Drunkenness or nuisance on metro railway.—(*1*) If any person, in any carriage or upon any part of the metro railway,—

(*a*) is in a state of intoxication; or

(*b*) commits any nuisance or vandalism or act of indecency, or uses abusive or obscene language; or

(*c*) wilfully or without excuse interferes in any way with the comfort of any passenger,

he shall be [2][liable to penalty which may extend to two thousand and five hundred rupees] and shall also be liable to forfeiture of the fare which he may have paid or any pass or ticket which he may have obtained or purchased, or be removed from such carriage or part by any metro railway official authorised by the metro railway administration in this behalf.

(*2*) If any metro railway official is in a state of intoxication while on duty, he shall be [3][liable to penalty which may extend to ten thousand rupees] or, where the improper performance of the duty would be likely to endanger the safety of any passenger travelling or being upon the metro railway, with imprisonment for a term which may extend to two years, or with fine which may extend to [4][ten thousand rupees], or with both.

60. Penalty for taking or causing to take offensive material upon metro railway.—(*1*) If, in contravention of sub-section (*1*) of section 30, a person takes or causes to be taken any offensive material upon the metro railway, he shall be [2][liable to penalty which may extend to two thousand and five hundred rupees].

(*2*) In addition to the penalties specified in sub-section (*1*), a person takes or causes to be taken any offensive material upon the metro railway shall be responsible also for any loss, injury or damage which may be caused by reason of such material having been so brought upon the metro railway.

61. Penalty for taking or causing to take dangerous material upon metro railway.—(*1*) If, in contravention of sub-section (*1*) of section 30, a person takes or causes to be taken any dangerous material upon the metro railway, he shall be punishable with imprisonment for a term which may extend to four years and with fine which may extend to five thousand rupees.

(*2*) In addition to the penalties specified in sub-section (*1*), a person takes or causes to be taken any dangerous material upon the metro railway shall be responsible also for any loss, injury or damage which may be caused by reason of such material having been so brought upon the metro railway.

62. Prohibition of demonstrations upon metro railway.—(*1*) No demonstration of any kind whatsoever shall be held on any part of the metro railway or other premises thereof and it shall be open to the metro railway administration to exclude from such premises any person attending such demonstrations whether or not he is in possession of a pass or ticket entitling him to be in the said premises.

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1. Subs. by Act 8 of 2026, s. 2 and Sch., for "OFFENCE AND PENALTIES" (w.e.f. 19-6-2026).
2. Subs. by s. 2 and Sch., *ibid*., for "punishable with fine which may extend to five hundred rupees" (w.e.f. 19-06-2026).
3. Subs. by Act 18 of 2023, s. 2 and Sch., for "punishable with fine which may extend to two hundred and fifty rupees" (w.e.f. 6-10-2023).
4. Subs. by s. 2 and Sch., *ibid*., for "five hundred rupees" (w.e.f. 6-10-2023).

(*2*) No person shall paste or put up any poster or write or draw anything or matter in any compartment or carriage of the metro railway, or any premises thereof, without any lawful authority and any person found engaged in doing any such act may be removed from the compartment, carriage or premises by any metro railway official authorised by the metro railway administration in this behalf.

(*3*) Whoever contravenes any of the provisions of sub-section (*1*) or sub-section (*2*), or on being asked by any metro railway official to leave any compartment, carriage or premises refuses to do so, shall be [1][liable to penalty which may extend to ten thousand rupees].

63. Penalty for travelling on roof, etc., of a train.—If any passenger travels on the roof of a train or persists in travelling in any part of a train not intended for the use of passengers or projects any part of his body out of a train [2][he shall be liable to penalty which may extend to five thousand rupees], and shall also be liable to be removed from the train by any metro railway official authorised by the metro railway administration in this behalf.

64. Penalty for unlawfully entering or remaining upon metro railway or walking on metro track.—(*1*) If a person enters into or upon the metro railway without any lawful authority or having entered with lawful authority remains there unlawfully and refuses to leave on being requested to do so by any metro railway official, he shall be [3][liable to penalty which may extend to five thousand rupees].

(*2*) If any person walks on the metro track without any lawful authority, he shall be punishable with imprisonment for a term which may extend to six months, or with [4][fine which may extend to twenty thousand rupees].

65. Endangering the safety of passengers by metro railway official.—If any metro railway official, when on duty endangers the safety of any passenger,—

(*a*) by any rash or negligent act or omission; or

(*b*) by disobeying any rule, regulation or order which such official was bound by the terms of his employment to obey, and of which he had notice,

he shall be punishable with imprisonment for a term which may extend to [5][two years, or with fine which may extend to thirty thousand rupees, or with both].

66. Abandoning train, etc., without authority.—If any metro railway official, when on duty, is entrusted with any responsibility connected with the running of a train, or any other rolling stock from one station or place to another station or place, and he abandons his duty before reaching such station or place, without authority or without properly handing over such train or rolling stock to another authorised metro railway official, he shall be punishable with imprisonment for a term which may extend to four years, or with fine which may extend to five thousand rupees, or with both.

67. Obstructing running of train, etc.—If any person obstructs or causes to be obstructed or attempts to obstruct any train or rolling stock upon the metro railway by squatting, picketing or keeping without authority any rolling stock on the metro railway or tampering with any signalling installations or by interfering with the working mechanism thereof, or otherwise, he shall be liable to be removed by any metro railway official, authorised by the metro railway administration in this behalf and shall also be punishable with imprisonment for a term which may extend to four years, or with fine which may extend to five thousand rupees, or with both.

68. Obstructing metro railway official in his duties.—If any person wilfully obstructs or prevents any metro railway official in the discharge of his duties, he shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

69. Travelling without proper pass or ticket or beyond authorised distance.—(*1*) If any passenger—

1. Subs. by Act 8 of 2026, s. 2 and Sch., for certain words (w.e.f. 19-6-2026).
2. Subs. by Act 18 of 2023, s. 2 and Sch., for certain words (w.e.f. 6-10-2023).
3. Subs. by Act 8 of 2026, s. 2 and Sch., for certain words (w.e.f. 19-6-2026).
4. Subs. by s. 2 and Sch., *ibid*., for certain words (w.e.f. 19-6-2026).
5. Subs. by Act 18 of 2023, s. 2 and Sch., for "five years, or with fine which may extend to six thousand rupees, or with both" (w.e.f. 6-10-2023).

(*a*) travels in a train without having a proper pass or ticket with him; or

(*b*) being in or having alighted from a train, fails or refuses to present for examination or to deliver up his pass or ticket immediately on requisition being made therefor under section 24, or travels in a train in contravention of the provisions of section 25, he shall be liable to pay, on demand of any metro railway official appointed by the metro railway administration in this behalf, the excess charge mentioned in sub-section (*3*) in addition to the ordinary single fare for the distance which he has travelled or, where there is any doubt as to the station from which he started, the ordinary single fare from the station from which the train originally started.

(*2*) If any passenger travels or attempts to travel in a carriage or by a train or travels in or on a carriage beyond the place authorised by his pass or ticket, he shall be liable to pay, on demand of any person appointed by the metro railway administration in this behalf, the excess charge mentioned in sub-section (*3*) in addition to any difference between any fare paid by him and the fare payable in respect of the journey he has made.

(*3*) The excess charge referred to in sub-sections (*1*) and (*2*) shall be fifty rupees.

[1][(*4*) If any passenger liable to pay the excess charge and fare mentioned in sub-section (*1*), or the excess charge and any difference of fare mentioned in sub-section (*2*), fails or refuses to pay the same on a demand being made therefor, any metro railway official authorised by the metro railway administration in this behalf may apply to any Metropolitan Magistrate or, as the case may be, Judicial Magistrate of the first class, for the recovery of the sum payable as if it were a fine.]

(*5*) Any sum recovered under sub-section (*4*) shall, as and when it is recovered, be paid to the Consolidated Fund of India.

[2]**[70. Needlessly interfering with means of communication in a train.—** If any passenger or any other person without reasonable and sufficient cause makes use of, or interferes with, any means provided by the metro railway administration in a metro railway for communication between passengers and metro railway official in charge of the metro railway or misuses alarm bell or emergency stop push or emergency trip system or emergency call point of the metro railway, he shall be liable to penalty which may extend to ten thousand rupees.]

71. Altering or defacing or counterfeiting pass or ticket.—If any person wilfully breaks the security code of any pass or ticket, or defaces or alters or counterfeits or duplicates it or acts in any way to cause revenue loss to metro railway, he shall be [3][liable to penalty which may extend to twenty thousand rupees].

72. Defacing public notices.—If any person without lawful authority—

(*a*) in this behalf pulls down or wilfully damages any board or documents set up or posted by the order of the metro railway administration on the metro railway, or any rolling stock; or

(*b*) obliterates or alters any letters or figures upon any such board or document or upon any rolling stock,

he shall be [4][liable to penalty which may extend to twenty thousand rupees].

73. Any sale of articles on metro railway.—If any person sells or exposes for sale, any article whatsoever in any metro railway carriage or upon any part of the metro premises not authorised by metro railway administration for such purpose, he shall be punishable with fine which may extend to five hundred rupees, and in default of payment of fine, he shall be [5][liable to penalty which may extend to five thousand rupees].

74. Maliciously wrecking a train or causing sabotage.—(*1*) If any person—

1. Subs. by Act 18 of 2023, s. 2 and Sch., for sub-section (*4*) (w.e.f. 6-10-2023).
2. Subs. by s. 2 and Sch., *ibid*., for section 70 (w.e.f. 6-10-2023).
3. Subs. by Act 8 of 2026, s. 2 and Sch., for certain words (w.e.f. 19-6-2026).
4. Subs. by s. 2 and Sch., *ibid*., for certain words (w.e.f. 19-6-2026).
5. Subs. by s. 2 and Sch., *ibid*., for certain words (w.e.f. 19-6-2026).

(*a*) loosens or displaces any rail or any other matter or thing belonging to the metro railway; or

(*b*) turns, moves, unlocks or diverts any point or other machinery belonging to the metro railway; or

(*c*) does or causes to be done any act of sabotage in relation to the metro railway with intent or with knowledge that it is likely to endanger safety of any person upon the metro railway,

he shall be punishable 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 imprisonment shall not be less than—

(*i*) three years in the case of a first conviction; and

(*ii*) seven years in the case of conviction for the second or subsequent offence.

(*2*) If a person unlawfully does any act of sabotage or any other act referred to in sub-section (*1*) with intent to cause the death of any person, or with knowledge that such act is so imminently dangerous that it must in all probability cause the death of any person or such bodily injury to any person as is likely to cause the death of any person, he shall be punishable with death or imprisonment for life.

75. Penalty for unauthorised sale of tickets.—If any person not being a metro railway official, or an agent authorised in this behalf under sub-section (*2*) of section 23 sells or attempts to sell any ticket in order to enable any other person to travel therewith, he shall be [1][liable to penalty which may extend to twenty-five thousand rupees], and shall also forfeit the ticket which he sells or attempts to sell.

76. Maliciously hurting or attempting to hurt persons travelling by metro railway.—If any person unlawfully throws or causes to fall or strike at, against, into or upon any rolling stock forming part of a train, any wood, stone or other matter or thing with intent, or with knowledge that it is likely to endanger the safety of any person being in or upon such rolling stock or in or upon any other rolling stock forming part of the same train, he shall be punishable [2]*** with imprisonment for a term which may extend to ten years.

77. Endangering safety of persons travelling by metro railway by rash or negligent act or omission.—If any person in a rash or negligent manner does any act, or omits to do what he is legally bound to do, and the act or omission is likely to endanger the safety of any person travelling or being upon the metro railway, he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

78. Damage to or destruction of certain metro railway properties.—(*1*) Whoever, with intent to cause or knowing that he is likely to cause damage to or destruction of any of the properties of the metro railway referred to in sub-section (*2*), causes by fire, explosive substance or otherwise causes damage to such property, he shall be punishable with imprisonment for a term which may extend to ten years.

(*2*) The properties of the metro railway referred to in sub-section (*1*) are the metro railway track, tunnels, sub-way, box-structures, station buildings and installations, carriage and wagons, rolling stock, signalling, telecommunication, air-conditioning and ventilation equipments, electrical sub-station, drainage pump, escalators, lifts, lighting installations, ticket vending machine, ticket barriers, electric traction and block equipments, and such other properties as the Central Government may, by notification, specify.

79. Endangering the safety of persons travelling by metro railway by wilful act or omission.—If any person by unlawful act or by any wilful omission or neglect or by tampering with safety devices, endangers or causes to be endangered the safety of any person travelling on or being upon any metro railway, or obstructs or causes to be obstructed or attempts to obstruct any rolling stock upon any metro railway, he shall be punishable with imprisonment for a term which may extend to seven years:

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1. Subs. by Act 8 of 2026, s. 2 and Sch., for certain words (w.e.f. 19-6-2026).
2. The words "with imprisonment for life or" omitted by, s. 2 and Sch., *ibid*., (w.e.f. 19-6-2026).

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 not be less than—

(*i*) six months in the case of first conviction; and

(*ii*) two years in the case of conviction for the second or subsequent offence.

[1][**79A. Adjudication of penalties**.— (*1*) For the purpose of adjudicating penalties under sections 59, 60, 62, 63, sub-section (*1*) of section 64, sections 70, 71, 72, 73 and 75, the Metro Railway Administration may appoint an officer managing the functioning of metro station as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be specified:

Provided that the Metro Railway Administration may appoint as many adjudicating officers as may be required.

(*2*) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the receipt of such order, prefer an appeal to such officer at least one rank higher than the adjudicating officer as may be appointed by the Metro Railway Administration as an appellate authority, in such form and manner as may be specified.

(*3*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*4*) Where an appeal is preferred against any order of the adjudicating officer under sub-section (*1*), it shall not be entertained by the appellate authority unless the person has deposited the amount of the penalty imposed by the adjudicating officer.

(*5*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may think fit.

(*6*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing.

79B. Consequence of failure to pay penalty.— (*1*) Where any person fails to pay the penalty imposed under section 79A within such period as may be prescribed, such failure shall constitute an offence and such person shall be punishable in accordance with the provisions of this section.

(*2*) Where the failure to pay penalty relates to a contravention under sub-section (*1*) of section 59 or sub-section (*1*) of section 60, the person shall, on conviction, be punishable with fine which may extend to five thousand rupees.

(*3*) Where the failure to pay penalty relates to a contravention under sub-section (*3*) of section 62, the person shall, on conviction, be punishable with fine which may extend to twenty thousand rupees or with imprisonment for a term which may extend to six months, or with both.

(*4*) Where the failure to pay penalty relates to a contravention under section 63, the person shall, on conviction, be punishable with fine which may extend to ten thousand rupees.

(*5*) Where the failure to pay penalty relates to a contravention under sub-section (*1*) of section 64, the person shall, on conviction, be punishable with fine which may extend to ten thousand rupees or with imprisonment for a term which may extend to three months, or with both.

(*6*) Where the failure to pay penalty relates to a contravention under section 70, the person shall, on conviction, be punishable with fine which may extend to fifteen thousand rupees.

(*7*) Where the failure to pay penalty relates to a contravention under section 71 or section 72, the person shall, on conviction, be punishable with fine which may extend to thirty thousand rupees.

(*8*) Where the failure to pay penalty relates to a contravention of section 73, the person shall, on conviction, be punishable with fine which may extend to ten thousand rupees:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such fine shall not be less than one thousand rupees.

1. Ins. by Act 8 of 2026, s. 2 and Sch., (w.e.f. 19-6-2026).

(*9*) Where the failure to pay penalty relates to a contravention of section 75, the person shall, on conviction, be punishable with fine which may extend to fifty thousand rupees.]

80. [Penalty for making a false claim for compensation].—*Omitted by the Jan Vishwas* (*Amendment of Provisions*) *Act*, 2023 (18 *of* 2023), *s*. 2 *and Sch.* (*w.e.f.* 6-10-2023).

81. Offences by companies.—(*1*) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(*2*) Notwithstanding anything contained in sub-section (*1*), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section,—

(*a*) "company" means any body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

82. Power of arrest without warrant.—(*1*) If a person commits any [1][offences mentioned in sections 59, 61, 65, 66, 67, 68, 74, 76, 77, 78 and 79], he may be arrested without warrant or other written authority by any metro railway official or by a police officer not below the rank of a head constable or by any other person whom such metro railway official or police officer may call to his aid:

Provided that where a person has been arrested, by any person other than the police officer, he shall be made over to a police officer, or, in the absence of a police officer, take such person or cause him to be taken in custody to the nearest police station.

(*2*) A person so arrested under sub-section (*1*) shall be produced before the nearest Magistrate, having authority to try him or commit him for trial, as early as possible but within a period not exceeding twenty-four hours of such arrest exclusive of the time necessary for the journey from the place of arrest to the court of the Magistrate.

83. Arrest of person likely to abscond, etc.—(*1*) If any person commits any offence under this Act, other than an offence mentioned in section 82 or fails or refuses to pay any excess charge or other sum demanded under section 69 and there is reason to believe that he may abscond, or his name and address are unknown and he refuses on demand to give his name and address, or there is reason to believe that name and address given by him is incorrect, any metro railway official or police officer not below the rank of head constable, or any other person whom such metro railway official may call to his aid, may, without warrant or written authority, arrest him.

(*2*) A person so arrested shall be produced before the nearest Magistrate, having authority to try him or commit him for trial, as early as possible but within a period not exceeding twenty-four hours, exclusive of the time necessary for the journey from the place of arrest to the court of the Magistrate.

84. Magistrate having jurisdiction under the Act.—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), no court inferior to that of a Metropolitan Magistrate shall try an offence under this Act.

1. Subs. by Act 8 of 2026, s. 2 and Sch., for certain words (w.e.f. 19-6-2026).

85. Place of trial.—(*1*) Any person committing an offence under this Act, or any rule or regulation made thereunder, shall be triable for such offence in any place in which he may be, or which the [1][State Government] may notify in this behalf, as well as any other place in which he is liable to be tried under any law for the time being in force.

(*2*) Every notification under sub-section (*1*) shall be published by the [2][State Government] and a copy thereof shall be exhibited for the information of the public in some conspicuous place at such metro railway stations as that Government may direct.

[3][**85A. Compounding of certain offences.**—(*1*) Any offence punishable with imprisonment for a term less than four years under this Act may, either before or after the institution of proceedings, be compounded by the metro railway administration, for such amount as the Central Government, may by notification, specify in this behalf.

(*2*) Where an offence has been compounded under sub-section (*1*), the offender if in custody shall be discharged and no further proceeding shall be taken against him in respect of such offence.

(*3*) No offence shall be compoundable if the offender, by reason of a previous conviction, is liable to an enhanced punishment or punishment of a different kind for such offence.]

CHAPTER XII

MISCELLANEOUS

86. Power of Central Government to issue directions.—Without prejudice to the foregoing provisions of this Act, the metro railway administration in case of the non-Government metro railway shall, in the discharge of its duties and functions under this Act, be bound by such directions on questions of policy as the Central Government may give in writing to it from time to time:

Provided that the metro railway administration shall, as far as practicable, be given opportunity to express its views before any direction is given under this section.

87. Prohibition to work as non-Government metro railway.—No non-Government metro railway shall work without obtaining permission from the Central Government.

88. Protection of action taken in good faith.—No suit, prosecution or other legal proceedings shall lie against the Central Government, any metro railway administration, a metro railway official or against any other person, for anything which is in good faith done or intended to be done in pursuance of this Act or any rules, regulations or orders made thereunder.

89. Restriction on execution against metro railway property.—(*1*) No rolling stock, metro railway tracks, machinery, plant, tools, fittings, materials or effects used or provided by a metro railway administration for the purpose of traffic on its railway, or its stations or workshops, or offices shall be liable to be taken in execution of any decree or order of any court or of any local authority or person having by law the power to attach or distrain property or otherwise to cause the property to be taken in execution, without the previous sanction of the Central Government.

(*2*) Nothing in sub-section (*1*) is to be construed as affecting the authority of any court to attach the earnings of the metro railway administration in execution of a decree or order.

90. Officials of metro railway administration to be public servants.—All persons in the employment of the metro railway administration shall, when acting or purporting to act in pursuance of the provisions of this Act, be deemed to be public servants within the meaning of [4][clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)].

91. Procedure for delivery to metro railway administration of property detained by a metro railway official.—If a metro railway official is discharged from service or is suspended, or dies or absconds or absents himself, and he or his spouse or widow or any member of his family or his

1. Subs. by Act 34 of 2009, s. 16, for "Government of the National Capital Territory of Delhi" (w.e.f. 7-9-2009).
2. Subs. by s. 16, *ibid*., for "Government of the National Capital Territory of Delhi in the Delhi Gazette" (w.e.f. 7-9-2009).
3. Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 19-6-2026).
4. Subs. by s. 2 and Sch., *ibid*., for certain words (w.e.f. 19-6-2026).

representative, refuses or neglects, after notice in writing for that purpose, to deliver up to the metro railway administration or to a person appointed by the metro railway administration, in this behalf, any station, dwelling house, office or other building with its appurtenances, or any books, papers, keys, equipments or other matters, belonging to the metro railway administration and in the possession or custody of such metro railway official on the occurrence of any such event as aforesaid, any Metropolitan Magistrate may, on application made by or on behalf of the metro railway administration, order any police officer, with proper assistance, to enter upon the station, office or other building and remove any person found therein and take possession thereof, or to take possession of the books, papers and other matters, and to deliver the same to the metro railway administration or to a person appointed by the metro railway administration in that behalf.

92. Proof of entries in records and documents.—(*1*) Entries made in the records or other documents of the metro railway administration shall be admitted in evidence in all proceedings by or against the metro railway administration, and all such entries may be proved either by the production of the records or other documents of the metro railway administration containing such entries or by the production of a copy of the entries certified by the officer having custody of the records or other documents under his signature and stating that it is a true copy of the original entries and that such original entries are contained in the records or other documents of the metro railway administration in his possession.

(*2*) Notwithstanding anything contained in any other law, a court shall presume that the entries in the records of the metro railway administration admitted in evidence under sub-section (*1*) are true, unless there is evidence to the contrary.

93. Service of notice, etc., on metro railway administration.—Any notice or other document required or authorised by this Act to be served on a metro railway administration may be served—

(*a*) by leaving it at the office of the metro railway administration; or

(*b*) by registered post to the office address of the metro railway administration.

94. Service of notice, etc., by metro railway administration.—Any notice or other document required or authorised by this Act to be served on any person by the metro railway administration may be served by—

(a) delivering it to the person; or

(*b*) leaving it at the usual or the last known place of abode of the person; or

(*c*) registered post addressed to the person at his usual or the last known place of abode.

95. Presumption where notice is served by registered post.—Where a notice or other document is served by registered post, it shall be deemed to have been served at the time when the letter containing it would be delivered in the ordinary course of post, and in proving such service, it shall be sufficient to prove that the letter containing the notice or other document was properly addressed and registered.

96. Representation of metro railway administration.—(*1*) The metro railway administration may, by order in writing, authorise any of its official or other person to act for, or represent it, as the case may be, in any proceeding before any civil, criminal or other court.

(*2*) A person authorised under sub-section (*1*) to conduct prosecution on its behalf shall, notwithstanding anything in section 302 of the Code of Criminal Procedure, 1973 (2 of 1974), be entitled to conduct such prosecutions without the permission of the Magistrate.

97. Appointment of security staff.—The metro railway administration may constitute and maintain security staff for its railway, and the powers, duties and functions of such staff shall be such as may be prescribed.

98. Delegation of powers.—(*1*) The Central Government may, by notification, direct that all or any of the powers under this Act or rules made thereunder, except sections 22, 32, 47, 56, 99 and 100, exercisable by it, shall, in relation to such matters and subject to such conditions, if any, as may be

specified in the notification, be exercisable also by such officer or authority subordinate to the Central Government or by such officer of the metro railway administration.

(*2*) The metro railway administration may, by general or special order in writing, delegate to any of its official subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and functions under this Act, except its power under section 101.

99. Power to remove difficulties.—(*1*) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

(*2*) Every order made under this section shall be laid before each House of Parliament.

100. Power of Central Government to make rules.—(*1*) The Central Government may, by notification, make rules for carrying out the purposes of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the form and time for preparing and sending annual report under section 12;

(*b*) the terms and conditions of the Fare Fixation Committee under section 35;

(*c*) the procedure to be followed by the Fare Fixation Committee under section 35;

(*d*) the extent of compensation payable under section 57;

(*e*) the powers, duties and functions of the security staff of the Government metro railway under section 97; and

(*f*) without prejudice to any power to make rules contained elsewhere in this Act, generally to carry out the purposes of this Act.

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101. Power of metro railway administration to make regulations.—The Government metro railway administration may, with the previous approval of the Central Government, make regulations not inconsistent with this Act and the rules made thereunder, to provide for all matters for which provisions are necessary or expedient for the purpose of giving effect to the provisions of this Act.

102. Rules and regulations to be laid before Parliament.—Every rule made by the Central Government and every regulation made by a Government metro railway administration under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

103. Effect of Act inconsistent with other enactments.—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.

104. Application of other Acts.—Save as otherwise provided in this Act, the provisions of this Act shall be in addition to and not in derogation of the Metro Railways (Construction of Works) Act, 1978 (33 of 1978).

105. Repeal and savings.—(*1*) The Delhi Metro Railway (Operation and Maintenance) Ordinance, 2002 (Ord. 7 of 2002) is hereby repealed.

(*2*) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

The Metro Railways (Construction of Works) Act, 1978 was enacted to provide for construction of a network of a mass rapid transit system, popularly known as metro railway, in metropolitan cities, and for enabling powers for acquisition of property and taking other measures for execution of such projects speedily. Keeping in view the experience gained in the working of the Act during the last few years, it is considered necessary to amend the Act so as to better achieve the purposes thereof.

2. The more important amendments which are proposed to be made are the following:—

(*a*) The jurisdiction vested by the Act in the arbitrator appointed under section 16 of the Act is in substance jurisdiction of an appellate nature. It is therefore proposed to provide for an appellate authority in place of the arbitrator and make the necessary incidental and consequential changes.

(*b*) It is also proposed to specify that only persons who are holding or who have held a judicial office not lower in rank than that of a subordinate judge may be appointed as competent authorities under the Act. Likewise it is also proposed to specify that only persons who are holding or who have held a judicial office not lower in rank than that of a district judge can be considered for appointment as the appellate authority.

(*c*) The existing procedure of acquisition of property is being modified to make it more speedy and fair by permitting a person interested to appear before the competent authority through an agent also and to file his objections within a period of twenty-one days of the publication of the substance of notice under section 7; by requiring the competent authority to invite claims of persons interested by public notice and to take possession of the property acquired only after the amount payable therefor is deposited by the Central Government, within the time fixed by the competent authority; and by making the orders of the competent authority or the appellate authority determining any amount under the Act, enforceable as a decree of a Civil Court.

(*d*) Section 19 of the Act relating to powers of the metro railway administration is being amended to spell out expressly that the powers under the section can be exercised by the administration for discharging its functions under section 18 of the Act. The section is also being amended to confer on the administration the power to temporarily close any street, road, cable, etc.

(*e*) For ensuring the safety of any metro railway or for facilitating the construction thereof, the Central Government has powers under section 21 of the Act to prohibit or regulate construction of buildings or any work of development up to a distance of ten metres on either side of the metro alignment. This limit of ten metres being increased to twenty metres.

3. The Bill seeks to achieve the above objects.

NEW DELHI; KEDAR PANDAY.

The 11*th December,* 1981.

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