

## THE RAILWAYS (AMENDMENT) ACT, 1954.

[Act No. LXXII of 1954.]

It is hereby enacted as follows :—

1. This Act may be called the Railways (Amendment) Act, 1954.

2. For section 106 of the Railways Act, hereinafter referred to as the said Act, the following *shall be substituted* as section 106, namely :—

" 106. If a person having charge of any articles which are brought to the railway for transport by rail, gives an account which is materially false regarding description and weight, with the object of obtaining a lower freight than that which is chargeable, he and, if he is not the owner of the articles, the owner also shall be punished with fine which may extend to five hundred kyats in addition to any freight and other charges due to the railway, or with imprisonment for a term not exceeding three months, or with both."

3. For section 112 of the said Act, the following *shall be substituted* as section 112, namely :—

" 112. If a person—

- (a) enters or remains in any carriage on the railway in contravention of section 68 ; or
- (b) travels or attempts to travel without having a proper pass or a proper ticket with him ; or
- (c) 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 69 ; or
- (d) travels or attempts to travel in or on a carriage of a higher class than for which he has obtained a pass or purchased a ticket ; or
- (e) travels in or on a carriage beyond the place authorized by his pass or ticket, he shall be punished with fine which may extend to five hundred kyats in addition to the amount of fare due to the railway, or with imprisonment or a term not exceeding three months, or with both."

4. Section 113 of the said Act *shall be deleted*.

5. For section 114 of the said Act, the following *shall be substituted* as section 114, namely :—

" 114. If a person sells or attempts to sell, or parts or attempts to part with the possession of any half of a return ticket in order to enable any other person to travel therewith, or purchases such half of a return ticket, he shall be punished with fine which may extend to five hundred

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kyats or with imprisonment for a term not exceeding three months, or with both, and if the purchaser of such half of a return ticket travels or attempts to travel therewith, he shall be punished with an additional fine which may extend to the amount of the single fare for the journey authorized by the ticket."

6. For section 116 of the said Act, the following *shall be substituted* as section 116, namely :—

" 116. If a person alters or defaces his pass or ticket so as to render the date, number or any material portion thereof illegible, he shall be punished with fine which may extend to five hundred kyats or with imprisonment for a term not exceeding three months, or with both."

7. For sub-section (1) of section 131 of the said Act, the following *shall be substituted* as sub-section (1), namely :—

" (1) If a person commits any offence mentioned in sections 100, 106, 111, 112, 114, 116, 119, 120, 121, 126, 127, 128 or 129 or in section 130, sub-section (1), he may be arrested without warrant or other written authority by any railway servant or Police Officer, or by any other person whom such servant or officer may call to his aid."

8. For sub-sections (1), (2) and (3), of section 132 of the said Act, the following *shall be substituted* as sub-sections (1), (2) and (3), namely :—

" (1) If a person commits any offence under this Act other than an offence mentioned in the last foregoing section, any railway servant or Police Officer, or any other person whom such railway servant or Police Officer may call to his aid, may, without warrant or other written authority, arrest him.

(2) The person arrested shall be released on his giving bail.

(3) If the person cannot give bail, he shall with the least possible delay be taken before the nearest Magistrate having jurisdiction."

9. In section 133 of the said Act, for the word "second" the word "first" *shall be substituted*.