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LAW DEPARTMENT

NOTIFICATION

The 28th February 2013

No. 2381/Legis.-III-1/2013-L.—The following Act of Parliament which is assented by the President on the 2nd June 2012 and published by the Government of India, Ministry of Law and Justice (Legislative) Department in the Gazette of India, Extraordinary, Part-II, Section-I, dated the 4th June 2012, is hereby republished for general information.

[Assented to on the 2nd June 2012]

THE RAILWAY PROPERTY (UNLAWFUL POSSESSION)

(Act No. 25 of 2012)

AMENDMENT ACT, 2012

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

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

Short title
and
commence-
ment.

1. (1) This Act may be called the Railway Property (Unlawful Possession) Amendment Act, 2012.

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

Amendment
of Section 3.

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

29 of 1966

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

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

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

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

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

45 of 1860.

Amendment
of Section 4.

3. In Section 4 of the principal Act,—

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

"Punishment for abetment, conspiracy or connivance at offences.";

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

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

*'Explanation.—*For the purposes of this section, the words "abet" and "conspire" shall have the same meanings as assigned to them respectively in Sections 107 and 120A of the Indian Penal Code.'

45 of 1860.

Amendment
of Section 8.

4. In Section 8 of the principal Act,—

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

"Inquiry how to be made.";

(ii) in sub-section (1), for the words "When any person is arrested", the words "When an officer of the Force receives information about the commission of an offence punishable under this Act, or when any person is arrested" shall be substituted.

By order of the Governor

S. K. MOHANTY

Principal Secretary to Government I/c